

APPENDIX-V

PUNISHMENT NORMS IN ACCIDENT CASES

NOTE: i) 'D' Staff: Staff directly held responsible for the accident. 'S' Staff: Staff who are found to have secondary responsibility. In their case, the penalty posed will depend on the degree of their contribution to the accident/engine failure and the Disciplinary Authority will use its discretion in the matter.

'WIP' – Withholding of increment with cumulative effect.

'WIT' – Withholding of increment without cumulative effect.

ii) The Disciplinary Authority must impose the minimum penalty if the responsibility of staff is clear. Factors, like the employee's past record of service may be taken into account by the Appellate Authority if and when an appeal is made to it. The Disciplinary Authority should deal with the case solely with regard to the facts and circumstances of the accident itself.

Nature of Accident	Minimum Penalty
1. Collisions involving a train a) Resulting in loss of human life. b) Not resulting in loss of human life	a) 'D' Staff - Dismissal b) 'S' Staff – Major penalties (v), (vi) or (vii) a) 'D' Staff – Removal from service b) 'S' Staff – Major penalty (v) or (vi)
2. Averted collisions involving a train	a) 'D' Staff – Removal from service b) 'S' Staff – Major penalty (v) or (vi)
3. Train passing signal at danger	Removal or compulsory retirement where entirely due to neglect of Loco Pilot; Reduction to a lower grade if there are contributory factors like loss of brake power on the run which he could not have detected when he took charge of the engine.
4. Over speeding by Loco Pilots (in case other than collisions, averted collisions and passing signals at danger for which penalties have been prescribed in items 1 to 3 above) (i) Resulting in derailment of passenger train involving loss of human life. (ii) Resulting in derailment of passenger train not involving loss of human life (iii) Resulting in derailment of goods trains on the main line in mid section or within station limits. (iv) Resulting in derailment of goods train in station yard on other than main line.	a) Dismissal, if there are no other contributory factors like track or rolling stock defects. b) Removal, if there are such contributory factors. a) Removal, if there are no other contributory factors like track or rolling stock defects., b) Reduction to 'C' grade for 3 years if working substantively in 'C' or 'B' grades and c) Reduction to Shunter for 3 years, if working substantively in 'C' grade with loss of seniority in both cases, if there are such contributory factors. Reduction to grade of Shunter for one to three years with loss of seniority. Reduction to Shunter for one to three years, depending on the extent of damage, without loss of seniority on being restored to 'C' grade Loco Pilot.
5. Failure to detect hot axle or other defective wagon resulting in derailment for which Loco Pilot / Guard can be held responsible, if it is within range of visibility.	a) Reduction to next lower grade in the case of passenger train. b) WIP for 3 years with loss of seniority in the case of goods train.

6. Failure to detect hot axle or other defective wagon resulting in derailment for which station staff / cabin staff can be held responsible or failure to stop the train on information regarding hot axle being given by the previous station for control.	a) Removal in the case of passenger train b) Reduction to the next lower grade in the case of goods train. If working in lowest grade, WIP for 3 years.
7. Station derailments while shunting (i) Due to Loco Pilot's fault in not obeying signals including hand signals or starting the train without authority to proceed. (ii) Due to Loco Pilot's failure to control the train.	WIT for 2 years. WIT for 2 years.
8. Breach of Block Rules: (not resulting in collision or averted collision) such as train entering the section without proper Line Clear, receiving trains on wrong line blocked for engineering work etc. Placing material trolley on line without block protection and so on.	Reduction to a lower stage in the time scale.
9. Accidents at Manned Level crossings i) Failure of Gateman to close the gate. ii) Failure of SM / ASM to ensure closure of level crossing gates before allowing any movement where rules provide. iii) Failure of Loco Pilot in observing rules before passing a gate signal in danger. iv) Where no breach of rules is proved but lack of vigilance on the part of Loco Pilot /Guard or other staff is proved.	Dismissal if there is loss of human life, removal if there is no loss of human life. Reduction to a lower grade or post with loss of seniority. (WIP 3 years in case in the lowest grade) Reduction to a lower grade with loss of seniority. WIT upto 2 years 11 months.
10. Accident at unmanned level crossings due to lack of vigilance on the part of Loco Pilot or failure to whistle on approaching the whistle board. i) Accident involving loss of human life. ii) Where no loss of human life is involved.	Reduction to a lower grade. WIT for 1 year.
11. Carriage & Wagon defects or improper securing of loads or failure to detect improper securing of loads by TXR. i) Resulting in derailments on the main line, mid-section or within station limits.	For the first offence WIT for 2 years 11 months. For the second offence reduction to a lower grade for 3 years with loss of seniority (if any staff such as TXR are in the lowest grade,

	reduction by three stages in the scale of pay with loss of seniority, if the staff are in the lower stages of pay where reduction by three stages is not possible WIP for three years with loss of seniority).
ii) Resulting in derailments in a station yard other than main line.	Same as for item (i) but without permanent effect and without loss of seniority.
12. Locomotive defects i) Negligence in repairs or maintenance in shops or shed resulting in accidents.	Reduction to a lower stage in the time scale with loss of seniority for the first offence, reduction to a lower grade with loss of seniority for the second offence and removal for the third offence.
ii) Negligence in repairs or maintenance in shops or sheds or bad enginemanship by Loco Pilot resulting in engine failure.	For the first offence stoppage of Passes and PTOs for 1 year, the second offence WIT 1 year and for the third offence reduction to a lower grade for one years.
13. Traffic staff failure, resulting in accidents other than collisions or averted collisions i) Wrong setting / manipulation of points. ii) Incorrect marshalling. iii) Wrong marshalling.	Reduction to a lower grade with loss of seniority. WIP upto three years.
iv) Excessive / uneven loading or improper securing of loads.	Reduction to a lower stage in time scale of pay. WIT upto three years.
14. Signal & Interlocking failures, signal and inter locking defects for which maintenance staff are held responsible resulting: a) Accidents of passenger train involving loss of human life	(a) If due to causes where 'interlocking' has been short-circuited / made inoperative 'D' staff - Dismissal 'S' staff - Major penalties under item (v), (vi) or (vii) (b) If due to causes where 'interlocking' has deteriorated due to bad maintenance repairs. 'D' staff – Removal 'S' staff – Penalties under item (v) or (vi)
b) Accidents of passenger or goods train not involving loss of human life.	'D' staff – Removal 'S' staff – Penalties under item (v) or (vi)
c) Derailment of goods train on the main line in mid-section or within station limits.	'D' staff – Penalty under item (vi) 'S' staff – Penalties under item (v) or (vi)
d) Derailment of goods train within station yard other than the main line.	'D' staff – Penalty under item (v) 'S' staff – Penalties under item (iv)