

specifically asked to state whether he has anything to depose in addition to, or in modification of that statement and his reply recorded and his signature obtained. Any further evidence on the part of such witness shall be the outcome of cross examination and no fresh independent statement shall be recorded. The questions put to the witness in the cross examinations and the answers therefore, shall be recorded then and there.

- c) If a witness in his statement gives evidence of facts which have occurred and which are contrary to the rules and regulations and which render him culpable of neglect or violation of the rules and regulations, it shall be elicited from the witness, during his examination/cross examination whether he is aware that the facts stated by him are contrary to the rules and regulations.
- d) The Inquiry Officer or the Committee shall not be satisfied merely with the determination of the immediate cause or causes of the accident. It shall look for drawing out necessary evidence and ascertain the contributory factors, if any, which have led the staff to commit the breach of rules. It shall also go fully into the matter of the compelling circumstances, if any, which have a bearing on the accident. Contributory factors are such factors as an irregular and unauthorised method of working followed at the station, a general laxity in working having taken root at the station for want of proper supervision, etc., which have led to the breach of rules. Compelling circumstances are such circumstances as inadequacy of signalling and interlocking equipment or other safety devices such as key box, point indicator, etc., inadequacy or absence of communication equipment resulting in frequent trips on the part of the station staff over long distances, impossibility, especially at peak periods, of carrying out all the operations and duties laid down for the staff, absence of the minimum staff required to perform all the duties, impracticability of complying with Station Working Rules, staff working overtime for want of timely relief, etc. Considerable care shall be exercised in assessing the compelling circumstances. The standard considered desirable shall be co-related to the work load at the station and shall be compared to the standards obtainable at other similar stations.
- e) The Inquiry Officer or the committee shall also note "matters brought to light" in the course of the Inquiry, which though not having a direct bearing on the accident may lead to accidents in future.
- f) In the case of a Joint Inquiry, it is not necessary for the members of the Magistracy and the Police to attend the deliberations in regard to the finding or to sign the Joint Inquiry proceedings, but they may ask any questions while the examination of witnesses is going on and the answer given to such questions may be recorded as part of the proceedings.

912 Composition of Inquiry Committee:

- a) The composition of the inquiry committee will depend upon the nature of accident. Normally officers from Safety, Engineering, Operating, Mechanical department will be in the committee. Officers from other departments are nominated based on the nature of accident.
- b) When staff or engine of another division is involved, representative of that division may also be included in the inquiry committee.
- c) In case of fire accident, the representative of Security branch should also be associated.
- d) No Officer or a Subordinate official whose evidence is required to be recorded before an inquiry committee should be appointed as a Member of that committee except when allowed only under the personal orders of the CSO / DRM.

913 President of Inquiry Committee: