

GOVERNMENT OF INDIA

MINISTRY OF HOUSING AND URBAN AFFAIRS

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UNSTARRED QUESTION NO.1330

TO BE ANSWERED ON DECEMBER 19, 2022

MECHANISM TO ENFORCE THE RIGHTS OF PEDESTRIANS

NO.1330. SHRI JAGGESH:

WILL THE MINISTER OF HOUSING AND URBAN AFFAIRS BE PLEASED TO STATE: -

- (a) whether it is a fact the Indian cities are becoming increasingly unsafe for pedestrians without safe footpaths and road crossings resulting in increase in pedestrian fatalities;
- (b) whether Government has legal obligation to provide safe and secure commute for pedestrians;
- (c) if so, steps taken by Government to ensure that a policy be made to have encroachment free footpaths and safe road crossings and law to safeguard the rights of pedestrians and mechanism be put in place to enforce the same;
- (d) if so, the details thereof;
- (e) if not, the reasons therefor?

ANSWER

THE MINISTER OF STATE IN THE

**MINISTRY OF HOUSING AND URBAN AFFAIRS
(SHRI KAUSHAL KISHORE)**

(a) to (e): Urban Planning is a State subject. As per 12th schedule of the constitution, Urban planning including formulation and implementation of regulations for safe and secure walking spaces to pedestrians in cities are the functions of Urban Local Bodies/ Urban Development Authorities subject to the transfer of the functions by the State Government. Government of India has only advisory role.

Ministry has issued guidelines/ advisories and made schematic interventions for facilitating the safe and secure walking spaces to pedestrians in cities:

1. Clause 11 and 12 of National Urban Transport Policy 2006 emphasizes on “equitable allocation of road space” from safety consideration of non-motorized modes, i.e., pedestrians and bicycles. Clause 29 of policy addresses the safety concerns of pedestrians through promotion of segregated rights of way for the pedestrians. It also emphasized on strict enforcement coupled with public participation to address the encroachment.

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2. Urban and Regional Development Plans Formulation and Implementation (URDPFI) guidelines-2014 promote road safety as integral part of development regulations, local areas plan, and other city level planning provisions. It also promotes strategic Non-Motorized Vehicle (NMV) plan for safety and smooth passage. Section 8.2.17 includes provisions for road safety and design strategies. Section 8.4.10.3 emphasizes on pedestrian infrastructure and adoption of 'Indian Road Congress (IRC) guidelines 103-2012: Guidelines for pedestrian facilities'. Section 8.5.4 Urban Street vending includes provision for planning of street vending zones and shall be taken up vending activities such that it does not lead to overcrowding and insanitary conditions in public spaces and streets. Guidelines promoted the vending/ hawking zones and vendor markets. Further, these guidelines provide necessary checklists for road safety to vulnerable road users including pedestrians, design of junctions, cross-sections, road signs, road markings, lighting and roadside facilities.
3. Clause 3.1 of Model Building Bye Laws (MBBL) 2016 includes the provision of additional FAR in which provision of "pedestrian safety" is one of the key functions. This ensures development of pedestrian facilities before densification.
4. National Transit Oriented Development policy 2017 covers the aspect of movement of pedestrians. Clause 7.5 and 7.6 of policy emphasises on safe and accessible street for all commuters including pedestrian, bicyclist, motorists and transit riders. Policy advocates the right of way provisions to be designated based on pedestrian volume and adjoining land use. Policy also emphasises on universal accessibility of pedestrian infrastructure and, reduced speed and volume of motorized traffic in the influence zone. Clause 7.6.4 emphasises on continuous and unobstructed footpaths of suitable width to be provided on either side of street and provisions of buffers or bollards etc. to be provided to protect the footpaths from encroachment.
5. Ministry's Atal Mission for Rejuvenation and Urban Transformation (AMRUT) promotes non-motorised urban transport for benefit of pedestrians. Against the total plan size of ₹77,640 crore, ₹1,436 crore (2%) has been allocated for non-motorised urban transport. The admissible components under this include development of footpaths/walkways, sidewalks, foot over-bridges etc. So far, 347 projects worth ₹1,025 crore have been grounded, of which 263 projects worth ₹544 crore have been completed. Through these projects, 372 km of walkways have been developed and work on remaining 15 km is under progress.
