

- f) The sequence of events prior to and after the accident should be brought out in the proceedings.
- g) To check general laxity in working or ineffective supervision, the relevant records should be examined over some period to check whether the irregularities that have come to light relating to the accident had been repeated previously. The inspection notes of supervisory staff should be perused and it should be determined whether the irregularities could have been detected earlier and set right if effective supervision had been exercised.

**918 Proceedings of Joint or Inter-departmental Inquiries:** A report of the proceedings shall be drawn by the President or by someone deputed by him for this duty, in Form No. Acc. 9 to 9 (O) (Refer Appendix VI for Specimen forms). Any corrections in it shall be initialed by the President. The signature of the witness shall be obtained then and there on all pages of the deposition/evidence/ answers to cross examination, all corrections being attested by the Witness. The report of the proceedings shall be in the following sequence:-

- (i) Form Acc. 9-Summary.
- (ii) Form Acc.9 (A)- List of members of the Committee and of other officials attending.
- (iii) Form Acc. 9 (B)- Descriptive account of the Accident, which shall, among other things , contain the following information:-
  - Gradients.
  - Curves.
  - Type of signalling and interlocking.
  - Type and condition of permanent-Way.
  - Weight of engine and weight on each wheel.
  - Marshalling of train.
  - Brakes and braking system.
  - Condition of rolling stock.
  - Time the train was due, if late, time lost and reason therefor.
  - Extract from the Train Signal Register, Line Clear Enquiry and Reply Books at the stations at both ends of the block section concerned, if the running time, speed, departure / arrival time is in dispute,
  - Whether the train was booked to run through or to stop.at, Whether train was booked to cross, or was crossing out of course.
  - Weight on each wheel of vehicles concerned in a derailment.

**Note:-** Only such of the above items as are directly relevant to the accident under Inquiry shall be included.

- (iv) Form Acc.9 (c) List of witnesses examined with their names, designation, and staff numbers / PF number.
- (v) Form Acc.9 (D) and (E) – Deposition of witness.
- (vi) Form Acc.9 (F) – Remarks and reasons for finding.
- (vii) Form Acc.9 (G) – joint finding.
- (viii) Form Acc.9 (H) – Matters brought to light during the inquiry.
- (ix) Form Acc.9 (I) – Suggestions & Recommendations.
- (x) Form Acc.9 (J) – Adequacy or otherwise of rescue and relief measures, etc.
- (xi) Form Acc.9 (k) – Composition, marshalling order and particulars of rolling stock on the train involved.
- (xii) Form Acc.9(L) – Details of photographs taken at the site of accident.
- (xiii) Form Acc.9 (M) – Details of damages to engine and rolling stock and approximate cost thereof.
- (xiv) Form Acc.9 (N) – Details of damages to permanent way and approximate cost thereof.
- (xv) Form Acc.9 (O) – Details of damages to signal interlocking and communication gear and approximate cost thereof.

- (xvi) List of passengers and / or railway employees injured or killed, and their disposal and the particulars of ex-gratia payment made
- (xvii) A detailed dimensional sketch illustrative of the accident.
- (xviii) Pro-forma as stipulated in Appendix IV in case of derailments.

**919 Description of the Accident:** The descriptive account shall be confined to a brief and shall contain no reference to the evidence.

**920 Recording of Evidence:**

- a) Each witness shall be assigned a number, which, in addition to being entered for the name of the witness at the commencement of the statement, shall be repeated after the signature / thumb impression at the end as 'Witness No ...' and in the proceedings wherever he is referred to. All particulars required from Form Acc. 9 (D) of the inquiry proceedings shall be filled up in case of each witness. In case of a witness belonging to train or station staff, the hours of duty and rest availed shall also be recorded.
- b) Evidence should be recorded as connected, narrative, subsequent demands brought out in cross question and answers. Care should be taken not to intimidate witnesses. Witnesses who understand English shall read and sign the recorded statement on each page.
- c) While recording the evidence of illiterate witnesses or when witnesses are not conversant with English, their evidence should be read over and explained in vernacular language before their signatures are obtained and the President should certify that this has been done. If the witness is unable to sign his name, his thumb impression should be taken on each page and attested by the President.
- d) For recording the evidence, the President of Inquiry Committee may utilize the services of a stenographer to take down the evidence duly typing on computer for this purpose. If a stenographer is not available, he will nominate a representative of the department concerned. The typed statement shall be read and signed by the witness on each page.

**921 Findings:** The findings shall be concise and should clear and consist of a simple statement of the opinion of the Committee as to what caused the accident. The findings shall also mention the name of the persons responsible and the rule/rules or instructions violated by each of the staff held responsible or the offences committed by them. In respect of cases where more than one staff / department is held responsible, the primary responsibility of the staff / department shall be specifically indicated. When the Committee is of the opinion that the evidence given by a witness is willfully false, they shall record this under the heading 'Matters Brought to Light'. It should also be mentioned, under which of the following categories the accident falls:

- a) Failure of Railway Staff.
- b) Failure of other than Railway staff.
  - i. Tampering with the track.
  - ii. Other miscellaneous causes.
- c) Failure of equipment :-
  - i. Mechanical.
  - ii. Track .
  - iii. Electrical.
  - iv. Signalling
- d) Sabotage.
- e) Accidental or Act of God -
  - i. Combination of factors.
  - ii. Other miscellaneous causes.
- f) Could not be established.