

GOVERNMENT OF INDIA (BHARAT SARKAR)  
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)  
(RAILWAY BOARD)

.....

No.2001/TG-V/2/4.

New Delhi, dt. 01.01.2002.

The General Managers,  
All Zonal Railways and Production Units.

**COMMERCIAL CIRCULAR NO. 5 OF 2002.**

***Sub: Ban on smoking in the Railway premises and the  
trains – Supreme Court Judgement.***

In *Murli S. Deora Vs. Union of India* and others reported as 2001(8) SCALE Public Interest Litigation filed in the Supreme Court of India regarding the adverse effects of the cigarette smoking on public health, the Honourable Supreme Court has issued directions, *inter-alia*, prohibiting smoking in public places and has directed the Union of India, State Governments to take effective steps to ensure prohibition of smoking in public places such as Auditoriums, Hospital Buildings, Health Institutions, Educational Institutions, Libraries, Court Buildings, Public Offices and Public Conveyances, including Railways.


2. In pursuance of the directions of the Supreme Court, enumerated above, prohibiting smoking in the Railways, it has been decided that nobody will smoke in the railway premises including the Rail Bhawan, where there is located the Headquarters of the Railways, all office buildings of the Railways, Railway Stations, Railway Platforms and other premises where there are Railway establishments including the Railway Production Units and also in the coaches of the train. The Provisions of Section 167 of the Railways Act, 1989 empowering Railway Administration to prohibit smoking in any train or a part of a train be emphasized while publishing these directions of the Honourable Supreme Court. Sub-section (3) thereof provides that whosoever contravenes these provisions shall be punishable with fine to the extent of Rs.100/-. The provisions of Section 167 of the Railways Act would give additional strength to the Railway Administration for strictly complying with the said directions of the Honourable Supreme Court. The notices displaying the aforesaid directions may be exhibited

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at prominent places in all the above mentioned Railway premises including Railway Coaches, General and Sleeper Class coaches and 4-berther in 1<sup>st</sup> AC coaches. The 4-berther in 1<sup>st</sup> AC Coach earmarked as Smoking Compartment vide Board's letter No.97/TG-II/1006/7/Cabinet Secretariat dated 13.2.1997, should be discontinued forthwith. The plates fixed in the compartments advising the general public not to smoke if objected to by fellow passengers, may be removed immediately.

3. Due publicity be given to this effect for educating the general public through various media available with the Railways. These instructions come into force with immediate effect and implementation of the same be intimated within a fortnight.

Please acknowledge receipt.

  
(Dr. P.K. Goel)  
Executive Director (PM)  
Railway Board

Copy to:

Secretary, Ministry of Railways (Railway Board)  
Secretary to OSD, East Central Railway, Hajipur.  
Secretary to OSD, Bilaspur Railway Zone, Bilaspur.  
Secretary to OSD, East Coast Railway, Bhubaneswar  
CO&CM, North Central Railway, Allahabad  
Secretary to OSD, North Western Railway, Jaipur  
Secretary to OSD, South Western Railway, Bangalore  
ADGM, West Central Railway, Jabalpur,  
Railway Staff College, Vadodara  
Metro Rail, Kolkata  
COFMOW/CRIS, New Delhi  
CCMs/CMEs/CPROs/CCM(PS)s, All Zonal Railways  
EDME(Chg.)/ED(C&T)/DME(PU), DIP, Legal Adviser, Rly.Bd.