PARLIAMENT OF INDIA
RAJYA SABHA

DEPARTMENT-RELATED PARLIAMENTARY STANDING COMMITTEE
ON TRANSPORT, TOURISM AND CULTURE

THREE HUNDRED TWENTY THIRD REPORT
Commission of Railway Safety

(Presented to the Hon’ble Chairman, Rajya Sabha on 15th June, 2022)
(Presented to the Hon’ble Speaker, Lok Sabha on 15th June, 2022)
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RAJYA SABHA SECRETARIAT
NEW DELHI

June, 2022/ Jyaistha, 1944 (Saka)
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*To be appended*
COMPOSITION OF THE COMMITTEE
(2021-22)
(Constituted on 13th September, 2021)

1. Shri T.G. Venkatesh - Chairman

RAJYA SABHA

2. Shri Prasanna Acharya
3. Shrimati Priyanka Chaturvedi
4. * vacant
5. Shri Shaktisinh Gohil
6. Shri Md. Nadimul Haque
7. Shri Jugalsinh Lokhandwala
8. Dr. Sonal Mansingh
9. Shri Tiruchi Siva
10. Shri Vinay Dinu Tendulkar

LOK SABHA

11. Shri Anto Antony
12. Shri Margani Bharat
13. Shri Tapir Gao
14. Shri Rahul Kaswan
15. Shri Ramesh Chandra Majhi
16. Shri Sunil Baburao Mendhe
17. Shri K. Muraleedharan
18. Shri S. S. Palanimanickam
19. Shri Chhedi Paswan
20. Shri Kamlesh Paswan
21. Shri Sunil Kumar Pintu
22. Shri Prince Raj
23. Shri Tirath Singh Rawat
24. Shrimati Mala Roy
25. Shri Rajiv Pratap Rudy
26. Shri Dushyant Singh
27. Shri Raj bahadur Singh
28. Shri Ramdas C. Tadas
29. Shri Manoj Tiwari
30. Shri Krupal Balaji Tumane
31. Shri Dinesh Chandra Yadav

SECRETARIAT

Shri Puneet Kumar, Joint Secretary
Shri Swarabji B., Director
Shri Rajendra Prasad Shukla, Additional Director
Shrimati Subha Chandrashekar, Deputy Secretary
Shri Ranajit Chakraborty, Under Secretary

*Shri Sambhaji Chhatrapati ceased to be a Member w.e.f. 4th May, 2022
INTRODUCTION

I, the Chairman, Department-related Parliamentary Standing Committee on Transport, Tourism and Culture, having been authorized by the Committee to present on its behalf, do hereby present this Three Hundred Twenty Third Report on ‘Commission of Railway Safety’.

2. The Committee heard the views of the Chairman & CEO, Railway Board; Member, Infrastructure, Railway Board; Chief Commissioner of Railway Safety; CRS, Western Circle; CRS, Southern Circle; CRS, North Eastern Circle; CRS, South Eastern Circle; Commissioner of Metro Rail Safety; Chief Signal & Telecom Engineer; and Senior Officers of Ministry of Civil Aviation and Railway Board, on the subject on 18th May, 2022.

3. The Committee wishes to express its thanks to the officers of Ministry of Civil Aviation, Commission of Railway Safety and Railway Board for placing before the Committee, the material and information desired in connection with the subject and for clarifying the points raised by the Members.

4. The Committee considered and adopted the Report in its meeting held on the 31st May, 2022.

NEW DELHI;
May 31, 2022
Jyaistha 10, 1944 (Saka)

(T.G. Venkatesh)
Chairman,
Department-related Parliamentary Standing Committee on Transport, Tourism and Culture,
Rajya Sabha
### ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>AC</td>
<td>Air Conditioned</td>
</tr>
<tr>
<td>ACRS</td>
<td>Additional Commissioner of Railway Safety</td>
</tr>
<tr>
<td>ATP</td>
<td>Automatic Train Protection</td>
</tr>
<tr>
<td>ATR</td>
<td>Action Taken Report</td>
</tr>
<tr>
<td>BG</td>
<td>Broad Gauge</td>
</tr>
<tr>
<td>BPAC</td>
<td>Block Proving Axle Counter</td>
</tr>
<tr>
<td>CA</td>
<td>Civil Aviation</td>
</tr>
<tr>
<td>CCRS</td>
<td>Chief Commissioner of Railway Safety</td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>CGIR</td>
<td>Chief Government Inspector of Railways</td>
</tr>
<tr>
<td>CMRS</td>
<td>Commissioner of Metro Railway Safety</td>
</tr>
<tr>
<td>CPC</td>
<td>Central Pay Commission</td>
</tr>
<tr>
<td>Cr(PC)</td>
<td>Code of Criminal Procedure</td>
</tr>
<tr>
<td>CRS</td>
<td>Commission/ Commissioner of Railway Safety</td>
</tr>
<tr>
<td>DFCCIL</td>
<td>Dedicated Freight Corridor Corporation of India Limited</td>
</tr>
<tr>
<td>DS</td>
<td>Deputy Secretary</td>
</tr>
<tr>
<td>EC</td>
<td>Eastern Circle</td>
</tr>
<tr>
<td>FOB</td>
<td>Foot Over Bridge</td>
</tr>
<tr>
<td>GIR</td>
<td>Government Inspector of Railways</td>
</tr>
<tr>
<td>GPS</td>
<td>Global Positioning System</td>
</tr>
<tr>
<td>GRP</td>
<td>Government Railway Police</td>
</tr>
<tr>
<td>HMCA</td>
<td>Hon’ble Minister of Civil Aviation</td>
</tr>
<tr>
<td>ICF</td>
<td>Integral Coach Factory</td>
</tr>
<tr>
<td>IR</td>
<td>Indian Railways</td>
</tr>
<tr>
<td>IRSOD</td>
<td>Indian Railway Schedule of Dimensions</td>
</tr>
<tr>
<td>ISO</td>
<td>International Organization for Standardization</td>
</tr>
<tr>
<td>JS</td>
<td>Joint Secretary</td>
</tr>
<tr>
<td>LC</td>
<td>Level Crossing</td>
</tr>
<tr>
<td>LHB</td>
<td>Linke Hofmann Busch</td>
</tr>
<tr>
<td>LHS</td>
<td>Limited Height Subway</td>
</tr>
<tr>
<td>MoCA</td>
<td>Ministry of Civil Aviation</td>
</tr>
<tr>
<td>MoF</td>
<td>Ministry of Finance</td>
</tr>
<tr>
<td>MoHUA</td>
<td>Ministry of Housing and Urban Affairs</td>
</tr>
<tr>
<td>MoR</td>
<td>Ministry of Railways</td>
</tr>
<tr>
<td>NC</td>
<td>Northern Circle</td>
</tr>
<tr>
<td>NEC</td>
<td>North Eastern Circle</td>
</tr>
<tr>
<td>NF</td>
<td>North Frontier Circle</td>
</tr>
<tr>
<td>OEM</td>
<td>Original Equipment Manufacturer</td>
</tr>
<tr>
<td>RDSO</td>
<td>Research Designs and Standards Organisation</td>
</tr>
<tr>
<td>ROB</td>
<td>Road Over Bridge</td>
</tr>
<tr>
<td>RPF</td>
<td>Railway Protection Force</td>
</tr>
<tr>
<td>RRSK</td>
<td>Rashtriya Rail Sanraksha Kosh</td>
</tr>
<tr>
<td>RS</td>
<td>Railway Safety</td>
</tr>
<tr>
<td>-----</td>
<td>-------------------------</td>
</tr>
<tr>
<td>RUB</td>
<td>Road Under Bridge</td>
</tr>
<tr>
<td>SC</td>
<td>Southern Circle</td>
</tr>
<tr>
<td>SCC</td>
<td>South Central Circle</td>
</tr>
<tr>
<td>SEC</td>
<td>South Eastern Circle</td>
</tr>
<tr>
<td>TCAS</td>
<td>Train Collision Avoidance System</td>
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<td>UMLC</td>
<td>Unmanned Level Crossing</td>
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<tr>
<td>US</td>
<td>Under Secretary</td>
</tr>
<tr>
<td>WC</td>
<td>Western Circle</td>
</tr>
</tbody>
</table>
REPORT

The Commission of Railway Safety which is under the administrative control of the Ministry of Civil Aviation, Government of India, deals with the matters pertaining to safety of rail travel and train operations and is charged with certain statutory functions laid down in the Railways Act, 1989. These functions are inspectorial, investigatory and advisory in nature. The Commission functions according to certain rules framed under the Railways Act, 1989 and executive instructions issued from time to time. The most important duty of the Commission is to ensure that any new railway line to be opened for passenger traffic should conform to the standard and specifications prescribed by the Ministry of Railways and the new line is safe in all respects for carrying the passenger traffic. This is also applicable to other works such as gauge conversion, doubling of lines and electrification of existing lines etc. The Commission also conducts statutory inquiries into serious train accidents and makes recommendations for improving safety on the railways in India.

2. The Railway Board in the Ministry of Railways is the safety controlling authority and is responsible for laying down and enforcing safety standards for the Indian Railways. The main task of the Commission of Railway Safety is to direct, advise and caution the Railway Board through its inspectorial, investigatory and advisory functions and thereby assisting them in ensuring that all stipulated measures are taken and standards are adhered to and implemented as regards the soundness of rail construction and safety in train operation.

3. Since Railway safety is of paramount importance to all and in view of the civilian fatalities in train accidents during the recent past, the Committee decided to study the functioning of Commission of Railway Safety. Since Commission of Railway Safety is under the administrative control of the Ministry of Civil Aviation, the Committee asked the Ministry of Civil Aviation to furnish a background note on the functioning of Commission of Railway Safety for consideration. Questionnaires were also sent to the Ministry of Civil Aviation and Railway Board to seek information on the subject. The Committee heard the views of the Chairman & CEO, Railway Board; Member, Infrastructure, Railway Board; Chief Commissioner of Railway Safety; CRS, Western Circle; CRS, Southern Circle; CRS, North Eastern Circle; CRS, South Eastern Circle; Commissioner of Metro Rail Safety; Chief Signal & Telecom Engineer; and
Senior Officers of Ministry of Civil Aviation and Railway Board, on the subject, in its meeting held on 18th May, 2022.

**Brief History**

4. In British Era, the construction and operation of railways were entrusted to private companies. Consulting engineers were appointed by the British Govt. to exercise effective control over them. But later on, the government undertook the construction of Railways themselves, then the consulting engineers were designated as Government Inspectors. In 1883, their position was statutorily recognized. The power of safety controlling authority remained with Railway Board and Inspectorate office was placed under them.

5. In 1939, the Pacific Locomotive Committee, set up in connection with the Bihta disaster, recommended that Railway Inspectorate should be separated from the Railway Board, on the principle that those responsible for the inspection of Railways should be independent of the Authority administering the Railways, as contemplated in Section 181(3) of the Government of India Act, 1935. These recommendations were approved by the Legislative Assembly in 1939, Council of State in 1940 and accepted by the British Government of India. Accordingly in May 1941, Railway Inspectorate was separated from the Railway Board. Post of Chief Government Inspector of Railways (CGIR), through whom Government Inspectors of Railways (GIR) would report to Government, was created. Later on Inspectorate office was placed under the Department of Communication and now it is under Ministry of Civil Aviation (MoCA). On 01.11.1961, Chief Government Inspector of Railways was re-designated as Commissioner of Railway Safety (CRS) and Government Inspectors of Railways, as Additional Commissioners of Railway Safety (ACRS). From June, 1979 designation of Commissioner of Railway Safety was changed to Chief Commissioner of Railway Safety (CCRS) and ACRS, to CRS.

**Functioning of Chief Commissioner of Railway Safety**

6. Chief Commissioner of Railway Safety who is also a CRS, apart from CRS duties, advises Central Government in all matters relating to Railway Safety, recruitment of officers, postings and promotions, budget and expenditure etc. Chief Commissioner deals with:-
a. Reports of inspections of new lines, doubling, gauge conversion and electrification done by Commissioners of Railway Safety are sent to CCRS office which is then forwarded to Railway Board for obtaining the sanction of the Central Government;

b. The first three reports of statutory inquiries (both preliminary and final) into accidents which is done by a newly appointed Commissioners, are to be sent to CCRS for scrutiny before forwarding it to Railway Board;

c. Scrutiny of Railway’s proposals, if any, regarding condonation of infringement to Indian Railway Schedule of Dimensions (IRSOD) received from CRS’s office and if found in order then the same is forwarded to Railway Board with suitable stipulations;

d. Scrutiny of Railway’s proposals regarding introduction of new rolling stock or increase in the speed of existing rolling stock received from RDSO (Research Designs and Standards Organisation) and if found in order then the same is forwarded to Railway Board with/without suitable stipulations;

e. Similarly any condonation of infringement to IRSOD (Indian Railway Schedule of Dimensions) is case of rolling stock is also sanctioned by Railway Board on recommendation of CCRS;

f. Examination of Railway Board’s proposals for amendments of General Rules, Rules for Opening of a Railway, Schedule of Dimensions etc. in consultation with Commissioners and convey the views of the Commission to Railway Board, whenever so referred;

g. Preparation of the Annual Report on the activities of Commissioners of Railway safety; and

h. Any other work/duty assigned by Central Government with respect to Railway Safety.

Recruitment, Duties and Functions of the Commissioners of Railway Safety

7. Commissioners of Railway Safety are recruited from amongst officers of Indian Railways but they do not revert back to Railways and are absorbed in the Commission of Railway Safety under Ministry of Civil Aviation. The duties of Commissioner of Railway Safety (CRS) as detailed in Section 6, Chapter-III of The Railways Act, 1989 are as under:-,
a. To inspect new railways with a view to determine whether they are fit to be opened for the public carriage of passengers, and to report thereon to the Central Government as required by or under this Act;

b. To make such periodical or other inspections of any railway or of any rolling stock used thereon as the Central Government may direct;

c. To make inquiry under this Act into the cause of any accident on a Railway; and

d. To discharge such other duties as are conferred on him by or under this Act.

8. The Committee was also informed that in exercise of the powers conferred under the Railways Act, 1989, the Statutory Investigation into Railway Accidents Rules, 1998 are framed by the Ministry of Civil Aviation and the Railway (Notices of and Inquiries into Accidents) Rules, 1998 are framed by the Ministry of Railways.

**Organizational Structure**

9. The Commission of Railway Safety, works under the administrative control of the Ministry of Civil Aviation. It is headed by the Chief Commissioner of Railway Safety who acts as a Principal Technical Advisor to Central Government (Ministry of Railways) in safety related matters with which Commission is concerned.

10. There are nine Commissioners of Railway Safety (CRS) located at different places across the country looking after the works of different Zonal Railways and their offices are called Circle Offices. Each Circle Office has 9 to 11 office staff. In each Circle, there is one post of Deputy Commissioner of Railway Safety (Dy.CRS) and they are from different disciplines of Indian Railways (IR). At present, Dy. CRS post in-

   o NEC, SCC and SEC Circles are for Civil Engineering
   o CC Circle is from Electrical Engineering and
   o NC, EC, NFC, WC and SC circles are from Signal & Telecom Engineering.
   o In addition to above one post of Dy. CMRS is there to assist the CMRS.
11. A post of Commissioner of Metro Railway Safety (CMRS) at New Delhi and a Deputy Commissioner of Metro railway Safety (Dy. CMRS) along with support staff for the assistance of CMRS is also sanctioned at CMRS office, New Delhi. There are two wings in the office of CCRS i.e. Railway Safety Wing and Technical Wings. In the Railway Safety wing, there is one Deputy CRS (General) to assist CCRS in day to day official working as well as for maintaining the interface with the Ministry of Railways (MoR) and Ministry of Civil Aviation (MoCA).

12. In Technical Wing, there are four Deputy CRS of various disciplines (Mechanical, Signal & Telecommunication, Electrical Engineering and Transportation) to assist CCRS and CRS as and when required on technical matters. This wing works as think tank and maintaining the institutional memory / strength of the Commission of Railway Safety. To assist Technical Wing, the requisite staff / officers are posted.

13. The Committee was also informed that Deputy CRS are not statutory authorities and they come from Ministry of Railways on deputation basis and go back after completion of their deputation period.

**Role of the Ministry of Civil Aviation**

14. Commission of Railway Safety functions under the administrative control of the Ministry of Civil Aviation. As per the scheme envisaged at the time of separation of Railway Inspectorate from Railway Board, a post of Chief Government Inspector was created with headquarter with Government of India in the Department of Communication to advise the government on matters concerning Inspectorate (CRS) and Government Inspector made subordinate to him. The Chief Commissioner of Railway Safety has been enjoying functional autonomy in technical matters while the role of the Ministry of Civil Aviation is limited to administrative, establishment and financial issues. In fact, Railway Safety (RS) Section, which is associated with Chief Commissioner of Railway Safety, acts as an administrative section for the Commission of Railway Safety in the Ministry. In matters relating to technical functions of the Commission, it submits file to CCRS for final disposal and in matters relating to establishment, administrative,
financial and Parliament, the file is routed through Under Secretary/Director/Joint Secretary/Secretary/Minister.

15. In cases of investigation of serious railway accidents, file is submitted to Secretary by CCRS directly on two occasions for information viz. (a) after submission of preliminary investigation report by Commissioner of Railway Safety (b) After completion of all action on final report of the Commissioner (after receiving the comments of Railway Board on final reports of the Commissioners).

16. The Committee notes that presently the powers of the CRS are derived from the Railways Act, 1989. The Committee also notes that in exercise of the powers conferred under the Railways Act, 1989, the Statutory Investigation into Railway Accidents Rules, 1998 are framed by the Ministry of Civil Aviation and the Railway (Notices of and Inquiries into Accidents) Rules, 1998 are framed by the Ministry of Railways. Further though the CRS functions under the administrative control of Ministry of Civil Aviation, the Commissioners of Railway Safety are recruited from amongst officers of Indian Railways on absorption basis and the Deputy CRS work in the Commission on deputation basis. The Committee also notes that the Ministry of Civil Aviation provides administrative, establishment and financial support to the CRS. The Committee is of the opinion that the involvement of two Ministries viz, Ministry of Railway and Civil Aviation, leads to avoidable confusion in the command structure of the CRS and there is an urgent need to free the CRS from the undue influences of both the Ministries.

17. The Committee notes that the Deputy Commissioners of Railway Safety come from Ministry of Railways on deputation basis and go back to the Ministry after completion of their deputation period. The Committee notes that the Deputy CRS is one of the senior most officers in the circle offices and comes second in hierarchy after the CRS. The Committee feels that such an important post should not be filled up on deputation basis, as the incumbent may not be inclined to give suggestions/recommendations in his Reports against the Ministry of Railways, to which he originally belongs and would be sent back after his deputation period is over. The Committee recommends that the officers of the
rank of Deputy CRS should be appointed in the Commission on absorption basis, just like the CRS and it should not be a deputation post. The Committee is of the firm view that appointing Deputy CRS on absorption basis will ensure grant of full autonomy which would make the Commission more independent and effective.

18. The Committee is of the opinion that to ensure the impartial working of the Commission of Railway Safety, it is essential that the Commission works outside the control of both the Ministries of Railways and Civil Aviation. In order to make the functioning of the Commission more effective, it is strongly felt that the Commission should be provided greater powers and independence. The Committee, therefore, recommends that the Commission of Railway Safety should be made an autonomous statutory body on the lines of many other independent regulatory bodies. CRS should have independent technical manpower and autonomy with respect to administrative, establishment and financial issues.

19. The Committee was informed that though the CRS works under the Administrative control of Ministry of Civil Aviation, however regarding opening of new infrastructure under provision of Railways Act, 1989 (section-22(3)), Ministry of Railway is having absolute power in accepting/rejecting/modifying any conditions proposed by the Commission.

20. However, in order to resolve any issue whether there is having difference of opinion between Zonal Railway and the Commissioner, a mechanism has been jointly formulated by Ministry of Civil Aviation and Railway Board. As per this mechanism, any such unresolved issue at the Zonal level is referred to CCRS. CCRS, after examining the issue, shall communicate his opinion to CRS and Railway Administration concerned, which shall be considered as the opinion of the Commission for Railway Safety. The cases where CCRS does not agree with Railway Administration, the CCRS shall submit the report with his opinion to Central Govt., for decision of the Central Govt. as per Section 22(2) and 22 (3) of "The Railways Act, 1989 ".

21. As suggested by Ministry of Civil Aviation, Ministry of Railways has also advised General Managers of the zonal Railways to hold bi-monthly meeting with Commissioners of Railway safety. All the important issues are deliberated and discussed during the meeting.

22. The Secretary, Ministry of Civil Aviation has further advised Ministry of Railways that in case of any disagreement between Commission of Railway Safety and Ministry of Railways (MoR), the matter shall be jointly decided by the Secretary, Civil Aviation, and Chairman Railway Board. Thus, Ministry of Civil Aviation plays an active role in raising important issues of Commission with Ministry of Railways and getting them resolved.

23. In reply to a query of the Committee regarding fixing of responsibilities between the two Ministries, the Ministry of Civil Aviation informed that as such no difficulty is faced in fixing of responsibility which is clearly spelt out in the Railways Act, 1989 and jurisdiction has been accordingly defined in related Rules like Opening Rules, General Rule etc. However, any unilateral change by Ministry of Railways in such rules has a bearing on functioning of the commission must be avoided and changes must only be brought about in consultation with the Commission of Railway Safety.

24. The Committee notes that as per the existing scheme, the Ministry of Railways have full power and authority to amend the provisions of the Railways Act, 1989. However, the Committee notes with serious concern that Ministry of Railways brings about unilateral change in such rules, codes and manuals, without consulting the CRS which has a bearing on jurisdiction of the Commissioners. The Committee also notes that the Railways Act, 1989 also gives absolute power to Ministry of Railways in accepting/regulating/modifying any condition proposed by CRS. The Committee notes that the CRS is the Principal Technical Advisor to the Ministry of Railways, in safety related matters and is of the firm opinion that the views of the CRS should mandatorily be taken into account in such cases. The Committee therefore recommends that the Ministry of Railways should avoid unilateral changes in Rules, Codes & Manuals which affects Railway Safety without consulting CRS. If any, changes are made it should be based on consensus between Ministry of Railway; Ministry of Civil Aviation and the CRS. The Committee also
recommends that a complete review of the procedure adopted for amending provisions in the Railways Act, 1989 may be done to include the suggestions of CRS.

25. In response to another query regarding the percentage/ratio of recommendations on rail safety and other issues made by CRS to Railway Board that have been accepted, the Ministry of Civil Aviation presented the following details.

26. Commission submits accident reports to Ministry of Railways within the prescribed time frame (30 days for preliminary and 180 days for final report) after conducting detailed inquiry along with recommendations to avoid such accidents in future and system improvement. Railway Board, after due deliberations on the report and recommendations, submits Action Taken Report (ATR) to Commission with para-wise remarks against each recommendation indicating which recommendations are accepted/not accepted/partially accepted or under consideration. As such no time line for submission of ATR is defined and normally ATR is received quite late from Railway Board. Status of the ATRs received during last 5 years is as under:-

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of ATRs received during the year</th>
<th>Recommendations covered in those ATRs</th>
<th>Accepted</th>
<th>Partially Accepted</th>
<th>Under Consideration</th>
<th>Not Accepted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017-18</td>
<td>8</td>
<td>113</td>
<td>99</td>
<td>4</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>2018-19</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
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<tr>
<td>2019-20</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
<td>NIL</td>
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<tr>
<td>2020-21</td>
<td>14</td>
<td>143</td>
<td>117</td>
<td>5</td>
<td>NIL</td>
<td>21</td>
</tr>
<tr>
<td>2021-22</td>
<td>9</td>
<td>100</td>
<td>89</td>
<td>3</td>
<td>1</td>
<td>7</td>
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<td>Total</td>
<td>31</td>
<td>356</td>
<td>305</td>
<td>12</td>
<td>4</td>
<td>35</td>
</tr>
</tbody>
</table>

26.1. Thus, 89% of recommendations of the CRS have been are fully or partially accepted during last 5 years and 11% have not been accepted or are under consideration.
27. The Ministry of Civil Aviation also brought to notice of the Committee that the following 15 ATRs are still pending with Railway Board with oldest accident being of year 2013-14:

<table>
<thead>
<tr>
<th>Year</th>
<th>Numbers of Accidents Report submitted to MoR whose ATR is pending</th>
<th>Numbers of Recommendations pending ATRs</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013-14</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>2014-15</td>
<td>1</td>
<td>19</td>
</tr>
<tr>
<td>2015-16</td>
<td>3</td>
<td>28</td>
</tr>
<tr>
<td>2016-17</td>
<td>Nil</td>
<td>Nil</td>
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<td>2017-18</td>
<td>2</td>
<td>19</td>
</tr>
<tr>
<td>2018-19</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>2019-20</td>
<td>4</td>
<td>43</td>
</tr>
<tr>
<td>2020-21</td>
<td>2</td>
<td>14</td>
</tr>
<tr>
<td>Total</td>
<td>15</td>
<td>135</td>
</tr>
</tbody>
</table>

28. The Committee appreciates that almost 90% of the recommendations of the CRS are accepted by the Ministry of Railways during the last five years. However, the Committee notes with concern that while a time frame has been defined for the Commission to submit accident reports to Ministry of Railway viz 30 days for preliminary and 180 days for final accident reports, but no time frame has been defined for the Ministry of Railway to submit its Action Taken Reports and due to which generally the ATRs are received quite late. The Committee also expresses its concern that 15 ATRs are still pending in the Railway Board from Ministry of Railway with the oldest accident being of the year 2013-14 which implies a delay of more than 8 years. The Committee is of the opinion that such an inordinate delay in submission of ATRs makes the whole effort of accident investigations fruitless. The Committee therefore feels that there is an urgent need to streamline the procedure of submitting ATRs to the Commission by Railway Board. The Committee recommends that there should be a fixed time frame for submission of ATRs by
the Railway Board as well, in order to make the process of investigating the causes of the accident and taking effective measures to avoid the recurrence of such accidents and resultant loss to property and human lives.

29. The Committee was informed by the Commission of Railway Safety that they have pointed out many instances where rules were amended by Ministry of Railways without consulting the CRS, even when provisions to such consultations exist. Some of the cases given by them are reproduced below:

i. Rules and regulations are defined for passenger trains but no such regulation exists for Dedicated Freight Corridor Corporation of India Limited (DFCCIL) or goods train. Recently there have been 3 accidents on DFCCIL where damages appear to be much higher than the threshold limit of Rs. 2 crore but no intimation was given to the Commission. Commission has already made a reference to Railway Board regarding this issue but neither any action has taken nor any reply has been received so far.

   It was also pointed out to the Committee that 80% alignment of DFCCIL is parallel to Passenger lines of Railway which poses serious threat for passenger safety in case of accidents on DFCCIL lines. Railway Board has issued directives that DFCCIL network may be utilized for running of passenger trains in case of exigency which does not have any specific duration. Thus as per present codal provisions, all lines where passenger trains are proposed to be run, should be inspected and authorised by CRS. Hence, DFCCIL lines should also be opened only after statutory inspections by CRS and this issue has also been taken up with MoR.

ii. In 2018, MoR has amended Rules for Opening without considering the opinion of the Commission of Railway Safety. One of the important amendments was the conferment of power to condone infringements to IR Schedule of Dimension to the Commissioners. Earlier this power was vested with MoR with the recommendation of CRS and CCRS. The safety implications of this amendment were also pointed out to Ministry of Railway. The Commission is still of the opinion that this amendment is not in the interest of safety and safety must have precedence over expediency. Hence, the earlier system should be restored.
30. The Committee was also informed that CRS inquires only 8-10% of accidents under Section 113 of Railways Act, 1989. Other accidents are inquired by Railways itself and reports of such accidents are not required to be submitted to the Commission for appreciation and further comments, if any.

31. The Committee expresses its serious concern at the disregard shown by the Railway Board towards the recommendations/suggestions of CRS, which has specifically been set up to provide technical guidance on matters relating to Railway safety. The Committee specifically notes that no rules/regulations exist for DFCCIL or goods trains and no intimation was given to CRS regarding the accidents on DFCCIL routes. Further, though the CRS has taken up the issue with MoR, no action has been taken by them till date. The Committee also notes that in 2018, MoR has amended Rules without considering the opinion of CRS. Besides, it also expresses its concern at the fact that only 8-10% of accidents are enquired by CRS, while rest of the accidents are enquired by Railways itself and in such cases the reports are not even referred to CRS for comments.

32. The Committee is of the firm view that the recommendations made by the Commission of Railway Safety should receive utmost importance from the Ministry of Railways. The Committee takes exception to the fact that, on certain occasions, the Ministry of Railways neither consults the Commission of Railway Safety before amending rules or rejecting a recommendation nor furnishes reasons for not accepting the recommendations made by the Commission of Railway Safety. The Committee therefore recommends that CRS should be invariably consulted in such cases. The Committee observes that this state of affairs will not augur well for a safe environment as the interministerial non-cooperation is neither good for the country nor the institutions they represent. It also recommends that regulations should be immediately framed for DFCCIL or goods trains and may be brought under the ambit of CRS. The Committee also expresses its dismay at the fact that only 8-10% cases are enquired by CRS and feels that since CRS is the apex technical institution as regards passenger safety, it should be involved in accident investigation in most of the cases. The Committee, therefore, recommends that necessary amendments in existing laws may be made. The Committee is
of the opinion that it should be made mandatory for the Railway Administration not to reject or overrule any recommendations made by the Commissioners without a meeting between the Chairman, Railway Board and the Chief Commissioner of Railway Safety, where the matters can be discussed threadbare and agreements reached. While expressing their inability to accept the recommendations, the Railway Board should invariably give detailed reasons for not accepting the recommendations.

**Training of Officers of Commission**

33. The Committee was informed by CRS that technology available with Railways is upgrading very fast and high speed trains, Rapid transport system etc. are being introduced and officials of the Commission inspect and sanction all such systems. Hence, upgradation of technical knowledge of the Commission officials is very essential. In the past, Railways was requested to include officers from the Commission for training along with the Railway officers on regular basis so that both Railways and Commission are on the same platform. However, Railways are not institutionalizing the inclusion of Commission officials in their periodic and specialised training programs. Even mandatory training is not imparted to officials of Commission, who are on deputation from MoR.

34. Committee fails to understand the logic of MoR behind the non-inclusion of officers from the Commission for training along with the Railway officers on regular basis so that both Railways and Commission are on the same platform as regards technological advancements. The Committee recommends that immediate steps may be taken to train the officials of Commission including the deputationists along with the officials of the MoR and the training imparted should be of a global level. The Committee feels that there is a genuine need of the officers of Commission of Railway Safety to get exposed to the latest technological advancements taking place in the railway sector in India and abroad, otherwise there is a real danger that the technical knowledge of the officers of the Commission will be obsolete and they may not be able to perform their assigned duties at the optimum level. The Committee recommends that the officers of the Commission should be exposed to latest global technologies and any new technology introduced by the Railways through trainings in the country and abroad, so that they are in a position to perform their role effectively.
Upgradation of post of CCRS and requirement of separate Secretariat for Commission

35. The Committee was apprised that recently post of CCRS has been upgraded to apex level i.e. Secretary Equivalent. As per Cabinet approval, CCRS is presently reporting to HMCA through Secretary (CA). This long pending upgradation was felt necessary to bring about better co-ordination between MoR and CRS in order to improve functioning of the Commission and overall safety of IR. Further, the Committee was informed that in order to fully leverage the advantage of this upgradation, it is considered prudent to have separate secretariat for the Commission having provision of US/DS and JS level officer reporting directly to CCRS. This will help to a great extent in expeditious clearance of issues related to Commission by avoiding duplicacy and issues related to other ministries like MoR, MoHUA, MoF etc. This will also, to some extent, reduce the burden of Secretary (CA) who is otherwise occupied in Aviation related issues.

36. The Committee appreciates the upgradation of the post of CCRS to Apex level of pay matrix of 7th CPC. The Committee is of the opinion that such a step will enhance the status of the Commission, keeping in view its important responsibility to ensure overall safety of Indian Railways. It would result in attracting the best available technical talent in the country to the Commission. The Committee also recommends that a separate Secretariat may be provided to the Commission to assist the CCRS in expeditious settlement of its work.

37. The Committee notes that CCRS is working under the Administrative control of Ministry of Civil Aviation. The Committee recommends that the Commission of Railway Safety may be made an independent autonomous body just like many other regulatory institutions of the country to improve efficiency and freedom of action.

Consequential Train Accidents

38. The Railway Board informed the Committee about the ‘Consequential Train Accidents’, which refers to train accidents having serious repercussion in terms of loss of human life, human injury and loss to Railway property or interruption to Rail traffic. Such accidents happen due to
collisions, derailments, level crossing accident etc. The Committee was informed that number of consequential train accidents has declined from 141 in 2010-11 to 55 in the year 2019-20 and further to 35 in the year 2021-22. In the current financial year 2022-23 (up to 31.03.2022), 3 consequential train accidents have taken place. The Committee was also informed that Research Design and Standards Organisation (RDSO), Ministry of Railways along with three Indian Original Equipment Manufacturers (OEMs) have developed India’s own Automatic Train Protection (ATP) System name KAVACH which is a Train Collision Avoidance System (TCAS). The system has been tested on 250 Route Km of Indian Railway.

39. The Railway Board gave the following graphical details about declining trend of accident due to Pro-active contribution of Commissioners:-

![Graph showing declining trend of accidents](image)

40. The Committee was also informed that the following steps/measures have been taken to minimize accidents on Indian Railways:-

- Rashtriya Rail Sanraksha Kosh (RRSK) has been introduced in 2017-18 for replacement/renewal/upgradation of critical safety assets.
- Track Renewal, Maintenance & upgradation.
- Repair/strengthening/rehabilitation/rebuilding of Railway bridges.
- Replacement of conventional ICF design coaches with LHB design coaches.
- Advanced Signaling System with Panel Interlocking/Route Relay Interlocking/Electronic Interlocking
- Block Proving Axle Counter (BPAC)
- Interlocking level crossings with Signals
- Provision of fire detection and suppression system in newly manufactured Power Cars and Pantry Cars and Fire and Smoke detection system in newly manufactured AC coaches.
- All Unmanned Level Crossings (UMLCs) on Broad Gauge (BG) route on Indian Railway have been eliminated.
- Elimination of Manned Level Crossing gates by closure and providing Road Under Bridge (RUB) and Road Over Bridge (ROB) at location.
- A GPS based Fog Pass device is being provided to loco pilots in fog affected areas which enables loco pilots to know the exact distance of the approaching landmarks like signals, level crossing gates etc.

41. The Committee appreciates the Railway Board for the reduction of consequential train accidents from 2010-11 to 2022-23. The Committee also congratulates the RDSO for the development of indigenous Train Collision Avoidance System ‘KAVACH’, which will go a long way in reducing accidents through a cost-effective measure. The Committee recommends that KAVACH should be introduced phase-wise, through all the routes of India Railways. In first phase, all the routes where there are regular cases of accidents should be considered and KAVACH should be installed expeditiously.

Unmanned Level Crossings (UMLCs)

42. The Committee was also informed of the following steps taken by CRS in reducing accidents at Railway level crossings:

- Temporary manning of Unmanned Level Crossings (UMLCs) has been suggested by CRS.
• All UMLCs eliminated with active support and hard work of CRS. More than 8000 UMLCs were eliminated in 2017-19 vis-a-vis average 1135 UMLCs per year earlier.

• Number of accidents at LCs reduced to 1 which were 50 prior to 2014

• Now Commission is emphasising on prioritising construction of ROB/RUB/LHS at LC gates having high road traffic. This will benefit both Road users and Railways in following ways –
  
  ➢ No detention to road users at LC gate
  
  ➢ Release of manpower (average 4 per gate) which may be redeployed for safety category posts like Gangman etc.
  
  ➢ Detention to trains will be avoided
  
  ➢ Overall safety of train operation will improve by reductions of signals and possible obstruction on LC gate

43. During the deliberation with Railway Board in the meeting, the Committee raised the issue of undue delay in construction of Railway over bridges (ROBs) and Railway Under bridges (RUBs), which has resulted in accidents and also the insufficient allotment of funds for ROBs & RUBs. The Committee also pointed out that every year due to accidents at unmanned level crossings, many precious lives are lost or many people are maimed for life. The Chairman & CEO, Railway Board has informed the Committee that many steps have been taken to reduce accidents at level crossings. All Unmanned Level Crossings on broad gauge of Indian Railway have been eliminated by 31.01.2019, which was a major cause of accidents. Elimination of manned level crossing gates by closure and providing Road Under Bridges (RUBs) and Road Over Bridge (ROBs) at locations were also in progress and every year manned level crossings are being eliminated.

44. The Committee notes the progress in elimination of such crossings by constructing RUBs and ROBs and hopes that the work would be expedited to eliminate all such crossings in near future. The Committee also hopes that sufficient budgetary allocation may be made for the said purpose. The Committee also recommends that a mechanism
should be devised to complete the construction of ROBs and RUBs in a stipulated period and in case of a delay, the concerned agency should be penalized.

Miscellaneous Safety Issues

45. The Committee observes that during train accidents, the loss of life and property can be minimized if the Rail coaches are as per global safety standards. The Committee recommends that technology matching global standards should be adopted so as to introduce global standards of safety for Indian Railway coaches. A railway station, a coach manufacturing factory/workshop and a stretch of railway track may be selected and bids may be invited from leading global agencies across the world for implementation of the global best standards, which may then serve as a model for other railway stations/railway coach factories/railway tracks across the country.

46. The Committee was also informed that the data regarding deaths on railway tracks and railway premises is maintained by respective State Government Railway Police (GRP). The State Police registers cases under Section 174 of Cr.PC in cases of unnatural deaths including unnatural deaths on railways, conducts investigation and takes further action as per law. The data of deaths registered over Indian Railways during the last 10 years as provided by concerned GRPs through Zonal Railways is as follows:

<table>
<thead>
<tr>
<th>Period</th>
<th>Falling from Running Trains</th>
<th>Fall in Platform Gap</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>3869</td>
<td>265</td>
</tr>
<tr>
<td>2013</td>
<td>4765</td>
<td>352</td>
</tr>
<tr>
<td>2014</td>
<td>4892</td>
<td>349</td>
</tr>
<tr>
<td>2015</td>
<td>4979</td>
<td>281</td>
</tr>
<tr>
<td>2016</td>
<td>5070</td>
<td>399</td>
</tr>
<tr>
<td>2017</td>
<td>4804</td>
<td>282</td>
</tr>
<tr>
<td>2018</td>
<td>4464</td>
<td>264</td>
</tr>
</tbody>
</table>
47. Besides, the following corrective measures are being taken by the Railways to prevent human deaths in untoward incidents on Railway track:

i. Railways have constituted interdepartmental ‘Joint Committee’ comprising officers of Safety, Security, Signal & Engineering departments across all Zonal Railways to study the causes and suggest specific measures to minimise deaths due to untoward incidents including trespassing by humans. Accordingly, preventive and corrective measures are taken to improve and create infrastructure to minimise casualties.

ii. Regular announcements are made through Passenger Address System at Railway stations urging passengers to use foot over bridges (FOBs) and to avoid crossing of railway tracks.

iii. Various awareness campaigns are organized by Railways to sensitize passengers about the fatalities of crossing railway tracks, foot-board/roof-top travelling, boarding/de-boarding running trains etc.

iv. Regular drives are conducted against trespassing, travelling on foot-board, steps, roof top of trains, boarding/de-boarding running trains and the persons apprehended are prosecuted under the relevant provisions of the Railways Act, 1989.

v. Railway Protection Force personnel are deployed on identified locations vulnerable for such deaths.

vi. Erection of boundary wall/fencing at identified locations, vulnerable to trespass.

vii. Warning sign boards are provided at conspicuous places for the awareness of passengers.

viii. RPF takes continuous action against rooftop, foot step, foot board travellers as a preventive measure.
ix. RPF personnel have saved many lives of passengers who were at a risk of going under the wheels of running trains at various stations. 601 such lives were saved by RPF staff risking their own lives in 2021.

48. While appreciating the efforts made by Railways and Railway Protection Force to save numerous lives, the Committee recommends that urgent steps need to be taken to minimize the unfortunate incidents of people, especially women and children, falling on tracks and getting seriously injured/ killed. It should be ensured that Railway Police has safety training for undertaking on-the-spot rescue measures. The Committee emphasizes the need for delegation of powers to lower level officials also in order to enable swift action for addressing safety risks in Railways. The Committee also recommends that a Safety Task Force may be constituted in every State to respond to emergencies and that it should consist of young and robust personnel who have been given the necessary training and exposure to international best practices. The Committee feels that another important requirement is the need to ensure that immediate and prompt help is rendered to accident victims. The Committee is underscoring this fact because there have been instances wherein railway accident victims were stuck inside boggies for hours, without getting any help. Hence, detailed evacuation plan, in coordination with different agencies, should be put in place. A comprehensive safety Master Plan for improvement of safety and security standards in railways may be worked out and implemented in a time-bound manner. It should be ensured that International Organization for Standardization (ISO) Safety Audits are conducted periodically for all the institutions under the Ministry.

49. The Committee further noted the dilapidated condition of many railway quarters across the country which requires urgent attention, since it is a big safety risk to the residents. The Committee, therefore, recommends that all such railway quarters may be repaired at the earliest and sufficient funds may be provided for the purpose. Besides many Railway stations and goods sheds are located in congested areas, sometimes leading to accidents during transportation of goods by lorries. The Committee, therefore, recommends that steps may be taken to relocate the goods sheds to safer places in order to prevent accidents.
Role of the Ministry of Civil Aviation

The Committee notes that presently the powers of the CRS are derived from the Railways Act, 1989. The Committee also notes that in exercise of the powers conferred under the Railways Act, 1989, the Statutory Investigation into Railway Accidents Rules, 1998 are framed by the Ministry of Civil Aviation and the Railway (Notices of and Inquiries into Accidents) Rules, 1998 are framed by the Ministry of Railways. Further though the CRS functions under the administrative control of Ministry of Civil Aviation, the Commissioners of Railway Safety are recruited from amongst officers of Indian Railways on absorption basis and the Deputy CRS work in the Commission on deputation basis. The Committee also notes that the Ministry of Civil Aviation provides administrative, establishment and financial support to the CRS. The Committee is of the opinion that the involvement of two Ministries viz, Ministry of Railway and Civil Aviation, leads to avoidable confusion in the command structure of the CRS and there is an urgent need to free the CRS from the undue influences of both the Ministries.

(Para 16)

The Committee notes that the Deputy Commissioners of Railway Safety come from Ministry of Railways on deputation basis and go back to the Ministry after completion of their deputation period. The Committee notes that the Deputy CRS is one of the senior most officers in the circle offices and comes second in hierarchy after the CRS. The Committee feels that such an important post should not be filled up on deputation basis, as the incumbent may not be inclined to give suggestions/ recommendations in his Reports against the Ministry of Railways, to which he originally belongs and would be sent back after his deputation period is over. The Committee recommends that the officers of the rank of Deputy CRS should be appointed in the Commission on absorption basis, just like the CRS and it should not be a deputation post. The Committee is of the firm view that appointing Deputy CRS on absorption basis will ensure grant of full autonomy which would make the Commission more independent and effective.

(Para 17)
The Committee is of the opinion that to ensure the impartial working of the Commission of Railway Safety, it is essential that the Commission works outside the control of both the Ministries of Railways and Civil Aviation. In order to make the functioning of the Commission more effective, it is strongly felt that the Commission should be provided greater powers and independence. The Committee, therefore, recommends that the Commission of Railway Safety should be made an autonomous statutory body on the lines of many other independent regulatory bodies. CRS should have independent technical manpower and autonomy with respect to administrative, establishment and financial issues.

(Para 18)

The Committee notes that as per the existing scheme, the Ministry of Railways have full power and authority to amend the provisions of the Railways Act, 1989. However, the Committee notes with serious concern that Ministry of Railways brings about unilateral change in such rules, codes and manuals, without consulting the CRS which has a bearing on jurisdiction of the Commissioners. The Committee also notes that the Railways Act, 1989 also gives absolute power to Ministry of Railways in accepting/regulating/modifying any condition proposed by CRS. The Committee notes that the CRS is the Principal Technical Advisor to the Ministry of Railways, in safety related matters and is of the firm opinion that the views of the CRS should mandatorily be taken into account in such cases. The Committee therefore recommends that the Ministry of Railways should avoid unilateral changes in Rules, Codes & Manuals which affects Railway Safety without consulting CRS. If any, changes are made it should be based on consensus between Ministry of Railway; Ministry of Civil Aviation and the CRS. The Committee also recommends that a complete review of the procedure adopted for amending provisions in the Railways Act, 1989 may be done to include the suggestions of CRS.

(Para 24)

The Committee appreciates that almost 90% of the recommendations of the CRS are accepted by the Ministry of Railways during the last five years. However, the Committee notes with concern that while a time frame has been defined for the Commission to submit accident reports to Ministry of Railway viz 30 days for preliminary and 180 days for final accident reports, but no time frame has been defined for the Ministry of Railway to submit
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The Committee expresses its serious concern at the disregard shown by the Railway Board towards the recommendations/suggestions of CRS, which has specifically been set up to provide technical guidance on matters relating to Railway safety. The Committee specifically notes that no rules/regulations exist for DFCCIL or goods trains and no intimation was given to CRS regarding the accidents on DFCCIL routes. Further, though the CRS has taken up the issue with MoR, no action has been taken by them till date. The Committee also notes that in 2018, MoR has amended Rules without considering the opinion of CRS. Besides, it also expresses its concern at the fact that only 8-10% of accidents are enquired by CRS, while rest of the accidents are enquired by Railways itself and in such cases the reports are not even referred to CRS for comments.

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(Para 41)

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The Committee notes the progress in elimination of such crossings by constructing RUBs and ROBs and hopes that the work would be expedited to eliminate all such crossings in near future. The Committee also hopes that sufficient budgetary allocation may be made for the said purpose. The Committee also recommends that a mechanism should be devised to complete the construction of ROBs and RUBs in a stipulated period and in case of a delay, the concerned agency should be penalized.
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The Committee further noted the dilapidated condition of many railway quarters across the country which requires urgent attention, since it is a big safety risk to the residents. The Committee, therefore, recommends that all such railway quarters may be repaired at the earliest and sufficient funds may be provided for the purpose. Besides many Railway stations and goods sheds are located in congested areas, sometimes leading to accidents during transportation of goods by lorries. The Committee, therefore, recommends that steps may be taken to relocate the goods sheds to safer places in order to prevent accidents.

(Para 49)