

THE VICE-CHAIRMAN (SHRIMATI KAMLA SINHA): We have another agenda before us. The hon. Railway Minister is going to make a *quo motu* statement.

Accident at Unmanned Level Crossing involving 7208 Tungbhadra Express on South Central Railway on 5-5-1994

THE MINISTER OF RAILWAYS (SHRI C. K. JAFFER SHARIEF): Madam, with great anguish I have to again apprise the House—only the other day, I reported an earlier accident on which there was a discussion and there were clarifications—of an unfortunate mishap involving train No. 7208 Mahbubnagar-Secunderabad Tungbhadra Express and a jeep at about 18.10 hrs. on 5.5.1994 on the Mahbubnagar-Secunderabad Broad Gauge Single Line section of South Central Railway. While the train was on its journey in the block section between Gollapalli and Balanagar stations and nearing the unmanned level crossing No. 39 at km. 78/1, a jeep carrying a group of persons got hit by the train engine. Consequently, 13 persons travelling in the jeep, including five children, died and 3 others sustained injuries. The driver of the jeep was grievously hurt and was admitted in Mahbubnagar Civil Hospital alongwith another injured occupant of the jeep. One injured child is recovering in Jadcherla Government Hospital. The train engine crew and passengers remained unaffected.

On receipt of the information about the accident, Medical Relief Train with a team of railway doctors was rushed to the site of accident from Secunderabad. Additional General Manager, Chief Safety Officer, South Central Railway, alongwith other senior officers and Additional Divisional Railway Manager, Hyderabad, proceeded to the site and later visited the hospitals.

It is also to apprise the House that Divisional Safety Officer of Hyderabad Division was travelling on the locomotive of the train as a part of his inspection schedule. According to his report

the ill fated jeep first slowed down and then in a quick action picked up speed resulting into a collision of the train engine and the rear portion of the jeep. Another jeep, which was closely following the first one, stopped well short of the level crossing.

The unmanned level crossing, where the accident occurred, is on a straight track and serves a village unmetalled road. The level crossing is equipped with whistle boards for trains, speed breakers and stop boards for road users. The unobstructed visibility both for train and road users is over 1000 metres.

Ex-gratia payment has been made to the next of kin of the identified dead and injured persons. An inquiry into the incident by a Committee of Senior Administrative Grade Officers has been ordered.

All railway workers and I express our deep condolences to the families who lost their relatives in this unfortunate incident and also express sincere sympathies to the injured.

I trust the House will join me in extending heartfelt condolences to the bereaved families.

DR. ALLADI P. RAJKUMAR (Andhra Pradesh): This has happened in my State, I raised this point this morning during Special Mentions.

THE VICE-CHAIRMAN (SHRIMATI KAMLA SINHA): Do you want to seek clarifications?

DR. P. ALLADI RAJKUMAR: Yes, Madam.

THE VICE-CHAIRMAN (SHRIMATI KAMLA SINHA): Okay.

DR. ALLADI P. RAJKUMAR: Madam, these crocodile tears will not console the poor, innocent families who lost their dear ones. I, once again, earnestly appeal to the hon. Minister to visit the site because within 70 hours two incidents occurred and nearly 50 people lost their

[Dr. Alladi P. Rajkumar:

lives. I humbly request the Railway Minister to visit the site to ascertain the cause of the incident and to order a judicial inquiry into the incident.

The next point is regarding ex-gratia payment. In the morning also I have mentioned, Madam, that this Rs. 2,000 will not be sufficient even for cremation of the body. This ex-gratia payment of Rs. 2,000 is very nominal. Please try to understand the problems of the families of those innocent people who lost their lives. I would request the hon. Railway Minister to provide a job at least to one person of the family of the deceased or injured on humanitarian grounds to enable them to get their bread and butter.

I would request the hon. Minister to do a survey of the unmanned level crossings and to rectify them immediately so that such accidents would not occur in future. I, once again, earnestly appeal to the Minister that the ex-gratia amount should be raised, at least, to Rs. 1 lakh. You know, Madam, what the family can do with Rs. 2,000 in these days. So, I appeal, through you, Madam, that these things should be considered by the Railway Minister.

SHRI N. GIRI PRASAD (Andhra Pradesh): Madam, the whole House should be really sorry. The Railway Minister is compelled to make these types of statements whenever such accidents take place. We can understand it to that extent. But how to prevent these mishaps and save human lives is the main question. Even earlier when a bus carrying school children was involved in an accident in Maharashtra, there was a good discussion in this House. At that time, the main point which came up was to make all these unmanned level crossings as manned level crossings. In spite of the best efforts the people may commit mistakes. When they rush to go to the other side they may be involved in accidents. Moreover, the Railway authorities have got a weakness. They always try to put the blame on others. It

may be true or it may not be true because I have not gone there. I cannot say whether the driver was at fault or somebody else was at fault. The main problem was that the Railways left that level crossing unmanned, so, it is proved to be involved in the accident. That is the fault of the Railways. Now, how to protect the human lives at such vulnerable places? They should think over this aspect. Recently, the Railway Minister gave some assurances that they would make a survey of all the level crossings and provide some safety measures at some places and that if the State Governments came forward, he would help the State Governments as well in deputing some staff at the level crossings. But, at least, now, the Railway authorities should come forward to see to it such things do not happen in future. And what steps are they going to take in this regard? I think, as far as this particular incident is concerned, the statement of the Minister may be correct. But how to prevent such incidents and what is the plan of the Railways in preventing such incidents? I think that the Minister has to come out with another statement so that there could be a proper discussion on how to prevent accidents. Also, I support my hon. colleague, Dr. Rajkumar, when he demanded Rs. 1 lakh as compensation or gratuity or whatever you call it, to the victims. The Railways might not have been at fault. They need not be blamed for this incident. I accept it. But the Railways is a big organisation and when some people have died because of the accident, there is no harm in providing ex-gratia payment to the kith and kin of the deceased. I think this should be considered on humanitarian grounds, if not on legal grounds. Legally speaking, there may be many laws and Acts, I remember some Act was also passed recently in this House. Whatever it is, it is a case to be considered on a humanitarian ground since children were also the victims. I think that the Minister must be generous enough to provide that much relief and I fully support my colleague's suggestion that Rs. 1 lakh as ex-gratia payment should be given to the kith and kin of the victims involved in the two accidents that took

place, namely, at Nalgonda and at Mahabubnagar.

[The Vice-Chairman Shri Md. Salim, in the Chair.]

SHRI J. S. RAJU (Tamil Nadu): Mr. Vice-Chairman, Sir, I share the feelings of the hon Members and offer my condolences to the bereaved families. I understand the concern of the hon. Minister as well. But the question is, how long the Government can go on making statements repeatedly. There are a number of level crossings throughout the country. And whenever the question of manning these level crossings comes up, the Railways talk of resource crunch. Every year, the Government allocates several crores of rupees for many new projects. The day before yesterday we had a detailed discussion on the Railway Budget. I would like to ask one thing: Which is important? Is it the air-conditioned trains or the precious human lives? The Government should have given the top-most priority to the manning of level crossings all over the country. Ours is a country where a majority of the people are illiterate who do not understand your sign-boards. If you have funds for doubling the lines, for Uni-gauge conversion, can you not have funds for averting such human tragedies? All these unmanned level-crossings are in the rural areas because the rural men are voiceless. I want an assurance from the hon. Minister that he would get all the level-crossings manned by the end of this financial year. Everything else can wait. I want to stress on one more point. Everytime such a tragedy occurs, payment of compensation becomes a problem and a petty amount is given. If a person dies in an air crash, he is given Rs. 2 lakhs whereas in the case of rail accidents, it is Rs. 2,000 only. As my hon. friend from Andhra Pradesh has mentioned, it is cruel as well as ridiculous. The Railways think that the payment of compensation by their would amount to accepting the guilt. Whenever there occur such an accident, the Railways grudgingly pay some amount. I request the Minister to announce an ex-

gratia payment of at least Rs. 1 lakh in the families of the deceased and Rs. 50,000/- to those injured. I want a categorical assurance from the Minister on these two points.

Thank you, Mr. Vice-Chairman.

श्रीमती चन्द्र कला पाण्डे (पश्चिम बंगाल) : माननीय उपसभाध्यक्ष जी, मैं आपके माध्यम से रेल मंत्री जी से अनुरोध करना चाहती हूँ कि अब इस तरह की दुर्घटनाओं की सूचना भी सदन में देना बन्द कर दें। अशकों पे हमारे रहम करें, मत बहते हैं तो बहने दें। विगत कल, कल के पहले के कल और न जाने कितने कल बीत गये। ये हमें दुर्घटनाओं के बारे में बताते हैं हम उनमें कहते हैं क्रासिंग अनमैन्ड क्यों था। बार-बार इक्वटा फिर उसी कहानी की। साउथ मेट्रोल रेलवे पर हुई यह दुर्घटना दुर्भाग्य-जनक क्यों कह रहे हैं, शमनाक कहिये। मैं मंत्री जी से पूछना चाहती हूँ कि क्या आपकी सरकार भी राम जी की मर्जी पर विश्वास करती है...

माननीय सदस्य : नहीं।

श्रीमती चन्द्र कला पाण्डे : निकट सम्बन्धियों को राशि देने की बात की गई है। इसका मतलब पूरा-का-पूरा परिवार मारा गया है। यदि मुम्नाबजा निकट संबंधियों को दिया जायगा तो उससे उनका क्या फायदा होगा जो मारे गये हैं। आगे वक्तव्य में कहा गया है घायल बच्चे के बारे में। मैं यह पूछना चाहती हूँ कि क्या उस घायल बच्चे के माता-पिता भी मारे जा चुके हैं? यदि इस दुर्घटना में उनकी मृत्यु हो गई है तो आप उसके बारे में क्या सोच रहे हैं? तीसरे एक्स्प्रेसिया दिया जा रहा है वह राशि क्या है? कृपया इन सवालों का जवाब दे दीजिए।

SHRI S. MUTHU MANI (Tamil Nadu): Thank you, Mr. Vice-Chairman. I express my deep sorrow and condolences

[Shri S. Muthu Mani]

to the families of the victims of the accident. It is a matter of great sorrow that such avoidable tragedies are occurring time and again. I am constrained to say that the Railways have not taken the unmanned level crossings seriously. Whenever there is a demand for gates at an unmanned crossing with a guard, the Railways talk of non-availability of funds. In Tamil Nadu, the Railways have taken a decision and closed more than 50 unmanned level crossings, putting the local people to hardships. In villages, there are not many approach roads. Therefore, when a level crossing is permanently closed, then the people have to suffer. In villages, farmers have to walk for miles to reach their fields. They are unable to take their bullock-carts when an unmanned level crossing is closed. So, I want to know: Will the hon. Minister instruct the railway authorities concerned to open the level crossings and appoint guards so as to avoid further accidents? I would also like to know: Will the Government make it a rule to pay *ex-gratia* payment of Rs. 1 lakh to the families of the deceased without any delay?

श्रीमती कमला मिन्हा (बिहार) : माननीय उपसभाध्यक्ष महोदय, यह दुर्भाग्य है कि सदन में हर सप्ताह में उनको दो बार रेल एक्सीडेंट की खबर देनी पड़ रही है और उसके लिए दुखी होना पड़ रहा है। हम भी उनके साथ दुख मनाते हैं, शोक मनाते हैं। लेकिन यह प्रक्रिया कब तक बंद होगी? कभी बंद होगी या नहीं होगी? आपने इसमें कहा है 13 लोग जा रहे थे इसमें से कितने मारे गये इसका आपने ब्योरा दिया। कैसे जा रहे थे इसका ब्योरा दिया। आपके एक बड़े अफसर ने कहा

The Divisional Safety Officer of Hyderabad Division was travelling on the locomotive of the train as a part of his inspection schedule.

उन्होंने सर्टिफाई कर दिया कि जीप का ही कसूर था, इंजन वाले का कोई कसूर नहीं था, रेलवे का कोई कसूर नहीं था। मरने वालों का कसूर था क्योंकि वे आये क्यों थे रेलवे ट्रिक पर।

एक बच्चे के बारे में आपने कहा जो अस्पताल में है। मैं यह जानना चाहती हूँ कि रेल मंत्री जी यह सिलसिला कब तक जारी रहेगा? कब तक मातम मनाते रहेंगे? दो हजार रुपये कफन के लिए कब तक दाम देते रहेंगे? इसको बंद करिये। और यह बच्चा जो अस्पताल में पड़ा है वह ठीक होकर कहां जायेगा? उसके मां-बाप जीवित हैं या नहीं? यह भी जानना चाहती हूँ कि ऐसा तो नहीं है कि अनाथ होकर उसको भीख मांगनी पड़े सड़कों पर? इसका क्या होगा इस बारे में मैं जानना चाहती हूँ।

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Hanumanthappa, you want to seek a clarification?

SHRI H. HANUMANTHAPPA (Karnataka): No, this is only a suggestion, and the Minister may react. Sir, the only point is regarding the payment of compensation. The Minister takes shelter saying that the laws do not permit, the rules do not permit. Secondly, he says that the Railways is not at fault. We accept both the things. But, every time we discuss the same issue. If a man is killed by a terrorist, we pay him compensation, even though the other fellow is at fault.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Train is not a terrorist.

SHRI H. HANUMANTHAPPA: That is the point. If the other fellow is at fault, we are giving compensation. The lives are lost in all these cases. Please find a way out for this in the Cabinet. Every day, let us not go on harping on this issue that the Railways is not at fault, we have not killed, and he has crossed the line and he has violated the law. We have heard enough of this. But I appeal to the Minister to take this matter to the Cabinet, The House is with him. The Members have sympathies for the victims. At least, you assure us that you will take up this issue with the Cabinet and you will come back to the House saying that the compensation is increased, whenever the life

is lost. It may be a railway accident, it may be an air accident. There we have considered it and actually we have increased the compensation. It was Rs. 10,000 and then Rs. 50,000. It has gone to Rs. 1 lakh and even more. Why not the same thing here? A life is lost. Is the life lost in some other accident more valuable than a life lost in a railway accident? I do not accept this. So, I appeal to the Minister to take the sense of the House. Go before the Cabinet and come back to the House with a solution. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI MD. SALIM): Mr. Minister.

SHRI C. K. JAFFER SHARIEF: Mr. Vice-Chairman, Sir, I can well understand the feelings, the sentiments expressed by the hon. Members which is but natural; it does not look nice for me, and I feel hurt whenever such a matter is to be reported to the House.

Sir, there are about 37,800 level crossings on the Indian railways. Out of these, 15,814 level crossings have been provided with gates, manned by gate-keepers. And 5,580 gates are protected by signals, and 10,522 level-crossing gates have been provided with telephones between the gates and the nearest station. The road traffic running into trains, particularly at unmanned level crossings has been a frequent occurrence, mostly due to the negligence of the road users. Here, I would like to say one point. What makes me feel is this. All our sympathies are with the victims those who were the most unfortunate victims. And the train is a very heavy thing which moves on and nobody can escape when hit by the train. Here I am not able to understand one thing. Supposing I had been a passenger in that jeep, what would have happened to me? It is somebody, may be a child. I do not know whether the child's parents are there or not, and that is a different issue. But supposing I had been a passenger of the tractor

trolley or I had been a passenger in that jeep, what would have been my fate? Here, what I personally feel is this. Please tell anything to the Railways, it does not matter because it is the Government of India, it is your concern. The first thing that comes is the Railways, and you keep on telling them. But don't you say a word about the road traffic, about the drivers? Is it not the job of the Police to check up whether they are giving licences to the qualified people only, whether any counselling is being done and whether they are properly being trained to look to the signals and other safety things? Are there no safety rules for them? Let us put ourselves in the position of the victims. Today, it may happen with somebody. But the point is, can we cultivate this frame of mind that one can go and break his head against the wall and ask somebody else to speak for his compensation? I do not think we are responsible here. I am not speaking as a Minister, for a moment. After all, as a Minister, I can always speak for the Government; I can always speak for the Department. I do not consider that I should speak all the time for the Government. I consider myself like any one of you; as a representative of the people.

We have to consider what we say here because whatever we speak, tomorrow, it reaches the people through the media. They would only say that the Railways are at fault. Sir, where there is a track, the Railways come into the picture. Where there is a track there is a train. The track is laid because people want development; people want railway lines. It is here that we have to understand the type of responsibility.

I have decided that we should convene a conference of Chief Ministers to discuss this issue. I have also decided to talk to the Prime Minister or as my friend suggested, even initiate a discussion, sometime, in the

(Shri C. K. Jaffer Sharief)

Cabinet. Now, money is being provided for rural development. The question is whether the panchayats should be asked to come forward. The other day, there was a suggestion in this House itself that the panchayats should come forward and try to do some thing. I entirely agree with the sentiments of the House that we should find a solution to this. There is no question of two opinions on that, we should find a solution. At the same time, through this House, I would appeal to the State Governments, to the authorities concerned, who are supposed to issue licences, to also see that some measures are taken to counsel the drivers to make them conscious of their responsibilities when they drive, so that this kind of loss of human life does not recur. We understand, A farmer gets a tractor. Somebody in the family becomes the driver. He drives it. The farmer himself may drive it. With a little bit of learning, one is able to drive; anybody can drive. But the point is, safety rules are important; safety consciousness is very important. We see this in the developed countries. This kind of safety consciousness is necessary in the context of the type of development that we are having in our country. Population growth is there. Traffic growth is there. But these kinds of things which are happening should not happen.

Sir, I had already answered the other day, in respect of a similar incident. This is not different.

So far as the question of compensation is concerned, Railway's responsibility; yes. There is a commitment. There is a mandate from the House. We have done it. But

so far as the responsibility of the others is concerned, as I said the other day, you are the custodians of the Exchequer. You have to decide I am going to place your votes before the Cabinet. But what I personally feel is this. I do not think we should be doing jusitce to the Exchequer if we, as the trustees of the Exchequer continue to pay compensation like this to the people who are determined to commit suicide.

Thank you.

MESSAGE FROM THE LOK SABHA

The Finance Bill, 1994

SECRETARY-GENERAL: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary-General of the Lok Sabha:

"In accordance with the provisions of rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Finance Bill, 1994, as passed by Lok Sabha at its sitting held on the 6th May, 1994.

The Speaker has certified that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India."

Sir, I lay a copy of the Bill on the Table of the House.

THE VICE-CHAIRMAN (SHRI MD. SALIM): We now adjourn. We meet again on Monday, the 9th May, 1994, at 11 a.m.

The House then adjourned at six of the clock, till eleven of the clock, on Monday the 9th May, 1994.