

APPENDIX – VI

PUNISHMENT NORMS IN ACCIDENT CASES

(Ref. : Railway Board's letter no.99/safety (A&R)/6/1 dated 23.04.99)

NOTE: (i) **'D' staff** : Staff directly held responsible for the accident.

'S' staff : Staff who are found to have secondary responsibility. In their case, the penalty imposed will depend on the degree of their contribution to the accident / engine failure and the Disciplinary Authority will use its discretion in the matter.

W I P – With holding of increment with cumulative effect.

W I T – With holding of increment without cumulative effect.

(ii) The Disciplinary authority must impose the minimum penalty if the responsibility of staff is clear. Factors, like the employee's past record of service may be taken into account by the Appellate Authority if and when an appeal is made to it. The Disciplinary Authority should deal with the case solely with regard to the facts and circumstances of the accident itself.

Sl. No.	Nature of Accident	Minimum penalty
	<u>Collisions involving a train-</u>	
1	(a) Resulting in loss of human life.	(a) 'D' staff – Dismissal (b) 'S' staff – Major penalties (v), (vi) or (vii)
	(b) Not resulting in loss of human life.	(a) 'D' staff – Removal from service. (b) 'S' staff – Major penalty (v) or (vi)
2.	<u>Averted collisions involving a train-</u>	(a) 'D' staff – Removal from service. (b) 'S' staff – Major penalty (v) or (vi)
3	<u>Train passing signal at danger-</u>	Removal or compulsory retirement where entirely due to neglect of Loco Pilot ; reduction to a lower grade if there are contributory factors like loss of brake power on the run which he could not have detected when he took charge of the engine.

4	<p>Over speeding by Loco Pilot (in cases other than collisions, averted collisions and passing signal at danger for which penalties have been prescribed in items 1 to 3 above)</p>	
	(i) Resulting in derailment of passenger train involving loss of human life.	Dismissal - if there are no other contributory factors like track or rolling stock defects. Removal - if there are such contributory factors.
	(ii) Resulting in derailment of passenger trains not involving loss of human life.	Removal - if there are no other contributory factors like track or rolling stock defects. Reduction to 'C' grade for 3 years if working substantively in 'C' or 'B' grade and reduction to Shunter for 3 years if working substantively in 'C' grade with loss of seniority in both cases. If there are such contributory factors.
	(iii) Resulting in derailment of goods trains on the main line in mid-section or within station limits.	Reduction to grade of shunter for one to three years with loss of seniority.
	(iv) Resulting in derailment of goods train in station yard on other than main line.	Reduction to Shunter for one to three years, depending on the extent of damage, without loss of seniority on being restored to 'C' grade Loco Pilot.
5	Failure to detect hot axle or other defective wagon resulting in derailment for which Loco Pilot/ Guard can be held responsible if it is within range of visibility.	Reduction to next lower grade in the case of passenger train. WIP for 3 years with loss of seniority in the case of goods train.
6	Failure to detect hot axle or other defective wagon resulting in derailment for which station staff / cabin staff can be held responsible or failure to stop the train on information regarding hot axle being given by the previous station for control.	Removal in the case of passenger train reduction to the next lower grade in the case of goods train, if working in lowest grade, WIP for 3 years.

7	<u>Station derailments while shunting.</u>	
	i) Due to Loco Pilot's fault in not obeying signals including hand signals or starting the train without authority proceed.	WIT for 2 yrs.
	ii) Due to Loco Pilot's failure to control the train	WIT for 2 yrs.
8	Breach of Block Rules(which do not result in collision or averted collision) such as train entering the section without proper line clear, receiving trains on wrong line blocked for engineering work etc. Placing material trolley on line without block protection and so on.	Reduction to a lower stage in the time scale.
9	<u>Accidents at Manned Level crossings.</u>	
	i) Failure of Gateman to close the gate.	Dismissal if there is loss of human life, removal if there is no loss of human life.
	(ii) Failure of SM/ASM to ensure closure of level crossing gates before allowing any movement where rules provide.	Reduction to a lower grade or post with loss of seniority (WIP 3 yrs. In case in the lowest grade).
	(iii) Failure of Loco Pilot in observing rules before passing a gate signal in danger.	Reduction to a lower grade with loss of seniority.
	(iv) Where no breach of rules is proved but lack or vigilance on the part of Loco Pilot/ guard of other staff is proved.	WIT upto 2 years 11 months.
10	<u>Accident at unmanned level crossings due to lack of vigilance on the part of Loco Pilot or failure to whistle on approaching the whistle board.</u>	
	(i) Accident involving loss of human life.	Reduction to a lower grade.
	(ii) Where no loss of human life is involved.	WIT for 1 year.

11	Carriage & Wagon defects or improper securing of loads or failure to detect improper securing of loads by TXR.	
	(i) Resulting in derailments on the main line, Mid – section or within station limits.	For the first offence WIT for 2 yrs. 11 months. For the second offence reduction to a lower grade for 3 years with loss of seniority (If any staff such as TXR are in the lowest grade, reduction by three stages in the scale of pay with loss of seniority; if the staff are in the lower stages of pay where reduction by three stages is not possible WIP for three years with loss of seniority).
	(ii) Resulting in derailments in a station yard other than main line.	Same as for item (i) above but without permanent effect and without loss of seniority.
12	<u>Locomotive defects</u>	
	(i) Negligence in repairs or maintenance in shops or shed resulting in accidents.	Reduction to a lower stage in the time scale with loss of seniority for the first offence, reduction to a lower grade with loss of seniority for the second offence and removal for the third offence.
	(ii) Negligence in repairs of maintenance in shops or sheds or bad enginemanship by Loco Pilot resulting in engine failure.	For the first offence stoppage of Passes and PTOs for 1 year; the second offence WIT 1 year and for the third offence reduction to a lower grade for years.
13	Traffic staff failure, resulting in accidents <u>other than</u> collisions or averted collisions.	
	(i) Wrong setting / manipulation of points.	Reduction to a lower grade with loss of seniority.
	(ii) Incorrect signalling.	WIP upto three years.
	iii) Wrong marshalling.	Reduction to a lower stage in time scale of pay.
	iv) Excessive / uneven loading or improper securing of loads.	WIT upto three years

14	Signal & interlocking failures, signal and interlocking defects for which maintenance staff are held responsible resulting:-	
	(a) Accidents of passenger train involving loss of human life	(i) If due to causes where 'interlocking' has been shorted, circulated / made inoperative. 'D' staff – Dismissal 'S' staff – Major penalties under item (v), (vi) or (vii)(ii) If due to causes where 'interlocking' has deteriorated due to bad maintenance repairs. 'D' staff – Removal 'S' staff – Penalties under Item (v) or (vi)
	b) Accidents of passenger or goods train not involving loss of human life.	(i) 'D' staff - Removal 'S' staff – Penalties under Item (v) or (vi) (ii) 'D' staff – item (vi) 'S' staff – item (v)
	c) Derailment of goods train on the main line in mid-section or within station limits.	(i) 'D' staff – item (vi) 'S' staff – item (iv) or (v)
	d) Derailment of goods train within station yard other than main line.	(i) 'D' staff – item (v) 'S' staff – item (iv)

PUNISHMENT NORMS IN ACCIDENT CASES

CIVIL ENGINEERING DEPARTMENT

(Ref. : Railway Board's letter no.99/safety (A&R)/6/1 dated 23.04.99)

NOTE: (i) **'D' staff** : Staff directly held responsible for the accident.

'S' staff : Staff who are found to have secondary responsible including that of Supervisors, JE/SE/SSE (P.Way) and PWS etc., whose failure to do proper inspections and take timely remedial measures and slack supervision would have contributed to the accident.

The penalty to be imposed in these cases will depend on the degrees of the contribution of the accident. The disciplinary authority will use his discretion in this matter. While fixing responsibility for slack supervision and neglect of periodical inspections the period, the supervisors have been in charge of the section is also to be taken into account.

W I P – With holding of increment with cumulative effect.

W I T – With holding of increment without cumulative effect.

- (a) The Disciplinary authority must impose the minimum penalty if the responsibility of the staff is clear. Factors, like the employee’s past record of service may be taken into account by the Appellate Authority if and when an appeal is made to it. The Disciplinary Authority should deal with the case solely with regard to the facts and circumstances of the accident itself.

Sl. No.	Nature of Accident	Minimum penalty
1	<p>Major track defect such as buckling, worn out switches & crossings and spread of gauge</p> <p>(i) Resulting in derailment of passenger trains</p> <p>(ii) Resulting in derailment of goods trains on the main line in mid section or within station limit.</p>	<p>(a) ‘D’ Staff – (i) Dismissal, if there is loss of life. (ii) Removal from service if no loss life.</p> <p>(b) ‘S’ Staff – Reduction to a lower grade for a period of 3 years, with loss of seniority, if any staff such as JE / P.Way are in the lowest grade reduction by 3 stages in the scale of pay with loss of seniority. If the staff are in the lowest stage of pay where reduction by three stages is not possible, WIT for 3 years with loss seniority.</p> <p>(a) ‘D’ Staff - Reduction to a lower grade for a period of 3 years, with loss of seniority, if any staff such as JE / P.Way are in the lowest grade reduction by 3 stages in the scale of pay with loss of seniority. If the staff are in the lowest stage of pay where reduction by three stages is not possible, WIT for 3 years with loss seniority.</p> <p>(b) ‘S’ Staff – Reduction to a lower stage in time scale of pay of 3 years with effect of postponing future increments on expiry of such period.</p>

	(iii) Resulting in derailment of goods trains in station yards other than main line.	<p>(a) ‘D’ Staff – Reduction to a lower stage in time scale of pay for a period of 2 years without the effect of postponing future increments .</p> <p>(b) ‘S’ Staff – WIT upto 2 years 11 months or with holding of pass/ PTOs for 2 years where the staff has reached the maximum of the grade.</p>
2	Other track defects like cross levels or low joints and defective alignment in curves etc.,	
	(i) Resulting in derailment of passenger trains	<p>(a) ‘D’ Staff –</p> <p>(i) Removal from service if no loss of human life.(ii) Reduction to a lower grade for a period of 3 years, with loss of seniority of no loss life. If any staff such as JE / P.Way are in the lowest grade, reduction by 3 stages in the scale of pay with loss of seniority. If the staff are in the lowest stage of pay where reduction by three stages is not possible, WIT for 3 years with loss seniority.</p> <p>(b) ‘S’ Staff – Reduction to a lower stage in time scale of pay for a period of 3 years with effect of postponing future increments on expiry of such period.</p>
	(ii) Resulting in derailment of goods trains on the main line in mid section or within station limit.	<p>(a) ‘D’ Staff – Reduction to a lower grade for one to three years with loss of seniority.</p> <p>(b) ‘S’ Staff – Reduction to a lower grade in time scale of pay for a period of one to three years without postponing the increments.</p>

	(iii) Resulting in derailment of goods train in station yard or other than main line	(a) ‘D’ Staff - Reduction to a lower stage in time scale of pay for a period of one to three years without the effect of postponing future increments. (b) ‘S’ Staff – WIT for one year or with holding of passes and PTOs for one year if at maximum of grade.
3	Miscellaneous cause like infringement of track by irregular unloading of ballast track materials etc., due to neglect of P. Way staff or failure to protect track in case of destruction, opening of track, breach etc.,	WIT up to 3 years or reduction to a lower grade or removal from service according to the gravity of accident and damages caused.
4	In respect of accidents during shunting operations in sidings and other non and running lines due to track defects.	WIT for one year or with holding of passes PTOs where the staff has reached the maximum should be imposed depending on the extent of neglect of maintenance and other circumstances.

For Staff of Electrical Department

a)	Accidents to passenger train involving loss of human life.	Removal from service.
b)	Accidents to passenger train not involving loss of human life	(i) Reduction to lower grade. (ii) If the staff is in the lowest grade reduction to a lower stage.
c)	Fire accidents involving loss of human life	Removal from service
d)	Fire accidents involving without loss of human life	(i) Reduction to lower grade. (ii) If the staff is in the lowest grade reduction to a lower stage.