

ACCIDENT ENQUIRIES

STC/NBQ

ACCDIENT

- Any occurrence which does or may effect the safety of the Railway, its Locomotive, Rolling Stock, Permanent Way, passengers or Railway Servants or which affects the normal working of Railways, is termed as Accident.

PURPOSE OF ACCIDENT ENQUIRY

- To ascertain the cause of an accident.
- To formulate proposals for preventing a reoccurrence.
- To ascertain if any inherent defect in the system of working or in physical appliances, such as track, rolling stock and other working apparatus.
- To ascertain negligence or avoidable delay in relief & restoration.

WHEN IS ENQUIRY NECESSARY?

- Provision of section 113 of Railway Act 1989.
- Any accident attended with loss of any human life or with grievous hurt or with serious injury.
- Any collision between trains of which one is a train carrying passenger.
- The derailment of any train carrying passenger or any part of such train.
- System working suspected defective.

WHEN IS ENQUIRY NECESSARY?

- Railway staff responsible- prima facie or police report.
- Cause of accident is not clear.
- On advice of CRS.
- Railway Administration's decision.

Classification of enquiry

- ❖ Commission of Inquiry
- ❖ CRS Enquiry
- ❖ Magistrate/Judicial Enquiry
- ❖ Joint Enquiry
- ❖ Departmental Enquiry

Commission of Inquiry

- ❖ Appointed by Central Govt. under commission of Inquiry Act 1952
- ❖ Commission has a power of civil court
- ❖ Its findings are not binding on Govt.
- ❖ Such type of enquiry is very rare.

Commissioner of Railway Safety Enquiry (CRS Enquiry)

- ❖ It is an independent agency, constituted under provisions of section 113 of The Railway Act 1989.
- ❖ Such enquiry is obligatory in case of-
 - Loss of human life as defined in IPC.
 - Serious damage to Railway property.
 - Accident at unmanned level crossing only if loss of life/grievous injury of passengers involved.
 - Any other accident – at his discretion.
- ❖ CRS can summon and enforce attendance of any person. It can examine and receive under oath.

Commissioner of Railway Safety Enquiry (CRS Enquiry)

- ❖ CRS enquiry is not obligatory if passenger travelling in the train are not affected and no passengers are hurt at level crossing accidents.
- ❖ Final report copy is sent to Railway Board, Railway Administration concern, Director IB – Ministry of Home Affairs in case of sabotage.

Magisterial/Judicial Enquiry

- ❖ DM or any other Magistrate appointed by State Govt. may make an enquiry.
- ❖ No enquiry if commission of Enquiry or any other authority nominated by Central Govt.
- ❖ Magistrate may order Judicial Enquiry for trail of any person criminal offence.

Joint Enquiry

- ❖ It can be at SAG, JAG, Sr. Scale, Jr. Scale or Sr. subordinate level.
- ❖ Enquiry committee has representatives from Traffic, Civil, Mech., Elect, S&T etc.
- ❖ Committee is nominated by DRM/GM depending upon the level.
- ❖ Joint Enquiry may be dispensed with if-
 - a) CRS order is ordered
 - b) Any other agency appointed by Central Govt.
 - c) There is no reasonable doubt about the cause of accident.
 - d) Any one of the department has accepted the responsibility

In case of c & d above, departmental enquiry is to be held.

Proceeding of Joint Enquiry

- ❖ Conduct Enquiry proceedings carefully.
- ❖ President of Enquiry to warn all the witness against giving untruthful/ false statement.
- ❖ Certificate signed by the president to be forwarded with proceeding.
- ❖ Simple language in logical order.
- ❖ End of statement to be certified as “Read accepted and correct” or “read, explained and accepted as correct”.

Documents to be accompanied with Proceeding of Joint Enquiry

- ❖ Title page & particulars of accident.
- ❖ History of accident.
- ❖ Description of the site of the accident.
- ❖ Sketch of the site of the accident.
- ❖ Findings and reasons for conclusion-
 - ❖ Clear, brief & to the point.
 - ❖ Indicate cause of accident, rules violated and
 - ❖ Staff held responsible.

- ❖ Note of dissident if any.
- ❖ Reading of track, Engine, Coaches/Wagons or vehicles.
- ❖ Recommendation of the Enquiry Committee

Documents to be accompanied with Proceeding of Joint Enquiry

- ❖ Statement of witness with a list and analysis of evidences.
- ❖ Plan of the accident site & or other drawings in case of serious accident.
- ❖ List of the passengers: Railway employee killed or injured.
- ❖ List of damage to Loco, R/Stock, Track, OHE, S&T with estimated cost.
- ❖ Relevant extract from train register, logbook, station diary, Guard rough journal.
- ❖ Date of start & finalization of enquiry.
- ❖ Photograph of the site of the accident

Documents to be accompanied with Proceeding of Joint Enquiry

- ❖ Note on serious or important discrepancies.
- ❖ Bio-data of staff held responsible.
- ❖ Relief & restoration
- ❖ All the documents to be signed.

Departmental Enquiry

- ❖ Departmental Enquiry is conducted when-
 - ❖ There is no reasonable doubt about the cause of accident.
 - ❖ Any one of the departments has accepted the responsibility.
- ❖ The departmental enquiries shall be ordered by DRM.
- ❖ Proceedings of departmental enquiry is similar to joint enquiry.

Time schedule for enquiry

- Ordering enquiry by GM/DRM - D+1
 - Commencement of Enquiry - D+3
 - Submission of preliminary report - D+7
 - Acceptance of Enquiry report by GM/DRM - D+10
 - Finalization of enquiry report by CSO/AGM - D+15
 - Submission of enquiry report - D+20
 - Finalization of accident cases - D+90
- ▶ Where D is the date of accident

Guidelines for Accident enquiry

- All serious accident shall be enquired by CRS/CCRS.
- In case CRS/CCRS is not in position to enquire the serious accident, the enquiry shall be done by JAG enquiry committee with DRM as the accepting authority.
- All cases of collisions falling under A1 to A4 categories shall be enquired by committee of SAG officers with GM as accepting authority unless same is being enquired by CRS/CCRS.
- All the other consequential train accidents except unmanned level crossing accidents shall enquired by a committee of JAG officers and its absence by Branch officers. DRM shall be accepting Authority

Guidelines for Accident enquiry

- Consequential unmanned level crossing accidents and all other train accidents enquired by a committee of SS or JS officers and DRM as accepting authority.
- All yard accidents shall be enquired by a committee of senior supervisors with Sr. DSO/DSO as accepting authority.
- All the indicative accidents shall be enquired by a committee of SS or JS officers with DRM as accepting authority.
- GM/DRM can have enquiry conducted by a committee of higher level officers than above mentioned levels depending upon seriousness.

Guidelines for Accident enquiry

- In accidents cases where the Enquiry committee determines responsibility of the State Foreign Railway, the enquiry report should be put up to the PHOD of the concern department of the Railway on which accident took place through CSO after accepted by AGM.
- All cases of equipments failures shall be enquired by Sr. Supervisors of respective department.

Forms are used in Accident Enquiry

- ▶ The sequence of forms used for the enquiry is as under:
- ▶ **Form no.acc-18(a)** - summary
- ▶ This includes nature of accident, date, time, railway, location, gauge, train no., speed, gradient, alignment, weather, visibility, causality, cost of damages, relief arrangements given, medical attention paid, cause and responsibility. this has to be drawn by the president of enquiry committee.

Forms are used in Accident Enquiry

- ▶ **Form no.acc-18(b)** –List of members of committee and other officials attending
- ▶ **Form no.acc-18(c)** – Descriptive account of the accident, which shall be brief record of the actual facts and shall inter alia, contain the information of grades, curves, type of interlocking and signaling, type of permanent way, weight of engine on wheels, marshalling of train, condition of brakes, condition of rolling stock, movement of breakdown, MRV, other incidences as per the log book maintained in the control office, extract from the signal register and other documents etc., which are relevant to accident.

Forms are used in Accident Enquiry

- ▶ Form no.acc-18(d)- List of witnesses with their names ,designations and documents and staff nos.
- ▶ Form no.acc-18 (e)- Deposition of witnesses and summary of evidences
- ▶ Form no.acc-18(f)- Remarks and reasons for finding
- ▶ Form no.acc-18(g)- Joint findings
- ▶ Form no.acc-18(h)- Matters brought to light
- ▶ Form no.acc-18(i)- Suggestions and recommendations

Forms are used in Accident Enquiry

- ▶ Form no.acc-18(j)- Relief measures
- ▶ Form no.acc-18(k)- Composition of marshalling order
- ▶ Form no.acc-18(l)- Details of photographs taken at the site
- ▶ Form no.acc-18(m)- Damages to rolling stock, engine and cost
- ▶ Form no.acc-18(n)- Damages to permanent way and cost
- ▶ Form no.acc-18(o)- Damages to signaling, interlocking and cost

REMARKS AND REASONS FOR FINDING

- ▶ This should cover discussion of all conflicting evidences and committee's views on that
- ▶ Contributory factors, if any
- ▶ Extenuating circumstances, if any
- ▶ The committee should state fully the reasons which have lead them to arrive to the findings

FINDINGS

- The findings should be concise and clear and consist of simple statement of opinion of the committee as to what caused the accident.
- Mentioning the names of the persons responsible there of.
- The rules and instructions violated by each of the staff held responsible.
- In case staff of more than one department are involved, primary responsibility has to be specified.
- The category of accident also to be brought out

FINDINGS

- The category of accident also to be brought out such as
 - Failure of railway staff
 - Failure of staff other than railway
 - Tampering / sabotage
 - Failure of equipment (mechanical / track / electrical etc.)
 - Accidental or act of god
 - Combination of factors
 - Any miscellaneous cause
 - Cause could not be established

SUGGESTIONS

- The committee may suggest any improvements to the rules or practices of working which in their opinion would prevent similar accident in future, which includes contributory factors and extenuating circumstances. In case no suggestions, NIL entry should be made.

MATTERS BROUGHT TO LIGHT

- The irregularities in working which might lead to an accident of any description although not having direct bearing in the accident. in case no issue, NIL to be indicated.

SIGNING OF THE JOINT ENQUIRY PROCEEDINGS

- ▶ The proceedings shall be drawn up and signed before the committee disperses.
- ▶ If the members of the committee are not agree regarding the findings, reasons for the findings, suggestions etc., a note of dissent shall be drawn separately and signed.

SIGNING OF THE JOINT ENQUIRY PROCEEDINGS

- ▶ The Note of Dissent Shall Be Drawn up on the Spot and Signed.
- ▶ The President Has to Pass the Remarks on the Dissent Note Before Submitting the Report

PRESERVATION OF RECORDS

- ▶ Serious accidents -5 years
- ▶ Other accidents - 3 years

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THANKYOU