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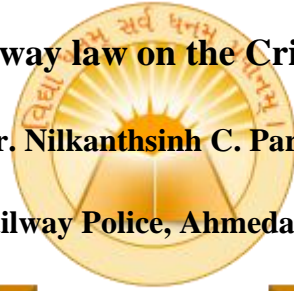
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## **Impact of Railway law on the Criminals in India**

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## Abstract

Indian railway law are very old and so many time amended so here in the study author study to various kind of crimes committed in the railway jurisdiction. On the basis of secondary data of the numbers of crimes analyzing the fact with matter it. Many news outlets report on crimes committed in railway premises but the researcher decided to do this study to understand the effect of railway law on criminals. At the same time, the research aims to find out what kind of efforts can be made by the railway police to reduce the crime rate.

## INTRODUCTION

Indian Railways are quite unique and distinctive in character, really a microcosm of India. To make it a safe and reliable system is an enormous challenge. The Railways has the most intricate and involved interdependencies. Safety on the Railways is the end product of the cohesive fusion of its myriad parts. A single flaw in the 64,600 route kms of track that criss-cross the country, a defect in over 9,500 locos, 55,000 coaches and 2.39 lakh wagons that haul about 23 million passengers and nearly 2.7 million tons of freight every day, an incorrect indication on one of the thousands of signals that dot the rail landscape, a mistake or an act of negligence by one of its staff directly associated with train running, even a rash act by one of the millions of road users who daily negotiate around odd level crossing gates spread across the system, an irresponsible act of carrying inflammable goods – any one of these multiple possibilities has the potential to cause a major tragedy. Added to these are the acts of sabotage by misguided elements spanning the whole country. Thus utmost vigil is safety in operations and also security of the travelling public is accorded by the Railways (Lok Sabha Secretariat, 2013).

**SECURITY SCENARIO ON INDIAN RAILWAYS** Incidents of sabotage on the Indian Railways (IR) have increased in frequency and intensity in the last five years. The terrorist attack at Mumbai Chhatrapati Shivaji Terminal (Mumbai CST) in November 2008 and a couple of major incidents of sabotage in the recent past including the derailment of the Jnaneswari Express in May 2010 (which resulted in the death of 150 passengers) highlight the problems of railway security. The number of accidents on Indian Railways attributed to sabotage increased from six in 2005-06 to fourteen in 2009-10. This along with frequent disruptions in rail traffic during agitations has seriously affected the public's faith in the Railway system to provide basic security to its passengers. The rail network spread over 64015 route kilometers with 7030 stations traverses both dense urban areas and sparsely populated rural areas and forest which are difficult to secure. The expenditure per passenger on security worked out to only Rs. 2.86 approximately for 2009-10. Traditionally, the Railway Protection Force has been responsible for the security of railway assets and the



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state government for the enforcement of law and order. They are responsible for the security of passengers and their belongings as also that of trains, tracks, bridges and railway premises against sabotage. The state government is represented by the Government Railway Police in stations and trains and by the state police outside the station premises. The security of passengers and passenger area was also entrusted to the Railway Protection Force in 2003 through an amendment. The main purpose behind the amendment of the RPF Act was to supplement the efforts of the state governments for ensuring security of passengers. But, the co-ordination between the RPF and the State Government is inadequate leading to large gaps in the security system of the Railways. There is a distinct lack of security (1)

### Crimes while traveling in trains

Murder, Attempt to Murder, Crime against women other than rape, Rape, Kidnapping & Abduction, Dacoity, Robbery, Drugging, Riot, Crime Breach of Trust, Cheating, Counterfeiting, other property Offences, Other IPC crimes are the crimes while travelling in train.

Three agencies are managing the crimes as per the existing protocol. Crimes involving theft of rail property are managed by The Railway Protection Force (RPF). The Government Railway Police (GRP) handles the issues related to passenger crimes. Crimes that take place on the tracks outside the border of railway stations are handled by State Police Human Resources.

In New Delhi, Union Minister Haribhai Parthibhai Chaudhary has launched the All India Railway Helpline number 1512. To register the complaints with police while travelling anyplace in the country, this number will help the passengers. At present, the helpline covers 27 states and all Union Territories .(2)

### List of Railways Act

Sr. No.	Sections of the Railways Act	Nature of offence
1	Sec. 137	Trying to travel without tickets or passes or travelling wrongly
2	Sec. 138	Levy of excess charge and fare for travelling without proper pass or ticket or beyond authorised distance
3	Sec. 139	Authority to take away a person
4	Sec. 141	Unnecessarily disturbing by means of communication in a train



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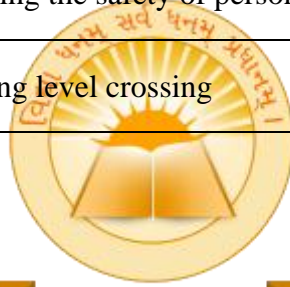
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5	Sec. 142	Fine for transfer of tickets
6	Sec. 143	Fine for unofficial transportation on a trade of getting and giving of railway tickets
7	Sec. 144	Prohibition on hawking and begging
8	Sec. 145	Drunkenness or nuisance
9	Sec. 146	Obstructing railway servant in his duties
10	Sec. 147	Trespass and refusal to desist from trespass
11	Sec. 153	Endangering safety of persons travelling by railway by willful act or omission
12	Sec. 154	Endangering safety of the persons travelling by railway rash or negligent act or omission
13	Sec. 155	Entering into compartment reserved or resisting entry into a compartment not reserved
14	Sec. 156	Travelling on roof, step or engine of a train
15	Sec. 157	Altering or defacing pass or ticket
16	Sec. 159	Disobedience of drivers or conductors of vehicles to directions of railway servant, etc
17	Sec. 160	Opening or breaking a level crossing gate
18	Sec. 161	Negligently crossing unmanned level crossing
19	Sec. 162	Entering carriage or other place reserved for females
20	Sec. 163	Giving false account of goods



21	Sec. 164	Carrying of dangerous goods in train
22	Sec. 165	Unlawfully bringing offensive goods on railway
23	Sec. 166	Defacing public notices
24	Sec. 167	Smoking
25	Sec. 172	Railway servant in a state of intoxication while on duty.
26	Sec. 173	Abandoning train, etc. without any authority
27	Sec. 174	Obstructing the running of train etc
28	Sec. 175	Endangering the safety of persons
29	Sec. 176	Obstructing level crossing





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## CRIME AGAINST PASSENGERS

### Heinous Crimes

Year	Murder	Rape	Dacoity	Robbery	Theft of Passengers belongings
2000	240	26	112	362	10672
2001	253	24	122	391	11765
2002	238	28	125	394	10562
2003	246	32	181	382	10357
2004	269	42	132	407	11700
2005	232	37	126	325	10846
2006	240	47	156	359	10103
2007	217	29	111	305	10939
2008	213	29	98	274	11497
2009	245	27	112	392	12403
2010	201	25	98	441	12536
2011	231	21	97	493	14701
2012	246	47	70	824	14267
2013	270	54	48	1096	18037

(3)

### India's Railway Crime:

Number of Persons Arrested data was reported at 6,015.000 Person in 2017. This records an increase from the previous number of 5,321.000 Person for 2016. India's Railway Crime: Number of Persons Arrested data is updated yearly, averaging 6,491.000 Person from Mar 2011 to 2017, with 7 observations. The data reached an all-time high of 7,153.000 Person in 2012 and a record low of 5,321.000 Person in 2016. India's



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Railway Crime: Number of Persons Arrested data remains active status in CEIC and is reported by Ministry of Railways. The data is categorized under India Premium Database's Transportation, Post and Telecom Sector – Table IN.TB018: Railway Statistics: Railway Crime.(4)

### **CAG report on security issues in railway**

An Indian railway station is typically overcrowded and easy to penetrate and attack. Substantial casualties can easily be inflicted with a Bomb attack. Further the railway track passes through vast stretches of forests and rural areas. These areas are difficult to patrol and provide protection to. Being a symbol of the central government, the Indian Railways (IR) are the focus of acts of vandalism and are an easy target of a number of agitations against the government –whether the state or the central government. Rail Roko agitations are an integral part of the protest movement of a number of agitations. Terrorists/ agitators perceive substantial psychological benefits in attacking Rail property and passengers. An attack is likely to leave passengers reluctant, however temporarily, to travel on the Railways. Providing security adds both to cost and travel time.(5)

The duties of the Government Railway Police as regards the areas in their jurisdiction correspond in general to those of the District Police in the areas under their charge. The Government Railway

### **Police have in addition the following special duties:**

(i) to maintain order at railway stations and in trains. The term "Order" duties comprises:–

control of passenger traffic within station premises, especially on platforms, in booking offices, waiting halls, at entrance and exit gates and wherever specially required in emergencies by the station officials;

control of vehicular and other traffic in station precincts;

Maintenance of order in passenger trains halted at stations and prevention of over-crowding in carriages;

Supervision of loaded passenger trains standing in station;

arrest of persons guilty of committing nuisance, removal of persons suffering from infectious diseases and keeping of station premises clear of beggars;

examination of empty carriages on arrival at terminal stations for property left behind by passengers and inspection of carriages with a view to seeing that fittings have not been tampered with;





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removal of bodies of persons who dies in trains or on station premises and conveyance to hospital of sick passengers;

(ii) to report to the proper authorities railway or civil the commission of offences under the Railways Act, and cases of fraud or oppression on the part of railway personnel;

(iii) to enquire into accidents on railway;

(iv) to render assistance to railway officers and to the traveling public in so far as the rendering of such assistance is compatible with their own duties as Police officers.

The Government Railway Police are responsible generally for the prevention and detection of crime on railways. The protection of goods-sheds, goods-wagons at stations and parcel offices is not duty of the Railway Police, but of the Railway Protection Force of the Railway.

With the introduction of amendment in RPF and Railways Act, implications for GRP are as under:-

36,600 GRP personnel of the country will be able to focus their attention on heinous crimes specially rape in trains and other crimes against women.

While GRP will continue to do policing for Railways, it will get more time to concentrate on investigation of heinous crimes.

GRP can be utilized for track patrolling and for effective investigation in cases of sabotage as defined in sections 150, 151 & 152 of The Railways Act. (6)

### Conclusion

Indian Railways steps up security at railway premises! Now, body-worn cameras are being used by the Railway Protection Force (RPF) to prevent crimes such as eve-teasing, chain snatching, molestation, child trafficking, etc. in railway premises. The camera system is expected to reduce crime rates. According to Indian Railways, when a person knows he/she is monitored continuously, they are less likely to get involved in criminal activities.

Some of the salient features of the secureye body worn camera system include resolution of 1280X720 Pixel, camera image sensing capacity (Picture Mode) (Mega Pixels) 10 MP, storage capacity of 32 GB and battery capacity of 3000 mAh. The camera has field of view of lens (wide angle) 100 to 109 degree. It has





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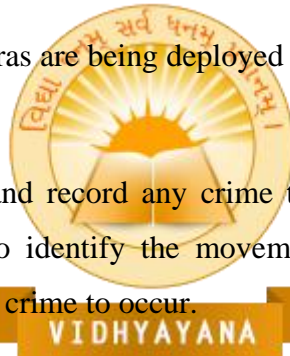
IP67, full HD 1080p, H.264, LED light, night vision. Here are some of the key specifications and benefits of the Body Worn Camera System:

The Railways has renamed its security force RPF (Railway Protection Force) as Indian Railway Protection Force Service.

The ministry has accorded organised Group A status to RPF and renamed it, according to an order issued on Monday.

“Consequent upon grant of organized group A status (OGAS) to RPF in the light of Cabinet decision arising from honourable court’s orders, it is hereby informed that RPF will be known as Indian Railway Protection Force Service,” the order stated.(6)

- The Body Worn Camera System has increased public confidence and it also helps in policing. It is likely to reduce anti-social behaviour.
- Under this system, Body Worn Cameras are being deployed in areas that are not covered by other forms of CCTVs.
- The cameras continuously monitor and record any crime that occurs. The recorded footages can be analyzed later, whenever required to identify the movements of any suspension person. Also, the systems act as a deterrent and prevent crime to occur.
- Any footage from these Body Worn Cameras can be produced as evidence in a court of law.
- The night vision cameras can capture the criminal activity/offence even if it takes place in a remote area in dark places. The Body Worn Camera System helps in gathering clues and evidence.
- The system is expected to enhance the capabilities of RPF staff during raids in both protection of railway materials as well as passenger security.
- The railway police with upgrade technology so many crimes reduce and they got success protect passengers.



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