

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(Railway Board)**

No. 2018/Sec(IVG)/NR/19

Dated /08/2019

**The Pr. Chief Security Commissioners/RPF  
All Zonal Rlys,  
RPSF, ICF, KRCL, RDSO, CORE, Construction  
Director/JR RPF Academy/LKO**

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(SECURITY CIRCULAR NO. 04/2019)

Subject: Improper registration of cases of "Dashing of vehicles to Boom Barrier provided at Railway Level Crossing Gate resulting in damage to it".

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The cases registered against offenders on the above subject were reviewed at Railway Board. The cases registered under these sections should contain proper ingredients to assign the case to the right section of Railway Act. The sections under which these offences are generally registered are as under –

**Section 154:-** *Endangering safety of persons travelling by railway by rash or negligent act or omission.—If any person in a rash and negligent manner does any act, or omits to do what he is legally bound to do, and the act or omission is likely to endanger the safety of any person travelling or being upon any railway, he shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.*

**Section 160:-** *Opening or breaking a level crossing gate.—*

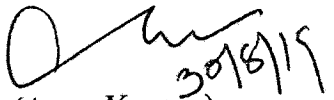
*(1) If any person, other than a railway servant or a person authorised in this behalf, open any gate or chain or barrier set up on either side of a level crossing which is closed to road traffic, he shall be punishable with imprisonment for a term which may extend to three years.*

*(2) If any person breaks any gate or chain or barrier set up on either side of a level crossing which is closed to road traffic, he shall be punishable with imprisonment for a term which may extend to five years.*

It is seen from the above two sections that importance is being given to Rash & Negligent act u/s 154 over intentionally opening or breaking of the level crossing gate being closed for road traffic under section 160.1 & 160.2. The punishment accordingly varies from One year to Five years respectively. On review, it was found that there is tendency to assign offence u/s 154 which is fit to be registered under section 160.1 & 160.2.

It is thus advised that:-

1. Cases should be registered under proper section.
2. Cases registered should be reviewed by Sr. DSCs/DSCs in their monthly crime meetings.
3. PCSCs may pickup sample cases and get it reviewed at HQ level on monthly basis.
4. Necessary coordination should be made to ensure that CCTVs be installed at level crossing gates specifically on the busy gates (high TUV).
5. Surprise check be ensured by supervisory officer on level crossing gates where such offences are frequently registered.

  
30/6/19

(Arun Kumar)

**Director General  
Railway Protection Force**

Copy to : DIG/MAC/Rly. Board, to upload a copy of this circular on RPF official website.

19/06/19  
30/6/19  
5/6/2019

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