

ITEM NO.301

COURT NO.9

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Miscellaneous Application Nos.741-742/2019 in C.A. Nos.1265-1266/2019

UNION OF INDIA

Petitioner(s)

VERSUS

RADHA YADAV

Respondent(s)

[PART-HEARD BY : HON'BLE AHSANUDDIN AMANULLAH AND HON'BLE R. MAHADEVAN, JJ.]

WITH

M.A. Nos.743-744/2019 in C.A. Nos.1267-1268/2019 (XVI)

UNION OF INDIA

Petitioner(s)

VERSUS

SHRI GHETU MONDAL AND ANR.

Respondent(s)

Date : 06-10-2026 These matters were called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Vikramjit Banerjee, A.S.G.
Mr. Nachiketa Joshi, Sr. Adv.
Mrs. Bharti Tyagi, Adv.
Mr. Sachin Sharma, Adv.
Mr. Ayush Anand, Adv.
Mr. Rajeshwari Shankar, Adv.
Mr. Amrish Kumar, AoR
Dr. Arun Kumar Yadav, Adv.

Signature Not Verified
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SAPNA BISHT
Date: 2026.10.08
17:43:05 IST
Reason: I

For Respondent(s) Mr. Shikhil Suri, Sr. Advocate (Amicus Curiae)
Mr. Vikas Singh Jangra, AoR (Amicus Curiae)
Mr. Vibhor Choudhary, Adv.
Ms. Wamika Chadha, Adv.

O R D E R

Heard Mr. Vikramjit Banerjee, learned Additional Solicitor General appearing for the petitioner-Union of India and Mr. Shikhil Suri, learned Senior Counsel, who is also the learned *Amicus Curiae* in the present cases.

2. The Court records its utter disappointment and displeasure at the conduct of the officers of the Ministry of Railways in such a serious matter concerning the safety of the common man. The Railways have been representing before this Court that all necessary steps are being taken in this regard. However, it appears that such assurances have remained largely on paper and that no substantial change has taken place on the ground. Even the budgetary provisions indicated for the targeted areas relating to the safety of the common man and prevention of untoward incidents have not been fully utilized.

3. In view of the aforesaid position, where there appears to be hardly any progress on the ground, the Court is constrained to direct the Chairman and Members of the Railway Board to remain personally present before this Court on the next date of listing i.e., 16.11.2026 at 03:00 p.m.

4. The Chairman and Members of the Railway Board shall be personally held responsible, if the Court finds that assurances are being given before this Court without there being corresponding seriousness on the part of the Railways to ensure effective implementation on the ground. The Court is particularly concerned that despite budgetary provisions having been made, even basic

safety requirements appear not to have been adequately complied with and that the provisions made have remained substantially unimplemented.

5. Coming to the issue of insurance coverage, at present, only persons purchasing tickets online are provided the benefit of insurance coverage upon payment of a nominal additional amount. The Court has granted sufficient time to the authorities to devise a mechanism for extending such coverage to persons belonging to the lowest strata of society, who, in most cases, purchase their tickets at the railway reservation counters while undertaking journeys by train. As there has been no progress on this aspect either, we direct that within two weeks, i.e., with effect from 27.10.2026, all tickets sold over the counter at all railway stations shall also be covered by insurance in the same manner as tickets purchased online. The aforesaid direction shall be implemented mandatorily, failing which the responsibility shall be directly upon the Railway Board.

6. We make it clear that on the next date of listing, if the Court finds that there has been no substantial progress on the ground as compared to the position obtaining today, the Court may have to consider whether the Railway Board, as presently constituted, is fit to be permitted to continue in office.

7. On the next date of listing, the Chairman and Members of the Railway Board shall remain present and be prepared to explain how, in their planning and implementation, there has been a shortfall of almost one-third every year in achieving the targets relating to the basic safety measure of fencing the railway tracks. No

exception shall be made in this regard. All concerned shall remain personally present before the Court on the next date of listing and no prayer for exemption shall be entertained.

8. After the order was dictated, Mr. Vikramjit Banerjee, learned ASG submitted that the Court may grant him one last indulgence to enable him to file a categorical affidavit setting out the actual work carried out on the ground during the last one year, explaining the reasons for non-achievement of the prescribed targets, at least in respect of fencing, which is a basic safety requirement, and also indicating the manner in which the Railway Board proposes to ensure that the targets indicated before this Court are achieved under all circumstances.

9. Having regard to the aforesaid submission, the direction requiring the Chairman and Members of the Railway Board to appear physically before this Court on the next date of listing is kept in abeyance for the present.

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR