

903. Object of Accident Inquiry:

- a) To ascertain the correct cause of accident.
- b) To fix responsibility for the accident. (The responsibility shall be fixed at appropriate level and should be specific i.e., primary, secondary and blameworthy. While fixing individual responsibility, extenuating circumstances, if any shall be mentioned).
- c) To formulate proposals for preventing recurrence of similar accidents.
- d) To determine whether there was any laxity in working to which the accident could be attributed.
- e) To examine whether there has been any laxity / delay in rendering rescue, relief and restoring through lines of communication.
- f) To suggest improvement in system, practices and procedures.

904 Classification of Accident Inquiries: The Accident inquiries are classified into two types. They are

a) Non-Railway Enquiries:

- i. Judicial Commission or Commission of Inquiry as per Enquiries Act of 1952.
- ii. Commissioner of Railway Safety Enquiry
- iii. Magisterial Enquiry
- iv. Police Enquiry

b) Railway Enquiries:

- i. Joint Inquiry
- ii. Inter-departmental Inquiry
- iii. Departmental Inquiry

904.1 The Judicial Commission or Commission of Inquiry: The Central Government may appoint a Commission of Inquiry under the Commission of Inquiry Act, 1952 (LX of 1952) in a very serious accident. In such an event any other enquiry / investigation or other proceedings in relation to that accident shall be stopped and all records or other documents relating to such enquiry shall be forwarded to such authority as may be specified by the Central Government in this behalf.

904.2 Commissioner of Railway Safety Inquiry: CRS shall hold statutory enquiry into the accidents falling under Section 113 of Railways Act 1989. The CRS may order and personally conduct an inquiry into an accident other than those falling under section 113 of Rly. Act, which he considers to be of sufficiently serious nature to justify such a course being adopted. The CRS shall inform the GM / CSO of his intention to hold an inquiry and shall at the same time, fix and communicate the date, time and place of the inquiry.

904.3 Magisterial Inquiry: It may be judicial or non-judicial and is appointed by the State Government. In case of reportable train accident, the District Magistrate or any other Magistrate may himself make an inquiry or depute a Subordinate Magistrate or direct the Police for investigation.

904.4 Police Inquiry: The Railway Police may make an investigation into the causes which led to the accident occurring in the course of working a railway. Whenever any such accident is attended with loss of human life or with grievous hurt or with serious damage to railway property of the value exceeding Rs.2 Crore or has prima facie been due to any criminal act or omission. This can be parallel, if required, to any other enquiry.

904.5 Joint inquiry: Whenever an accident, such as mentioned in section 113 of the Act, has occurred in the course of working a railway, the Head of the Railway Administration concerned shall order an inquiry to be promptly made by a Committee of Railway Officers, to be called as 'Joint Inquiry', for the thorough investigation of the cause which led to the accident.

In specific cases, where considered necessary, Inter-departmental Inquires will be ordered by the General Manager. In such cases, the General Manager will specify the Officers or Senior subordinates who shall constitute the Inquiry Committees and also, where necessary, fix the date.

904.6 Inter Departmental Inquiry: For accidents not falling under the purview of CRS, the DRM shall order an enquiry by a committee of officers from the departments concerned. In case GM considers it is necessary to hold an inquiry by the HODs/PHODs in to such accidents, the same can be ordered. In such cases, there is no need for DRM to order an inquiry.

904.7 Departmental Inquiries: If the cause of the accident is attributable beyond doubt to a particular department in Railways and the Head of the Department accepts the responsibility, the inquiry by the inter-departmental committee can be dispensed with. In such cases the inquiry can held by an officer/officers of the department concerned so as to determine the responsibility of staff, if any and to suggest measures to prevent such accidents in future.

905. Ordering of Inquiries: Normally DRM shall order all departmental and inter-departmental inquiries into accidents. The GM or on his behalf, the CSO may order a joint inquiry into serious accidents, as deemed fit.

- a) Whenever a Joint Inquiry is to be made, the Head of the Railway Administration concerned shall issue notice about the date, time and place at which the Inquiry will be conducted to the following Officers, namely—
 - i. the District Magistrate of the district in which the accident occurred or such other officer as the State Government may appoint in this behalf, and the Superintendent of the Railway Police and District Superintendent of Police;
 - ii. the Commissioner of Railway Safety.
 - iii. the Head of the Railway Police having jurisdiction at the place where the accident occurred or, if there are no Railway Police, the Officer in-charge of the police station having jurisdiction at such place.
- b) The date and time at which the Inquiry will commence shall be fixed so as to give the Officers mentioned, above sufficient time to reach the place where the Inquiry is to be held.
- c) Where a Joint Inquiry is held into an accident on receipt of information about the inability of the Commissioner of Railway Safety to hold an inquiry under Sub-rule (5) of rule 228 (Statutory Investigation into Railway Accidents Rules 1973), the Head of the Railway Administration concerned shall also issue a press note in this behalf inviting the public to tender evidence at the inquiry or to send information relating to the accident to the Joint Inquiry Committee at an address specified in the press

906 906 Minimum Level of Inquiry :