



* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Judgment reserved on: 24.07.2023

% **Judgment delivered on: 27.07.2023**

+ W.P.(C) 12902/2019

KUSH KALRA Petitioner

Through: Mr. Kush Sharma, Adv.

versus

UNION OF INDIA AND ORS. Respondent

Through: Ms. Arunima Dwivedi, CGSC for
UII

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SAURABH BANERJEE

J U D G M E N T

SATISH CHANDRA SHARMA, C.J.

1. The present writ petition has been filed as a Public Interest Litigation under Article 226 of the Constitution by the Petitioner, who is a practicing advocate in the Delhi High Court claiming to be a public spirited person as per the Writ Petition, inter alia, claiming the following reliefs:

“a) Issue a writ in the nature of MANDAMUS, or any other appropriate WRIT, order or direction to direct the respondents to provide Safety measures (lack of Anti Collusion Devices, lack of Alcohol Checking devices and lack of emergency telephones on platforms of Indian railways) and Security



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measures (lack of CCTV cameras at stations. Lack of Luggage scanning devices and lack of Metal Detector Doors and Hand Held Metal Detectors) at every Railway station in India.

b) Issue a writ in the nature of MANDAMUS, or any other appropriate WRIT, order or direction to direct the respondents to act on the railway police audit of Delhi railway stations being unsafe and submit a safety compliance report of the same to this Hon'ble Court in a span of two months or earlier.

c) Issue a writ in the nature of MANDAMUS, or any other appropriate WRIT, order or direction to direct the respondents to maintain highest standards of safety and security measures at Delhi Railways Stations and all railways stations across India.

d) Issue a writ in the nature of Mandamus, or any other appropriate Writ, order or direction to direct the respondents to inform to this Hon'ble Court about the steps taken by respondents towards safety and security of commuters travelling through Indian Railways across India and Delhi Railway Stations.

e) Pass such other orders as this Hon'ble Court deem fit in the circumstances of the case. ”

2. The petitioner has shown grave concern in respect of safety measures at Railway Stations and has highlighted lack of Anti Collusion Devices, lack of alcohol checking devices, lack of emergency telephones, lack of CCTV cameras, lack of luggage scanning devices, lack of metal detector doors and hand held metal detectors.

3. The Petitioner has referred to certain accidents which took place in different Railway Stations in the past and has also filed information obtained through an RTI under the Right to Information Act, 2005 in respect of the



aforesaid issues. The Petitioner's contention is that the State/ Indian Railways/ Respondents are duty bound to secure the right of security of each and every individual in the country and the Respondent authorities have failed to provide the following safety and security measures:

"A. Safety Measures:

(a) Anti-Collusion Devices (ACD): ACD is a global positioning system (GPS) based system developed by Konkan Railway Corporation Limited (KRCL), aimed to prevent train collisions at higher speeds by actuation of automatic application of train brakes in collusion like situations. Anti-collusion Device has been installed only in Northeast Frontier railway (NFR).

(b) Alcohol Detection Devices: Alcohol Detection Devices are required at railway stations to detect the drunk people entering the stations. As section 145 of the Railway Act, 1989 provides punishment for drunkenness at railway stations. This particular section cannot be enforced until the railway police/security people are equipped with alcohol checking devices.

(c) Emergency Telephone at platforms from where a passenger can directly call the station control room in case of emergency. This is required because most of the time passengers are in grave/urgent situation and they require urgent help and presently most stations in India are not equipped with emergency telephones at the railway stations.

B. Security Measures:

(a) Scanning Machines: Scanning Machines are necessary to check the luggage of passengers at the railway stations. The security of railway system can't be made full proof until passengers belongings are properly scanned at the entrance points of railway stations. Most of the stations in India are not equipped with the scanning machines to check the belongings of passengers which is a major security lapse.

(b) CCTV Cameras: CCTV cameras ensure the smooth functioning of any railway station and helps in monitoring and tracking of any illegal activity.



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(c) Metal Detector Doors and Handheld Metal Detectors are necessary to make the travel of every commuter safe so that no unscrupulous elements enter the station with any prohibited or dangerous material. The above-mentioned safety and security measures are directly related to protection of the precious life of commuters of Indian Railways. ”

4. A detailed and exhaustive counter-affidavit has been filed by the Union of India stating that the Indian Railways have installed CCTV cameras at stations, luggage scanning devices, door frame metal detectors, hand held metal detector, body worn cameras and dogs (Sniffer and Tracker) have also been posted at the Railway Stations. It has been further stated that All India Helpline Number 139 is used for assistance to any complaints/ security assistance. It has been stated that the Railway Protection Force Twitter Handle is available for passengers for any complaints and security assistance. It is also stated that Operation “Meri Saheli” has been set up to ensure safety and security to women passengers especially to the ones who are travelling alone in addition to providing child helpline and Anti Trafficking Units at stations for maintaining and providing security to the passengers travelling through Railways.

5. The Respondents have, on affidavit, also furnished the details of safety and security measures which are in place at the Railway Stations as under:

<i>Sl No.</i>	<i>Detail Required</i>	<i>Availability</i>
<i>1</i>	<i>CCTV Cameras at Stations</i>	<i>CCTV Cameras installed at 861 Railway Stations.</i>



2.	<i>Luggage Scanning Devices/ BSM</i>	<i>Total 245 Luggage Scanning Devices/ BSM is available.</i>	
3.	<i>Door frame Metal Detectors</i>	977	
4.	<i>Handheld Metal Detectors</i>	4846	
5.	<i>Body Worn Cameras</i>	1016	
6.	<i>Dogs (Sniffer & Tracker)</i>	<i>Sniffer Dogs – 332, Tracker Dogs – 90</i>	
7.	<i>Train Escorting by RPF & GRP</i>	<i>Average train escorting per day:- RPF-2,000 & GRP - 1200</i>	
8.	<i>All India Helpline No. 139 used for assistance to any complaints or security assistance.</i>	<i>Year</i>	<i>No. of Complaint/ Calls received on 182</i>
		2020	13922
		2021 (Up to March)	4540
		<i>182 merged with 139 Rail Madad w.e.f. 01.04.2021</i>	
		<i>Year</i>	<i>No. of Complaint/ Calls received on 139</i>



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		2021 (April to Dec.)	49996
		2022 (Up to June)	59500
9.	<i>RPF Twitter Handle available for passengers for any complaints/ Security assistance.</i>	<i>Year</i>	<i>No. of Complaint/ Calls received on Twitter</i>
		2020	9062
		2021	14917
		2022 (Up to June)	11340
10.	<i>Operation “Meri Saheli” installed to ensure safety and security of women passengers, especially of those who are travelling alone</i>	<i>Total No. of teams deployed in “Meri Saheli” – 283</i>	<i>Total No. of staff deployed in “Meri Saheli” – 1125 as on average daily.</i>
11.	<i>Child & Women Help Desks at Stations</i>	<i>CHDS are available at 132 Railway stations.</i>	
12.	<i>Anti-Human Trafficking Units</i>	<i>More than 750 Anti-Trafficking Units covering all RPF Posts</i>	

6. The Respondents, in addition to the aforesaid safety and security measures have also stated on affidavit that the Indian Railways is also conducting regular awareness programs for awareness of passengers travelling through railways and the programme conducted by the Railways are reproduced as under:



<i>Details regarding campaign to educate rail users</i>							
<i>Year</i>	<i>No. of leaflets distributed</i>	<i>No. of Stickers pasted</i>	<i>No. of Nukka dNatak s performed</i>	<i>No. of Stations where announcements through PA system is made</i>	<i>Publicity drive through</i>		
					<i>Print Media</i>	<i>Electronic Media</i>	<i>Social Media</i>
<i>2022 (Upto June)</i>	<i>94,935</i>	<i>32,309</i>	<i>1,031</i>	<i>2,138</i>	<i>884</i>	<i>876</i>	<i>1,392</i>

7. In respect of status of implementation of Anti-Collision Device, the Respondents have stated that the Anti-Collision Device developed by Konkan Railway Corporation Ltd. (KRCL) is in place as a pilot project on 1736 Km Route on Northeast Frontier Railways. It has been further stated that complex operational and technical problems were experienced during these trials which could not be fully resolved by KRCL, however, automatic train protection system is being implemented on Indian Railways in respect of the following routes:

- “(a) Four works of Modern Train Control system totaling 640Km is being implemented which includes European Train Control System (ETCS) Level-2, on ReniguniaYerraguntla, Palasa-Viziangram, Jhansi-Bina & Nagpur-Hadnera Section of Golden Quadrilateral and Golden Diagonal high density routes of Indian Railway*
- (b) Indigenously developed automatic train control system i.e. Train Collision Avoidance system (TCAS) is being implemented on Bidar - Parli -Vaijanth-Parbhani (241 KmRoute) and Manmad - Parbhani - Nanded -*



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Secunderabad- Hadwal- Dhone- Guntkal (959 Km Route) Sections of South Central Railway.

(c) European Train Control System (ETCS) Level-2 system shall be implemented on New Delhi - Mumbai and New Delhi-Howrah Routes in connection with raising of speed up to 160 Km /Hr. to reduce travel time from 18 Hrs. to 12 Hrs. on these two routes. ”

8. In respect of CCTV Cameras, it has been stated that the Indian Railways have undertaken the work of providing CCTV cameras at all the 6124 railway stations and the work is also in progress at another 257 stations and it has been stated that all the railway stations in the country will have CCTV cameras.

9. In respect of alcohol checking devices, it has been stated by the Respondents that action is being taken in respect of drunkenness or nuisance under Section 145 of the Railway Act and till July, 2022 itself as many as 42,086 persons had been prosecuted therein. It has been further stated that the Railways Protection Force and Government Railway Police are escorting 3200 trains per day for a safe and secure journey of passengers.

10. It has been further stated by the Respondents that 245 Luggage Scanning Devices/ BSM have been installed on platform entry points of railway stations. The Railways have installed 977 Door Frame Metal Detectors at stations and 4846 Hand Held Detectors at various Railway Stations.

11. Additionally, the Respondents have subsequently filed an additional affidavit on 05.01.2023 furnishing the details in respect of the safety and security measures in the Railways. In fact, the details of equipments/



instruments installed by the Indian Railways given therein are reproduced as under:

<i>Sl No.</i>	<i>Description</i>	<i>Availability</i>
1.	<i>CCTV Cameras at Stations for video surveillance</i>	<i>CCTV Cameras installed at 861 Railway Station over Indian Railways. In order to strengthen security at stations, Indian Railways have undertaken a work for provision of CCTV cameras at all the 6124 stations (except Halt Stations)</i>
2.	<i>CCTV Cameras at Stations for video surveillance</i>	6368
3.	<i>Luggage Scanning Devices/ BSM</i>	<i>Total 260 Luggage Scanning Devices/ BSM is available.</i>
4.	<i>Door Frame Metal Detectors</i>	1061
5.	<i>Handheld Metal Detectors</i>	5,265
6.	<i>Body Worn Cameras</i>	1,168

12. The other steps in respect of the security of passengers enumerated therein with details thereof are as under:

<i>Sl No.</i>	<i>Description</i>	<i>Achievements</i>
1.	<i>Dogs (Sniffer & Tracker)</i>	<i>Sniffer Dogs – 332, Tracker Dogs- 90</i>



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2.	<i>Train Escorting by RPF & GRP</i>	<i>Average train escorting per day:- RPF- 2,000 & GRP- 1200</i>	
3.	<i>All India Helpline No. 139 (integrated with Emergency Response Support System 112) used for assistance to passengers in distress</i>	<i>Year</i>	<i>No. of Complaint/ Calls received on Helpline 182/139 and action has been taken</i>
		2020	13,922
		2021 (Up to March)	4,540
		<i>Toll free number 182 was later merged with Rail Madad Help line number 139 w.e.ff 01.04.2021</i>	
		2021 (April to Dec.)	49,996
		2022 (up to Sep.)	1,30,107
4.	<i>RPF Twitter Handle available for passengers for any complaints/ Security assistance.</i>	<i>Year</i>	<i>No. of Complaints/ Calls received on Twitter and action has been taken.</i>
		2020	9,062



		2021	14,917
		2022 (up to Sep.)	18,185
5.	<i>Opertation “Meri Saheli implemented to ensure safety and security of women passengers, especially of those who are travelling alone.”</i>	<i>Total No. of teams deployed – 283 Total No. of staff deployed – 1,125 as on average daily.</i>	
6.	<i>Child Help Desks at Stations</i>	<i>CHDS are available at 143 Railway Stations.</i>	
7.	<i>Anti-Human Trafficking Units</i>	<i>More than 750 Anti-Human Trafficking Units covering all RPF Posts across the country.</i>	

13. The Respondents have further stated that they have launched other initiatives for the security of passengers, some of them detailed in the affidavit are as under:

“1. Operation 'Nanhe Farishtey':

- for identifying and rescuing children in need of care & protection who are lost/separated from their family due to vanous reasons.

2. Operation 'Amanat':

- Recovery of left behind luggage of passengers and restoring them to the rightful owner.

3. Mission 'Jeevan Raksha



- saving the life of passengers who are in hurry trying to board/de-board a moving train, slip and fall with the risk of coming under the wheels of train and people under distress trying to commit suicide by deliberately coming in front of a running train. Under this operation RPF personnel risking their own lives tries to rescue the lives of others.

4. Operation 'Mahila Suraksha':

- Besides several steps taken to enhance the security of women passengers, an initiative 'Meri Saheli initiative' was launched across Indian Railways with an objective to provide safety and security to lady passengers travelling alone or with minors by long distance trains for their entire journey from originating station to terminating station. Dedicated teams of lady RPF personnel have been formed across all zonal railways for its implementation.

5. Operation 'Jan Jagaran': -

- awareness programs for railway passengers are made by distributing leaflets, pasting stickers, performing nukkad nataks, publicity through print media, electronic media & social media and announcement through P A systems.

6. Operation 'Sanraksha': -

- for action against the criminals involved in pelting stone on the moving train, carrying inflammable or crackers in train etc.

7. Operation 'AAHT

- in order to fight against Human Trafficking, an operation against Human Trafficking was has been launched and more than 750 Anti Human Trafficking Units AHTUs have been formed for the purpose."

14. In the additional affidavit, the Respondents have again furnished the details in respect of Anti-Collision Device and have stated that the Automatic Train Protection systems are being implemented in the Indian



Railways. The following Automatic Train Protection Systems are being implemented in the Indian Railways:

“a. Four works of Modern Train Control system to a total of 640 Route km is being implemented which includes European Train Control System (ETCS) Level-2, on Renigunta-Yerraguntla; Palasa-Vizianagaram; Jhansi-Bina & Nagpur-Badnera sections of Golden Quadrilateral and Golden Diagonal High Density Routes of Indian Railways.

b. Indigenously developed Automatic Train Control System i.e. Train Collision Avoidance System (TCAS) is being implemented on Bidar - Parli Vaijnath - Parbhani (241 Route km) and Manmad - Parbhani - Nanded - Secunderabad - Gadwal - Dhone - Guntakal (959 Route km) sections of South Central Railway.

ETCS Level-2 system be implemented on New Delhi- Mumbai and New Delhi-Howrah routes in connection with raising of speed up to 160 kmph to reduce travel time from 18 Hrs to 12 Hrs on these two routes.”

15. All the aforesaid clearly reflect that the safety and security of passengers is of paramount importance to the Railways and the Railways have been taking all necessary safeguards to ensure that there is no breach in respect of safety and security of passengers. The affidavit reveals that the Railways have presently installed CCTV Cameras, luggage scanning devices, door fame metal detectors, hand held metal detector, body worn cameras and dogs (Sniffer and Tracker), automatic train protection system etc.

16. Therefore, in light of the affidavits filed by the Union of India, nothing more is required and, thus, the present PIL stands disposed of. However, the Respondents shall ensure that there is a periodic audit in



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respect of the safety and security measures in the Indian Railways and after conducting periodic audit and assessing the situation, the Government of India shall ensure maintenance of highest standards of safety and security at Railway Stations all over the country.

17. With the aforesaid, the petition stands disposed of.

(SATISH CHANDRA SHARMA)
CHIEF JUSTICE

(SAURABH BANERJEE)
JUDGE

JULY 27, 2023
N.Khanna