

(ii) On receipt of the proceedings of the Joint Inquiry (inquiry made by a Committee of Railway Officers) from the Head of the Railway Administration in accordance with rule 214 of Railway (Notices of and Inquiries into accidents) Rules, 1973, the Commissioner of Railway Safety shall scrutinize the same. In case he agrees with the findings of the Joint Inquiry, he shall forward a copy of the report to the Chief Commissioner of Railway Safety along with his views on the findings and recommendations made. If on the other hand the Commissioner of Railway Safety, after examination of the joint inquiry proceedings, considers that an Inquiry should be held by himself, he shall, as soon as possible, notify the Chief Commissioner of Railway Safety, the Railway Board and the Head of the Administration concerned, of his intention to hold an inquiry. He shall at the same time, fix and communicate the date, time and place for the inquiry.

(e) (i) Where having regard to the nature of the accident, the Central Government has appointed a Commission of Inquiry to inquire into the accident under the Commissions of Inquiry Act 1952 (60 of 1952) or has appointed any other authority to inquire into it and for that purpose has made all or any of the provisions of the said Act applicable to that authority, the Commissioner of Railway Safety to whom notice of the accident has been given shall not hold his inquiry. Where he has already commenced his inquiry, he shall not proceed further with it and shall hand over the evidence, records or other documents, in his possession relating to the inquiry to such authority as may be specified by the Central Government in this behalf.

(ii) If, as a result of the police investigation, a regular case is lodged in criminal court by the police, the Commissioner of Railway Safety shall discontinue his inquiry.

1007 Attendance of Railway employees to attend Inquiries: When an inquiry under rule 228 of the Statutory Investigation into Railway Accidents Rules, 1973, or a judicial inquiry is being held, the Head of the Railway Administration concerned shall arrange for the attendance, as long as may be necessary, at the place of inquiry, of all railway employees whose evidence is likely to be required at such an inquiry. Further, if the inquiry is to be held by the Commissioner of Railway Safety under rule 228 of Statutory Investigation into Railway Accident Rules, 1973, the Head of the Railway Administration concerned shall issue notice of the date, hour and place at which the inquiry will begin to the officers concerned. He shall also arrange for the attendance of the Divisional Officers concerned at the inquiry.

1008 Officers to assist Commissioner of Railway Safety —

When an inquiry under rule 228 is held, the General Manager will nominate an Officer of Senior Administrative rank or above who shall attend the inquiry held by the Commissioner of Railway Safety along with other Officers of lower rank who are normally required to assist the Commissioner of Railway Safety. The Divisional Railway Manager should also attend the inquiry held by the Commissioner of Railway Safety into train accidents personally, unless it is beyond his control due to very compelling reasons. This is to facilitate the inquiry officer in obtaining the evidence, maintain liaison with local Magistracy and the Police for completing the inquiry expeditiously.

1009 A brief Preliminary Narrative Report: Where the Commissioner of Railway Safety has held an inquiry in respect of any of the accidents described in sub-rule (2) of rule 228, he shall submit a brief preliminary narrative report to the Railway Administration concerned, the Chief Commissioner of Railway Safety and the Railway Board simultaneously. The report shall be factual and shall not contain any reference to persons implicated.