

The perils of jaywalking in India's chaotic cities

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A lack of sufficient pedestrian infrastructure in rural and urban India is compelling people to violate traffic rules.



While pedestrians are risk-averse, motorists also maintain an unyielding attitude on India's roads. : Flickr: Sudipta Arka Das CC BY-SA 2.0

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Besides being a Congress Member of India's Parliament, Shashi Tharoor is known also for using impeccable English. So, it was no surprise when he discussed the word 'jaywalking' in a personal blog, claiming — and perhaps rightly so — that “whatever may be our political differences, all Indians have one thing in common: jaywalking”.

Tharoor's research, as reflected in the blog, found that there “are laws against jaywalking in the US, Singapore, Poland, Serbia, Iran, Australia and New Zealand”.

However, in India, there is no universal law or legislation that forbids walking or crossing streets in violation of traffic regulations, even when pedestrian deaths on urban roads are a matter of growing concern. This is often attributed to insufficient walking infrastructure across India's large cities, bursting at the seams with dense population.

Issues relating to violation of traffic regulations and consequent pedestrian fatalities are complex and multifaceted. They involve not only awareness about the legal frameworks, traffic rules and road safety but also cultural attitudes, including the social acceptance and tolerance of traffic and road safety violations along with the lack of urban planning and road infrastructure.

Jaywalking is so rampant across most megacities that even the annual road safety week, which was mandated by India's Ministry of Road Transport and Highways in 1989, does not serve as a deterrent.

A drive launched by the Kolkata Police in January this year found pedestrians flouting traffic regulations across many parts of the city, but they were let off with a token fine of US\$0.12 to US\$0.59 (Rs10 to Rs50). The errant pedestrians were “counselled” on the dangers of jaywalking and hectored on crossing roads at designated zebra crosswalks.

In January 2022, a similar awareness drive was undertaken in Bengaluru and violators were warned that they would be fined only US\$ 0.12 (Rs 10). In June 2023, a collision, involving a speeding bus, was narrowly averted even as the police booked a woman for jaywalking, in Karnataka's Mangaluru city.

A senior police officer, admitted at that time that there was insufficient infrastructure catering to pedestrians and merely using laws against them would make all related issues complex.

What defies logic is pedestrians' refusal to use available road and safety infrastructure when they are available. This raises the question: does absence of traffic infrastructure or a cultural tendency among people to disobey or disregard traffic laws lead to on-road fatalities?

A collective cultural trait?

Negligent behaviour among pedestrians is often viewed as a collective cultural trait and this may include practices such as driving two-wheelers without helmets or cars without seat belts, ignoring traffic signals and jaywalking. This compromises pedestrian and motorist safety.

As much as pedestrians are risk-averse, motorists also maintain an unyielding attitude which often forces pedestrians to accept shorter gaps in traffic, increasing the risk of accidents. This, accompanied by insufficient street lighting and inadequate sight distance, worsens the conditions and increases the risk of accidents.

What makes the situation particularly vexed is the ineffectiveness of strict legal frameworks. Legislative instruments such as the Motor Vehicle (Amendment) Act, 2019 are aimed at enhancing road safety and reducing accident rates. The Act seeks to impose higher penalties for juvenile driving, automate vehicle fitness tests and enhance third-party insurance provisions. It also includes new regulations for the recall of defective vehicles and an increase in compensation for hit-and-run cases.

The enforcement mechanism required for the effective implementation of traffic and road safety regulations is often inconsistent due to multiple factors such as corruption, inadequate training and lack of required personnel and resources. The legal process also suffers from delays in dispensing justice to victims of traffic and road safety violations.

In cases where pedestrian infrastructure such as footpaths and pavements are available, they are either broken, blocked or occupied by unauthorised car parkings or taken over by the unhoused, leaving barely any room to walk, and compromising pedestrian safety. The foot overbridges, underpasses or subways are either difficult to access, poorly maintained or not functional at times.

Policy exists but is not followed

The last time the central government undertook some measure on ensuring road safety and traffic management was in 2005, when it established a committee under S Sundar, a former secretary. This committee was empowered to make recommendations on creating a body dedicated to road safety, besides drafting the National Road Safety Policy.

The Union cabinet approved the National Road Safety Policy in 2010 and undertook a slew of measures to make people aware of road safety issues, including the social and economic implications of road accidents. The rationale was to empower different stakeholders to play meaningful roles in promoting road safety.

Another measure was the digitisation of road safety information. Through digitisation, the government would provide assistance to Local bodies, Union Territories and State governments to improve the quality of data collection, transmission and analysis, with the assistance of a National Road Safety Information System.

Besides, the policy also sought to take an integral step in educating and training different stakeholders, including school children and college students, by making it compulsory for all the authorities associated with road safety, traffic management and law enforcement to abide by the policies and norms.

While motor vehicle laws have been revised to enhance overall road safety, along the lines of the policy, the lack of dedicated infrastructure for pedestrians remains a pressing issue.

The need for a robust framework to understand and mitigate road fatalities is imperative. It is crucial for governmental and local agencies to prioritise the development of safe pedestrian pathways, crosswalks, traffic signals and walkways.

Going forward, while the Motor Vehicle (Amendment) Act 2019 represents a positive step toward road safety, the lack of dedicated pedestrian infrastructure remains an obstacle to reducing fatalities. It is imperative that responsible agencies collaborate to implement infrastructure improvements that prioritise pedestrian safety, ensuring a comprehensive approach to road safety for all users.

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