

File No. T.20014/01/2012-RS

Dated :27.12.2012

Procedural Circular No.5 (Revised)

To,
Commissioner of Railway Safety,
Western/Central Circle, Mumbai,
Eastern/S.E/N.F. Circle, Kolkata,
Southern Circle, Bangalore,
South Central Circle, Secunderabad,
Northern Circle, New Delhi,
North Eastern Circle, Lucknow,

Subject : Statutory investigations into Railway Accidents.

1. The investigation into a railway accident by Commissioner of Railway Safety(CRS) should be so conducted that all stake holders are able to participate in the same. Stakeholders in a railway accident investigation are Public, District/Civil and Police Administrations, Railway Administration, which is the incharge for working & maintenance of the line, and Railway Board, which is the regulator for Railways.
2. When CRS decides to inquire into an accident, he would notify the Chief Commissioner of Railway Safety, the Secretary/Railway Board and the Head of Railway Administration concerned, of his intention to hold an inquiry and would fix the date, time and place for inquiry (Rule 2 of Statutory Investigation into Railway Accidents Rules-1998).
3. CRS while notifying the Secretary, Railway Board and Railway Administration would advise them to get themselves represented in the inquiry and to arrange to produce their evidence and views, if any, on matters related to the accident. Commissioner would record evidence produced by them and consider their views during investigation.
4. Format of notice to be issued by the CRS to the Secretary, Railway Board and the General Manager under Rule 2 of the 'Statutory Investigation in to Railway

accidents Rules, 1998' for inquiry into a Serious accident has been standardised and is given in attached Annex-V.

5. CRS also issues or causes to issue notice for the public to give evidence in the inquiry (Rule 2 of Statutory Investigation into Railway Accidents Rules 1998). Commissioner also notifies District, Civil and Police Administration inviting them to get represented in the inquiry (Rule 2(b) of Statutory Investigation into Railway Accident rules 1998).
6. CRS may call the witnesses during course of the inquiry. Stakeholders can also produce witnesses on their behalf in the inquiry. Similarly, certain documentary or material evidence can be called for by the CRS in the inquiry. On the other side, Stakeholders can produce the documentary or material evidence to substantiate their side on relevant issues.
7. In investigations, the evidence can be brought on record only during the inquiry wherein stakeholders are present. The evidence being taken on record is to be made known to authorities participating in the inquiry.

While the present practice is that the documentary evidence, e.g. rail testing report, is taken on record by the CRS directly. Proper procedure is that evidence, including test reports, are to be taken on record only during the inquiry and it is to be made known to the participants. For this purpose, dates, place and venue of inquiry may be required to be notified a number of times to all participants.

Participants can also seek time for presenting evidence and for submission of their views on the evidence recorded. Investigating Authority will, in such cases, grant reasonable time to participants for producing the evidence or submitting their views.

Broad findings and recommendations are required to be shared with stakeholders in the inquiry, even though final cause is not required to be shared.

8. The format, in which the Preliminary Report should be prepared, is given in attached Annexure II with brief instructions.
9. Draft Press Summaries should be invariably issued alongwith Preliminary Reports in a brief form as per instructions issued vide letter No.RS-13 T(7)/84 dated 07.06.85 (copy attached at Annexure IV). But instead of failures, broad headings (b) and (c), error in working is to be mentioned. Revised broad headings are given below:-
 - a) Sabotage;
 - b) Error in train working/station working/working of level crossing etc;
 - c) Error in working near Railway line/passing through Railway crossing etc;

- d) Failure of Equipment, specifying wherever possible the discipline and sub system involved; and
 - e) Sudden Convulsion of Nature
10. The format, in which final report should be prepared, is given in attached Annexure-III, with brief instructions.
 11. Since, the General Manager and the Railway Board will be given opportunity to get represented and to present their evidence and views, during the course of investigation, their remarks/comments after finalisation of the report will not be required. CRS will finalise and release the report. The report shall not be marked confidential and can be made public soon after its release.
 12. Witnesses and other individuals are not to be named in the report, to protect their identity. CsRS should initial all the pages of evidence of all witnesses. Authenticated copy of evidence shall be kept as record in the case file of CRS.
 13. Procedure/time schedule for the compilation and submission of accident reports has been revised and is attached as Annexure I.
 14. Draft Inquiry Reports should be invariably drawn up and submitted to Chief Commissioner of Railway Safety by the new officers joining the Commission in case of their first three reports of inquires.
 15. A copy of Board's letter No.59-TT/V/42/1 dated 16.02.67 is attached as Annexure VI, giving some typical instances of accidents arising in the course of working of a Railway on which there are some doubts. In all such cases, an inquiry is obligatory, when there are deaths and/or grievous injuries, except in the case of a window shutter dropping due to the carelessness of a passenger himself while closing or opening the window.
 16. The CRS should, as far as possible, inquire into 1 to 2 accidents per year into the following types of accidents, the inquiry into which is not obligatory -
 - (a) Collisions and Derailments of goods and passenger trains in which there is loss of life or grievous injury to any person including the train Crew or Railway Staff travelling on duty. Every effort should be made to inquire into all such accidents in which there is loss of life.
 - (b) Accidents at manned level crossings involving Collisions between trains – whether goods or passenger – and road vehicles in which there is loss of life and/or grievous injury to passengers (Crew and other occupants) in the road vehicles.

Note :It is desirable to inquire into cases of accidents to high-speed trains, when there are interesting features, even though such inquiries may not be obligatory.

17. Where an inquiry is entrusted to a Railway in terms of Rule 2 (5) (a) of the Statutory Investigation into Railway Accidents Rules, 1998 the following procedure shall be followed :-
- (a) The CRS shall take recourse to this step only when he can not hold an inquiry within 15 days from the date of the occurrence (D+15) for good and sufficient reasons and under some extra-ordinary circumstances such as strikes, breaches etc. and where he is preoccupied with urgent matters and is not in a position to conduct the inquiry.
 - (b) The CRS shall immediately advise Chief Commissioner of Railway Safety by the fastest means of communication of the reasons why an inquiry is not being held by him.
 - (c) On receipt of the decision of the Chief Commissioner of Railway Safety regarding conduct of enquiry by Chief Commissioner of Railway Safety himself or by any other Commissioner of Railway Safety or by Railway Administration, the CRS shall thereafter notify the Railway Administration & Railway Board accordingly.
 - (d) On receipt of the proceedings of the Joint Inquiry (made by a Committee of Railway Officers) from the Head of the Railway Administration in accordance with rule 15 of Railway (Notices of and Inquiries into Accidents) Rules, 1998, if CRS agrees with the findings of the Joint Inquiry, he shall forward a copy of the report to Chief Commissioner of Railway Safety alongwith his views on the findings and recommendations with a copy to the Railway administration.
 - (e) If, the CRS after examination of the Joint Inquiry Proceedings, considers that an inquiry should be held by him, he shall, as soon as possible notify the Chief Commissioner of Railway Safety, the Railway Board and the Head of the Railway Administration concerned of his intention to hold an inquiry and draw up a regular inquiry report after holding such an inquiry.
 - (f) At times, it may not be necessary to hold a fresh inquiry even when CRS disagrees with the inquiry report of the Railway Officers. In such cases, CRS will collect evidence required and draw up a self-contained report on the following lines.
 - (i) A brief narrative report of the accident with details of Casualties and Damages (to give an idea of the accident).
 - (ii) A brief description of local features relevant to the accident.

- (iii) A brief discussion setting out the points on which he agrees/disagrees with the contents of the Joint Inquiry Report including suggestions and recommendations, with reasons thereof (this should be self contained in a readable form).
- (iv) His final conclusions.
- (v) Remarks and Recommendations (Accepted those of the Joint Inquiry Report) may be modified as required and repeated.

Note : This report should be a self-contained one so that all issues can be grasped by other officers without making a back reference.

- (vi) This report shall be copied to the General Manager, other Commissioners of Railway Safety, the Railway Board and the Chief Commissioner of Railway Safety.

Sd/27.12.12
(Prashant Kumar)
Chief Commissioner of Railway Safety

Copy to : Dy.CRSs (General)/Mechanical/Elect/Optg./S&T.

Encl.: Annexure – I, II, III, IV, V, VI & VII.

Annexure –I

File No. T.20014/01/2012-RS

Dated : 27.12.2012

To,
Commissioner of Railway Safety,
Western/Central Circle, Mumbai,
Eastern/S.E/N.F. Circle, Kolkata,
Southern Circle, Bangalore,
South Central Circle, Secunderabad,
Northern Circle, New Delhi,
North Eastern Circle, Lucknow,

Subject: **Revised procedure/time schedule for the compilation and submission of Railway accident reports.**

1. In supersession of all previous orders on the subject the following revised procedure/time schedules are laid down for the preparation and submission of railway accident reports :-
2. The time schedules for preparation and submission of Railway accident reports are laid down as under:-
 - (i) Days of accident
 - (ii) A+1) The CRs will proceed to the site of accident and commence to A+3) his inquiry.
 - (iii) (A+30) The CRS will forward a brief preliminary narrative report and the provisional finding to –
 - a) Chief Commissioner of Railway Safety;
 - b) General Manager of the Railway concerned;
 - c) Secretary, Railway Board;

The findings shall also be categorized as usual under one of the prescribed heads. The Commissioner of Railway Safety shall also issue Press summary as per prescribed proforma.

A copy of the Preliminary report shall be sent to Press Information Bureau.

- (iv) (A+180) The Commissioner of Railway Safety will submit his detailed report to Chief Commissioner of Railway Safety and forward copies of the report each to the Authorities mentioned in Rule 4 of the Statutory Investigation into Railway Accidents Rules, 1998 and later on distribute the same as per list placed at annexure VII.

- (v) (A+270) Railway Board will communicate their views and action taken on the Recommendations made by the Commissioner in his report, to the CCRS.

Sd/27.12.12
(Prashant Kumar)
Chief Commissioner of Railway Safety

Annexure II

Subject : **GUIDE LINES FOR DRAFTING PRILIMINARY REPORTS**

1. Preliminary Reports should be brief, factual and shall not contain any reference to person implicated. Repetitions should be avoided as far as possible.
2. It should be borne in mind that these Reports are not confidential & are likely to be questioned at the time of departmental inquiries and in court.
3. The following format, already in force, shall be adopted.

Chapter – I : INTRODUCTION

- 1.1 **Preamble** : a brief title of the accident and reference to rules and Ministry's orders, if any, should be given as at present.
- 1.2 **Inspection and Inquiry**
 - (a) A brief mention of the date of inspection and designation of Railway Administrative Officers accompanying should be given.
 - (b) Brief reference to Press Notification and advice to the Civil and Police Authorities should be given.
 - (c) Dates of inquiry and names of Administrative Officers of the Railway, the Police and the Civil who attended the inquiry, and No. of witnesses examined should be given.
 - (d) Status of Preservation of clue by Railway Administration may be given.
- 1.3 **Description of "THE ACCIDENT"**
 - (a) This should contain, interalia, brief details of the accident, with time, date, trains involved, nature of the accident, the speed etc to vie a mini-mental picture of the accident.

- (b) The nature of weather.
- (c) Casualties.
- (d) Passenger occupancy.

II – RELIEF MEASURES

2.1 **Intimation** :- It should be discussed briefly how the information had been conveyed and whether there had been any avoidable delays.

2.2 **Medical attention and Relief** : The following points should be discussed.

- (a) Whether ARME Vans and Relief trains have been turned out in time and whether there have been any avoidable delays in starting and transit. If so, the details shall be mentioned in the report.
- (b) Whether all medical personnel turned up for duty without any avoidable delays.
- (c) Nature of attention and treatment given to the injured at site and whether they have been admitted to hospitals with least possible delay.
- (d) Whether the personal belongings of passengers were taken due care of.
- (e) Steps taken to disperse the uninjured and slightly injured persons and disposal of dead bodies.
- (f) Whether there have been any public complaints in respect of the above and if so, whether there is any negligence on the part of the administration.

Note: Most of the information on the above may have to be obtained from the Railway administration only, but the same should be subjected to scrutiny and cross-checked with the evidence of outside witnesses wherever available.

2.3 **Restoration** :-

- (a) A brief description with comments on any avoidable delay should be given.
- (b) Effect of the accident on train services may be briefly given.

III – The Trains

3.1 Composition and marshalling order of the train

- (i) **Locomotive:** - Brief description of the type, date of commissioning, its weight and length should be given. Kinds of brakes provided on the locomotive and speed recorders/indicators should be given with details of brake-power on the locomotive.
- (ii) **Coaches :-** The composition may be given in the following proforma :-

Sl.No.	Coach No.	Type	Year Built	Date of last POD	Remarks

3.2 The length of the train and its weight, inclusive of locomotive, and brief description of brake power must be given.

3.3 The seating capacity and its actual occupation may be indicated.

3.4 Damage and Disposition:

- (a) Locomotive :- may be briefly dealt
- (b) Coaches :- can be dealt in the following proforma :-

Sl No.	Coach No.	Disposition	Damage (brief description)

- (b) Damage of Track.
- (c) Damage of Signalling etc.
- (d) Damage of OHE.
- (e) Damage of any other assets.
- (g) Approximate cost of damages.

IV – LOCAL CONDITIONS

4.1 The Section and the site:-

- (a) A brief description of the site.
- (b) A brief description of track.
- (c) A brief description of Signalling

- 4.2 Headquarters of the DEN, AEN, PWI, control etc.
- 4.3 System of working: - Brief particulars pertinent to the accident must be given.
- 4.4 Maximum speed permitted and local restrictions, if any.
- 4.5 Kilometrage of stations/locations referred to in the Report.

Note:- Details relevant to the accident only should be given with circumspection and care.

V – SALIENT FEATURES

This shall contain the observations and views of Commissioner of Railway Safety, which can be substantiated and which led to or may lead to forming of his provisional/final findings. Here he may also mention facts (substantiable) etc., which he considers relevant to the accident.

VI – PROVISIONAL FINDINGS

If the Commissioner has formed any conclusions or views as to the cause of the accident, these may also be stated in the same format in which the press note is issued. Such conclusions or views will only be treated as provisional. If CRS considers it necessary to give detailed conclusions on the cause, he may write the same separately and confidentially in continuation to the Preliminary Report to CCRS, concerned GM and Railway Board.

VII – RECOMMENDATIONS

When the Commissioner considers it necessary to make any immediate recommendation, he may include such recommendation in his Preliminary Report.

Subject : GUIDE LINES FOR DRAFTING ACCIDENT INQUIRY REPORTS (i.e. final Reports.)

1. Reports of Commissioners of Railway Safety are supplied to large number of authorities in India and abroad.
2. They should be brief and serve as a good and continuous readable matter holding the attention of the reader from the beginning to the end. Repetitions should be avoided as far as possible.
3. Final report should be carefully prepared in the light of comments from others where available, and presented with a sense of pride in regard to expression and contents.
4. Extracts of any General or Subsidiary Rules, to which reference is made in the Report, should be attached as an annexure for ready reference.
5. Similarly, in case a reference is made to any instruction of Railway Board or Railway Administration, a copy of the relevant letter should be included as an Annexure.
6. Full form of abbreviations used in the report, should be listed.
7. Technical opinion as obtained by CRS from Dy. CRS & other experts may be taken into account but should not form a part of main report or as Annexure.
8. Different sections and paragraphs should be numbered in accordance with the prescribed format.
9. Following format already in force shall be adopted:-

Chapter – I : INTRODUCTION

1.1 **Preamble** : a brief title of the accident and reference to rules and Ministry's orders, if any, should be given as at present.

1.2 **Inspection and Inquiry**

- (a) A brief mention of the date of inspection and designation of Railway Administrative Officers accompanying should be given.

(Details of observations need not be given here; since the same come under chapter "Observations and Tests")

- (b) Brief reference to Press Notification and advice to the Civil and Police Authorities should be given.
- (c) Dates of inquiry and names of Administrative Officers of the Railway, the Police and the Civil, who attended the inquiry, and No. of witnesses examined should be given.
- (d) Abbreviations and terms adopted in the report may be explained.

1.3 **Brief Description of “THE ACCIDENT”**

- (a) This should contain, inter alia, brief details of the accident, with time, date, trains involved, nature of the accident, the speed etc to give a minimal picture of the accident.
- (b) The nature of weather.
- (c) Casualties.

II – RELIEF MEASURES

2.1 **Intimation** :- It should be discussed briefly how the information had been conveyed and whether there had been any avoidable delays.

2.2 **Medical attention and Relief** : The following points should be discussed.

- (a) Whether ARME Vans and Relief trains have been turned out in time and whether there have been any avoidable delays in starting and transit. If so, responsibility for delays should be fixed.
- (b) Whether all medical personnel turned up for duty without any avoidable delays.
- (c) Nature of attention and treatment given to the injured at site and whether they have been admitted to hospitals with least possible delay.
- (d) Whether the personal belongings of passengers were taken due care.
- (e) Steps taken to disperse the uninjured and slightly injured persons and disposal of dead bodies.
- (f) Whether there have been any public complaints in respect of the above and if so, whether there is any negligence on the part of the administration.

Note: Most of the information on the above may have to be obtained from the Railway administration only, but the same should be subjected to scrutiny and cross-checked with the evidence of outside witnesses where available.

2.3 **Restoration** :-

- (a) A brief description with comments on any avoidable delay should be given.
- (b) Effect of the accident on train services may be briefly given.

III – The Trains

3.1 **Composition and marshalling order of the train**

- (i) **Locomotive:** -Brief description of the type, date of commissioning, its weight and length should be given. Kinds of brakes provided on the locomotive and speed recorders/indicators should be given with details of brake-power on the locomotive.
- (ii) **Coaches :** The composition may be given in the following proforma :

Sl. No.	Coach No.	Type	Year Built	Date of last POD	Remarks

3.2 The length of the train and its weight, inclusive of locomotive and brief description of brake power must be given.

3.3 The seating capacity and its actual occupation may be indicated.

3.4 **Damage and Disposition:**

- (a) Locomotive: - may be briefly dealt
- (b) Coaches: - can be dealt in the following proforma:-

Sl No.	Coach No.	Disposition	Damage (brief description)

- (c) Damage of Track.
- (d) Damage of Signalling etc.
- (e) Damage of OHE.

- (f) Damage of any other assets.
- (g) Approximate cost of damages.

IV – LOCAL CONDITIONS

4.1 The Section and the site:-

- (a) A brief description of the site.
- (b) A brief description of track.
- (c) A brief description of Signalling

4.2 Headquarters of the DEN, AEN, PWI, control etc.

4.3 System of working :- Brief particulars pertinent to the accident must be given.

4.4 Maximum speed permitted and local restrictions, if any.

4.5 Kilometrage of stations/locations referred to in the Report.

Note :- Details relevant to the accident only should be given with circumspection and care.

V – SUMMARY OF EVIDENCE

5.1 All relevant evidence having a bearing on the cause of the accident (both in favour and against the conclusions arrived at by CRS), shall be examined by the Commissioner. The evidence of each witness should be numbered and kept separately as a confidential record in the case file of Commissioner. Identity of the witness shall be protected. The evidence, which is relevant to inquiry shall be summarised by designation with sub-paragraphs (a, b, c etc). The relief measures and protection should be summarised as briefly as possible. Each sub-paragraph should envelop evidence on allied groups of items e.g. the speed, speedometers, speed restrictions, grades, signal visibility, braking can come in one sub-paragraph. Evidence of witnesses will come in paragraphs numbered 5.1, 5.2 etc but not by name. Sub-paragraphs may be numbered a, b, c, etc. for ready reference.

Evidence of all witnesses examined during the inquiry shall be kept on record.

VI – TEST AND OBSERVATIONS

Only those relevant to the inquiry should find a place. Any notation used should be explained. The paragraphs should be numbered 6.1, 6.2 etc.

VII – DISCUSSION

Issues must be framed and discussed thoroughly but briefly. All points in favour and against a particular conclusion should figure in the discussion and conclusions should be based on coherent arguments. Paragraphs should be numbered 7.1, 7.2 etc.

It should be discussed whether the accident could have been averted by any action of others.

Inadequacies in the system of working should also be discussed freely.

VIII – CONCLUSIONS

This should be in two parts as follows:

8.1 **Cause** :should be brief and worded as at present.

8.2 **Responsibility** :

Factors responsible like Error in working or Rules violated should be given briefly, the details coming under Chapter VII. If it is considered necessary to mention error in working of any individual for the cause of the accident, then it should be by designation or some other identification, but not by name.

8.2 **Relief measures** : Opinion of CRS, whether relief measures were satisfactory or not, should be expressed briefly, the details figuring under Chapter-II.

IX – REMARKS AND RECOMMENDATIONS

9.1 These should be numbered as 9.1, 9.2 etc.

9.2 Only very important issues should figure under this Chapter. A separate letter may be issued to the Railway on minor matters.

9.3 The remarks and recommendations should be self-explanatory as far as possible and brief, cross-references to other paras in the report should be avoided to the extent possible, unless the background material to be traced is a very lengthy and unmanageable one.

9.4 The recommendations should be reasonably capable of implementation and not platitudes with idealistic approach.

Subject : Issue of Press Note in Railway Accidents.

As per present practice, a Press Note is issued by Commissioners in all accidents attended with loss of human life or accidents due to acts of sabotage irrespective of the casualties. The Press Note is prepared on receipt of the Preliminary Report from the Commissioner of railway and gives brief factual details of the accident, casualties involved therein and the findings of the Commissioner of Railway Safety as to the cause of the accident under one of the following broad headings.

- a) Sabotage;
 - b) Error in train working/station working/working of level crossing etc;
 - c) Error in working near Railway line/passing through Railway crossing etc;
 - d) Failure of Equipment, specifying wherever possible the discipline and sub system involved; and
 - e) Sudden Convulsion of Nature
2. The above headings have been reviewed so as to exclude pointing out individual failures and only to point out errors. The expression 'Failure of Railway staff' broadly denotes error caused by railway staff involved in train working. Similarly, the expression 'Failure of persons other than Railway Staff' relates to activity of outside person due to which the accident was caused.
3. Headings under which Provisional findings are henceforth to be categorised will be as follows:
- (a) Sabotage;
 - (b) Error in train working/station working/working of level crossing etc;
 - (c) Error in working near Railway line/passing through Railway level crossing etc;
 - (d) Failure of Equipment, specifying wherever possible, the discipline and sub-system involved; and
 - (e) Sudden Convulsion of Nature.
4. A copy of Press Note issued by Commissioners of Railway Safety may also be endorsed for information to this office, Secretary (Safety)/Railway Board, New Delhi and concerned Railway Administration.

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(Sample)

PRESS NOTE

Shri, Commissioner of Railway
 Safety, Circle, held a statutory inquiry
 into the
 which occurred on
between and
stations ofRailway.
 As a result of the accident,.....persons were killed and
were injured, of them grievously.

According to the provisional findings of the Commissioner appended with
 his preliminary report, the accident occurred due to
@@.....These findings are under the
 consideration of the Government.

@@ : One of the five broad heading as given in para 1 of letter at Annexure-
 IV should be mentioned here.

NOTICE

CLASS: FAX

PLACE :

DATED :

CHIEF COM/LKO 0522-2233095
RAILWAYS/NDLS 011-23386215
RAILWAY ADMINISTRATION (CONCERNED)

NO.(.) I WILL HOLD STATUTORY INQUIRY INTO THE (BRIEF DISCRIPTION OF THE ACCIDENT) ON....., ATHRS.....AT.....(VENUE)(.)

2. RAILWAY BOARD IS ADVISED TO GET THEMSELVES REPRESENTED IN THE INQUIRY THROUGH SOME OFFICER AUTHORISED BY THEM FOR THIS PURPOSE (.)

3. GENERAL MANAGER, RAILWAY IS ADVISED TO GET HIM/HERSELF REPRESENTED IN THE INQUIRY THROUGH SOME OFFICER AUTHORISED BY HIM/HER FOR THIS PURPOSE (.)

Signature of Concerned

COMMISSIONER OF RAILWAY SAFETY
.....CIRCLE

Annexure – VI

Copy of letter No.59-TTV/42/1 dated 16.02.67 from the Dy. Director/Safety, Railway Board, New Delhi addressed to General Managers of all Indian Government Railways.

Reference : Railway (Notices of and Inquiries into accidents) Rules, 1966.

It has been brought to the notice of the Board that some Railways are not quite clear about the precise meaning of the phrase “in the course of working a Railway” which occurs in certain rules notified by this Ministry vide their Notification No.59 TTV/42/1 dated 11.04.66. Following are the typical instances quoted by the Commissioner of Railway Safety on which doubts have been expressed in the past.

- i) An explosion taking place due to bursting of a bomb etc. inside or outside the carriage causing casualties among the passengers, when
 - (a) the train is in motion, and
 - (b) the train is standing at a station
- ii) A passenger rake, full of passengers, in a siding bumping against a buffer stock or other vehicles causing injuries to passengers.
- iii) A shunting engine colliding with a coaching rake in a siding or along a platform line causing death or injuries to the passengers in the rake.
- iv) Passenger standing at the carriage door (reasonably inside the moving trains) being struck and grievously injured by an open door due to the rebounding effect of an infringing structure outside.
- v) A passenger sitting in the carriage window getting injured on being hit by an infringing structure.
- vi) Passengers being injured by jumping from a train out of fear from outbreak of fire.
- vii) Passengers being grievously hurt by dropping of the window shutter.
- viii) A passenger sitting in a train compartment with his elbow resting on the window sill being injured due to road vehicle crashing at a level crossing etc.

It may please be noted that all such eventualities would be covered by the phrase 'in the course of working a railway' but whether or not an inquiry by the Commissioner of Railway Safety would be obligatory would depend upon the merit of each individual case. In all such cases therefore the intention of the CRS concerned as to whether or not he intends holding his enquiry should be ascertained.

It is also desired that whenever Police lodge a case in a criminal court against any Railway Staff involved in an accident which is/has been inquired into by the CCRS/CRS the enquiring officer should be advised of this fact as soon as it comes to the notice of the Railway Administration.

It is desirable that when an inquiry into an accident is conducted by the Railway Administration under Rules 8(5), the Enquiring Officers should in view of the importance attaching to such cases, be of the rank of junior/Intermediate Administrative grade. Please acknowledge receipt.

Annexure – VII

Subject : Distribution of Accident Inquiry Report by Commissioner of Railway Safety.

As per decisions in Commissioner of Railway Safety conference held on 7th & 8th April, 94 and as communicated Minutes of meeting item 3.25, vide No.S.18011/1/94-RS dated 04.05.94, letter No. S-17011/2/98-RS dated 19.11.98 and letter No. S-17011/3/99-RS dated 05.06.2000 the accident report is to be distributed as per following list :-

<u>Office</u>	<u>No. of Reports</u>
1. Chief Commissioner of Railway Safety	04
2. General Manager concerned	10
3. Railway Board	12
4. Other Zonal Railways, Kokata Metro, DMRC & KRCL	19
5. Commissioners of Railway Safety (1 each)	08
6. RDSO	01
7. Concerned Training Institutes	05
8. Staff College, Vadodara	01
9. Spare copies	10

TOTAL	70

No. T.20014/1/2012-RS

Dated:27.12.2012

To,

Commissioner of Railway Safety,
Western/Central Circle, Mumbai,
Eastern/S.E/N.F. Circle, Kolkata,
Southern Circle, Bangalore,
South Central Circle, Secunderabad,
Northern Circle, New Delhi,
North Eastern Circle, Lucknow,

Sub: Reporting the results of Statutory Inquiries into Accidents –
Preliminary Reports and Issue of Press Notes based thereon.

1. As per guide lines issued vide letter no.RS.13-T(2)/77 dated 16.07 1983, the Provisional Findings incorporated in the Preliminary Reports are categorised under one of the following prescribed headings for the purpose of issue of Press Notes :-
 - (a) Sabotage;
 - (b) Failure of Railway Staff;
 - (c) Failure of persons other than Railway Staff;
 - (d) Failure of Equipment, specifying wherever possible, the discipline and sub-system involved; and
 - (e) Sudden Convulsion of Nature.
- 1.1 Headings have been reviewed so as to exclude pointing out individual failures and only to point out errors. In item (b) above, the expression 'Failure of Railway Staff' broadly denotes error caused by railway staff involved in train working. Similarly, item (c) the expression 'Failure of

persons other than Railway Staff' relates to activity of outside person due to which the accident was caused.

2. Headings under which Provisional Findings are henceforth to be categorised will be as follows:
 - (f) Sabotage;
 - (g) Error in train working/station working/working of level crossing etc;
 - (h) Error in working near Railway line/passing through Railway level crossing etc;
 - (i) Failure of Equipment, specifying wherever possible, the discipline and sub-system involved; and
 - (j) Sudden Convulsion of Nature.
 - (k)
3. Finding under item (e) refers to accidents caused by 'Sudden convulsion of nature', which can not be foreseen. In these cases, the natural factor, which led to the accident, would be mentioned for clarity.

Sd/
(Prashant Kumar)
Chief Commissioner of Railway Safety