

- ii. Neither the inquiry proceedings nor the covering letter forwarding them, nor remarks on inquiry proceedings shall contain any reference to the disciplinary action to be taken against the staff held responsible. While forwarding the inquiry proceedings, the Divisional Railway Manager besides indicating whether he agrees with the cause of the accident or not, should also mention if in his opinion there is prima-facie cause for instituting disciplinary proceedings against staff, if any, held responsible. Only on receipt of the orders of the Chief Safety Officer regarding the finding in the inquiry proceedings, shall disciplinary action be taken by the appropriate authorities in accordance with Discipline and Appeal Rules. The actual punishment imposed on the staff shall be communicated to the Chief Safety Officer within the stipulated time.
- iii. In all cases where inquiries are conducted under the Railways (Notices of and Inquiries into accidents) Rules, 1973 and where, there is prima-facie suspicion of sabotage having been committed, the Security Commissioner of the Division should invariably be associated with such inquiries and the findings in such cases invariably be routed through the Chief Security Commissioner and vetted jointly by Chief Security Commissioner and Chief Safety Officer.
- iv. If the Magistracy or the Railway Police or the Local Police require a copy of the Inquiry Proceedings or the findings, they have to apply to the Chief Safety Officer. Neither the Inquiry Committee nor any other official is authorised to comply with such requests.

929 Acceptance of Findings: The findings of Inquiries into accident cases should be accepted by DRM / GM

- a) If the findings are not accepted by the DRM / GM, a fresh inquiry shall be ordered.
- b) If the findings of Sr. Supervisors of inquiry Committee are not accepted, an inquiry at Officers level should be ordered by the DRM.
- c) In the case of a joint inquiry, if findings are not accepted, the matter may be referred to the same committee or a new committee may be constituted.
- (d) Accident Inquiry Reports with staff of foreign railway responsibility should be put to AGM directly being the Accepting Authority in such cases. If the post of AGM is not available, SDGM may be nominated as the Accepting Authority. In the absence of SDGM post also, the Chief Safety Officer will act as the Accepting Authority for such accident inquiry reports, wherein staff of foreign Railway is held responsible.

930 Reports of inquiries to Commissioner of Railway Safety :

- a) Whenever any , not of the nature specified in section 113 of the Act, such as averted collisions, breach of block rules or other technical accidents, occur in the course of working a railway, the Railway Administration concerned may cause an inquiry either Jointly or Departmentally to be held into the accident.
- b) Where an inquiry is held as provided above, the Head of the Railway Administration concerned shall forward a copy of the report of the inquiry to the Commissioner of Railway Safety.

931 Submission of Inquiry Reports:

- a) Submission of Inquiry report to DRM by President of the inquiry committee: The President of the Inquiry Committee shall be responsible for the timely preparation and submission of the inquiry report. The inquiry report shall be submitted to the DRM through Sr.DSO / DSO within 7 days from the date of accident. The Sr.DSO / DSO will put up the inquiry report with his observations to the DRM for acceptance.

- b) Submission of the inquiry reports to the CSO by Sr.DSO / DSO : The inquiry report duly accepted by the DRM shall be submitted to CSO within 10 days from the date of accident in all accidents as under:-

All reportable train accidents	3 copies
Other Train accidents	2 copies
Unusual incidences	1 copy

While forwarding the report, the DRM will offer his remarks:-

- i. On the recommendations of the enquiry committee.
 - ii. On other aspects of the enquiry e.g., other Matter Brought to Light and systems improvement, if any.
- c) Submission of the Inquiry report to the PHOD. The DRM, after accepting the inquiry report shall submit the same as early as possible to the Heads of Departments concerned.
- d) Submission of the inquiry report by CSO to Railway Board: The CSO will submit all inquiry reports to the Railway Board on all accidents reportable to Railway Board. If there is any issue in the inquiry report in which it is necessary to obtain views of other PHOD / HODs, the inquiry report shall be sent to the PHOD / HODs concerned to enable the latter to record their views before the report is sent to Railway Board.
- While forwarding the report to the Railway Board, the CSO will state whether the findings are accepted or not and indicate the action proposed to be taken against the staff, if any, held responsible for the accident.
- e) Forwarding the inquiry report to CRS: A copy of the inquiry report of reportable train accident shall be forwarded to the CRS by CSO.

932 Metallurgical and Chemical investigation of Fractured Rails, broken parts of Rolling Stock or other Equipment:

- a) The broken material i.e., fractured rails, broken parts of rolling stock or other equipment which may be vital for concluding the cause of the accident will be collected / seized by the Guard / SM /TI present at site and handed over to the Sr.DSO / DSO for further necessary action.
- b) The Sr.DSO /DSO after consultation with the Branch Officer concerned will send the broken material to the CMT/LGD or RDSO / LKO.
- c) On receipt of the investigation report from CMT/LGD, RDSO/LKO, Sr.DSO/DSO will advise the inquiry committee, DRM and CSO.
- d) In the event of breakage of any part of locomotive or other rolling stock of foreign railway, a copy of the report should also be sent to the concerned workshop / Loco shed, CME and CSO.

933 Norms of Punishments to be imposed:

The norms of punishments prescribed by Railway Board are given in Annexure-V. The norms should be followed rigidly. The Sr.DSO / DSO shall personally monitor the punishment awarded to the officials responsible for the accident & ensure that it is as per the rules in force. If it is inadequate, he will put the case to the DRM for review. A monthly summary of such cases shall be sent by Sr.DSO / DSO to CSO.

934 Magisterial Inquiry:

Whenever an accident, such as is described in section 113 of Railway Act, has occurred in the course of working of a railway, the District Magistrate or any other Magistrate who may be appointed in this behalf by the State Government, may, either