

intertwined with urban development, which is a State subject and hence, Metro Rail Projects are initiated/proposed by the State Governments. The proposals received by the State Governments are considered by Government of India (GoI) depending upon the viability of projects and availability of resources.

Cabinet has approved Ahmedabad Metro Rail Project Phase-I in its meeting held on 18.10.2014. GoI has not received any proposal for Metro Rail Projects in other cities of Gujarat.

Encroachment on pavements

1368. DR. PRABHAKAR KORE:

SHRI RAJKUMAR DHOOT:

Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether Government is aware of the fact that the encroachments on pavements meant for pedestrians is on the rise in almost all the cities in the country;

(b) if so, whether Government proposes to bring stringent laws in consultation with State Governments to deter the encroachers from encroaching pavements meant of pedestrians if so, give details, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI BABUL SUPRIYO BARAL): (a) Removing encroachments on pavements is the responsibility of State Government and Local Bodies. Government of India has no data on the matter.

(b) Legal provisions regarding prevention of encroachments on pedestrian paths already exist in the Indian Penal Code as well as most State level acts dealing with the subject (Police Act, Municipal Act etc.). The enforcement of which lies with Urban Local Bodies (ULBs) and State Level Agencies.

Some of the existing legal provisions are given in Statement (*See below*) as an illustration.

Statement

Existing legal provisions

1. Section 283 in The Indian Penal Code

Danger or obstruction in public way or line of navigation. – Whoever, by doing any act, or by omitting to take order with any property in his possession or under his charge, causes danger, obstruction or injury to any person in any public way or public line of navigation, shall be punished with fine which may extend to two hundred rupees.

2. Delhi Municipal Corporation Act, 1957

317. Prohibition of projections upon streets, etc.
320. Prohibition of structures or fixtures which cause obstruction in streets
321. Prohibition of deposit, etc., of things in streets
322. Power to remove anything deposited or exposed for sale in contravention of this Act
323. Prohibition of the tethering of animals and milking of cattle

3. Section 83, 84 of Delhi Police Act

Causing any obstruction in a street: No person shall cause obstruction in any street or public place –

- (i) by allowing any animal or vehicle, which has to be loaded or unloaded, or take up or set down passengers, to remain or stand in the street or the public place longer than may be necessary for such purpose; or
- (ii) by leaving any vehicle standing or fastening any cattle in the street or the public place; or
- (iii) by using any part of a street or public place as a halting place for vehicles or cattle; or
- (iv) by leaving any box, bale, package or other things whatsoever in or upon a street for an unreasonable length of time or contrary to any regulation; or
- (v) by exposing anything for sale or setting out anything for sale in or upon any stall, booth, board, cask, basket or in any other way whatsoever.

Obstructing a footway: No person shall drive, ride, load, propel or leave on any footway any animal or vehicle other than a perambulator or fasten any animal in such a way that the animal can stand across or upon such footway.

Unutilised funds for UIG and UIDSSMT

1369. SHRI PRAMOD TIWARI:

SHRI K.C. TYAGI:

Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) whether a large number of projects have been sanctioned under Urban Infrastructure and Governance (UIG) sub-mission and Urban Infrastructure Development Scheme for Small and Medium Towns (UIDSSMT) the details thereof, State-wise;

(b) the funds sanctioned for completion of these projects;