

## CHAPTER VIII

### PRESERVATION OF CLUES AND EVIDENCES

#### 8.01 Preservation of Clues:-

It is essential to preserve all clues as far as possible to enable reconstruction for helping the CRS/accident enquiry committee. Even an apparently unimportant clue may give some useful information as to the likely cause of accident. The clearance or disturbance should ordinarily be limited to the removal of dead-bodies and injured persons from the debris, if any. Wherever feasible in case of serious accidents, communications may be restored by laying a diversion, so that the original clues could be preserved undisturbed. In any individual case where the circumstances compel the removal of debris, in part or whole, the senior most Officer present before issuing any orders shall record complete notes based on the observations made by various Officials. These notes could be given to the accident inquiry committee. All sleepers, rails, S&T gears and other fittings related with accident removed from the site should be carefully preserved for inspection by the accident inquiry committee.

Staff alleged to be guilty of offences, which in the opinion of the DRM or the concerned Divisional Officer, if proved will, result in their dismissal/removal from the service, should be placed under suspension, pending the result of the inquiry. Staff may also be suspended where the alleged failures are serious in nature.

#### 8.02 Recording the facts at Site :- Any Officer/ TI/ SM or Guard and other concerned officials present at site or arriving first at the site shall record the relevant information at the site of accident as under :

- (1) The Officers and Senior Sub-ordinates present at the site, shall jointly examine all evidences such as the condition of the track and rolling stock, brake-power, etc. and preserve all clues which may prove useful in ascertaining the cause.
- (2) Measurement of track and rolling stock should be taken in the proforma given in appendix - VI.

- (3) The marks on sleepers, position of derailed vehicles, broken parts of track or vehicle and other particulars, which may have a bearing on the accident shall be carefully noted and preserved by the concerned officials jointly. In case of accident at station, the position of the track, signals, points, panel, point-levers/knobs, indicators, keys, lever collar/button cap used, badges, transmitter keys, relay room keys, shall also be recorded.
- (4) Cross-levels/gauge/versine etc. should be taken with free condition of track and under loaded condition with locomotive or fully loaded wagon or a coaching vehicle at or near the point of derailment, by the Senior sub-ordinates jointly. The above should not interfere with the rendering of Medical aid to the injured or other relief measures to the passengers.

### **8.03 Recording of statements :**

The statements of the staff concerned should be recorded and every step should be taken to record and preserve evidence

### **8.04 Recording of evidences:**

- (i) The Officer or Senior subordinate of any department who may happen to be present at the time an accident occurs or who first arrives at the accident spot , irrespective of whether he is on or off duty, shall carefully examine and record the actual conditions and the exact position of Vehicles, Points, Fixed signals, panel position, Levers/knobs operating points and fixed signals and any debris such as broken axle boxes, springs, locking bolts, cotters, fallen material in rear of the point of mount/drop, disturbances in track fittings etc.,or any other factors which may help to trace the cause of the accident in the prescribed form Acc-7.
- (ii) In the event of more than one Officer or Senior subordinate being present at the site of the accident or arriving first at the site of the accident, the report in the prescribed Form Acc.7 shall be signed by all the Officers or the Senior Subordinates, as the case may be. If the report is made by one or more Senior Subordinates it shall be called for and checked by the Officer or Officers who arrive first at the site of the accident.

The Rules mentioned under 8.05(i) &(ii) shall not be deemed to imply that staff other than Officers and Senior subordinates present at or arriving first at the site of an accident need not take any step to examine or preserve evidence relating to the accident. It shall be the duty of every railway servant to look for and preserve such evidence and such evidence shall be made available to the Officer or Senior subordinate for incorporation in the prescribed forms.

**8.05 Sealing of signalling equipment:**

- a) In cases where defects in the interlocking might have caused or contributed to an accident, the interlocking gear concerned shall be sealed. Only the Divisional Signal and Telecommunication Engineer and Divisional Safety Officer could authorize the removal of the seal. The sealing of the interlocking gear shall be carried out in the following manner:
- b) Signal lever frames – A tape shall be passed over the cover of the tray containing the tappet locking and sealed to prevent the cover being removed.
- c) In Panel or Route Relay or Solid state interlocking, the relay boxes connected with the concerned signals and the concerned location boxes pertaining to the signals and track circuit in all colour light signal area should also be sealed in the presence of traffic Official and should not be opened except on the authority of the Divisional Signal and Telecommunication Engineer and the Divisional safety Officer.
- d) Key locks of all descriptions, including gate locks and interlocking key boxes, shall be taped and sealed across the cover. Electrical apparatus, including Station Master's control, Block Instruments, electrical facing point locks and lever locks and electric slots shall be taped and sealed across the cover.
- e) Point detectors shall be taped and sealed across the cover.
- f) In cases where immediate repairs to points and permanent way are necessary to pass trains, only such parts of the interlocking shall be disconnected as are necessary to carry out the repairs. No alterations or repairs to interlocking gear likely to be concerned in enquiries into the accident shall on any account, be carried out prior to such enquiries, and only after obtaining the permission of a responsible Officer.
- g) Wherever Data logging facility is provided suitable steps shall be taken to preserve information and necessary Data print outs shall be extracted immediately

**8.06 Examining and recording of the condition of the permanent way:**

- (i) Care should be taken in examining and recording the condition of the Permanent Way according to the details given in Appendix V.
- (ii) In all cases of derailments, the marks on the wheels of the engine and/or vehicles and the marks on the permanent way (rails, sleepers, etc.) in respect of the wheels mounting on and dropping from the rails, the wheels riding on the ballast etc. shall be specially looked for and recorded. Special care shall be taken to examine the wheels before the engine and/or wheels are worked away from the accident spot. The wheel marks etc. on the permanent way (especially between the points of mount and drop) required for a later reconstruction of the scene shall be very carefully examined, preserved and/or recorded, irrespective whether or not the cause of the accident has been known and irrespective of whether or not videograph/ photographs have been taken. The position of the rails, sleepers, fish bolts, nuts, etc., bear marks as a result of the accident (especially in between the points of mount and drop) shall be marked on the ground and serially numbered, with either chalk or paint, and carefully preserved so that they can be placed back in their original positions at a later date.

**8.07 Examining and recording of the conditions of the rolling stock:**

Care should be taken in examining and recording the condition of the rolling stock according to the details given in Appendix V.

**8.08 Notes and sketches:**

The official of the Engineering department shall be responsible for the preparation of the sketch showing the site of the accident, the permanent way affected, the position of derailed vehicles and also position of the track and rolling stock components at the site. Detailed sketches of damage to rolling stock shall be prepared by the Official of the Mechanical department who arrives at the spot. Necessary photographs shall also be taken.

**8.09 Videograph and photograph :**

Arrangements shall be made for photographing and video graphing of the accident site. Every Care should be taken to cover all essential evidences.

**8.10 Seizure of books and forms:**

All relevant records at Stations, cabins, Level crossing gates, in locomotives, S&T, P.way, C&W locations etc. shall be seized secured and sealed. Before seizing the records, the Official seizing the records shall ensure that a line is drawn just below the last entry in the record/register and sign with designation, date and time.

**8.11 Tampering of clue and evidence:**

No clue shall be tampered and no debris which may help to trace the cause of the accident shall be disturbed or cleared unless such interference is emergent and unavoidable and is permitted by a responsible Officer present at the spot. If it is considered absolutely necessary to remove any items of debris, which may help to trace the cause of the accident, they shall be carefully preserved by the Officer permitting the removal, record being kept of the positions from which they were taken. Photographs and video graph of the wreckage shall be taken, as their value for purposes of evidence is very vital.

**8.12 Restoration of traffic**

After an accident has occurred, it is essential that through communication is established as quickly as possible. To this end all staff and materials shall be pressed into service. All avoidable delays should be ruthlessly curbed. A system of monitoring the pace of work should also be ensured. All Officers and staff at accident site shall be responsible for any delay in establishing through communication.

**8.13 Arrangements for clearing the line:**

- (i) DRM/ADRM or in their absence the seniormost Officer/ Supervisor from the Mechanical Department will be incharge of operations for clearing the line of obstruction.
- (ii) The Sr.Divisional Commercial Manager, Divisional Commercial Manager or an Assist Commercial Manager will be incharge of transshipment arrangements or in his absence, the senior most Operating Officer shall perform this duty.

- (iii) The senior Traffic Officer or in his absence, the senior traffic subordinate at the site will be in charge of regulation of traffic.
- (iv) On electrified sections, the Traction Engineer, or Assistant Traction Engineer, or senior subordinate of the Traction Branch will look after electric traction matters.
- (v) The Sr. Divisional Operations Manager/Divisional Operations Manager/Assistant Operations Manager/Area Officer will take over charge of Control office and regulate traffic.
- (vi)
  - (a) The senior most mechanical officer is personally responsible for ensuring safe and efficient handling of cranes and removal of wreckage and that not accident occurs on this account.
  - (b) Cranes shall not be worked adjacent to Overhead Lines unless such Overhead Lines power supply are switched off and made dead. If track lifting or the use of crane, which may foul the overhead equipment, is necessary on the electrified area the Traction Power Controller, Traction Foreman (Overhead equipment) or the Traction Foreman (Distribution) must be advised and their sanction obtained.
  - (c) All movements of the crane jib shall be conducted with great care so as not to foul the Overhead equipment and adjacent lines. Whenever possible, the direct blast from the crane chimney to the Overhead lines or insulators should be avoided.
- (vii) senior most engineering official shall personally satisfy himself that the line is fit and free from obstruction before authorizing resumption of normal working duly imposing such speed restriction as he consider necessary.

#### **8.14 Restoration of communication:**

- i) **Duties of the first officer/senior subordinate arriving at the scene of accident:**
  - a) The first Officer whether he belongs to the Mechanical, Engineering or Transportation department, shall do everything possible to expedite the resumption of traffic, as soon as he arrives at the scene of the accident, informing the Officer of the Transportation Department in charge of the division of what is being done.

- b) The first Engineering Official, who arrives at the scene of the accident shall advise his next senior official or an other railway official who can render assistance, giving a copy to the Divisional Engineer or the Chief Engineer, stating what help is required.
- ii) The official of the Engineering department who authorises the restoration of the track shall be personally responsible for ensuring that all the evidences relating to the accident have been correctly collected and preserved. It shall however be ensured that the restoration of through communication shall not be unduly delayed and that all efforts to establish through communication are taken simultaneously while preservation of clues and examination of evidences are being done.

**8.15 Spot Investigation by Commissioner of Railway Safety:**

It should be very promptly ascertained from the Commissioner of Railway Safety whether he desires to inspect the site, etc., before the commencement of clearance and restoration work. Further action should be ensured in accordance with his instructions.

**8.16 Work of clearing wreckage.**

- (viii) The work of clearing wreckage shall be carried out as expeditiously as possible and shall not be stopped unless otherwise it is certain that every victim has been extricated from the wreckage. For this purpose work shall be carried on continuously in shifts with every assistance possible.
- (ix) If, nevertheless, the contingent circumstances are such as to render this impossible then, before the work of clearing the wreckage is suspended, every endeavour shall be made to establish beyond all reasonable doubt and with the assistance of, preferably independent medical testimony that only dead bodies remains.
- (x) When, as a result of an accident, a large body of workmen is utilised to handle heavy machinery, etc., in connection with clearance of wreckage, the first Officer of the Engineering, Mechanical or Transportation (Traffic) Department, who arrives at the scene of the accident shall send a requisition to the Divisional Medical Officer concerned to arrange for Medical assistance with First Aid and other equipment.

**8.17 Diversion of trains:**

Diversion of Mail/Express/Passenger trains, when necessary be authorised by Divisional Operations Manager/Assistant Operations Manager in consultation with Chief Passenger Transportation Manager.

**8.18 Action to be taken when line is breached or submerged and transshipment is necessary:**

When the line is reported to be breached or submerged, or when a serious accident has occurred and the traffic is likely to interrupt for a longer duration necessitating transshipment, the following instructions shall be observed:-

- (xi) The Divisional Engineer shall proceed immediately to the spot, and if he cannot, the Officers of other department shall use the quickest available means to reach the site.
- (xii) The first Officer, as soon as he arrives at the scene of the accident, shall make arrangements for transshipment and do everything that will expedite the resumption of traffic duly informing the Officer of the Transportation (Traffic) department in charge of Division of what he is doing.
- (xiii) When an accident involving interruption to traffic occurs near the adjacent Division, the Divisional Operations Manager of the adjoining Division shall be advised immediately since the officers of the neighboring division can arrive more speedily at the accident spot.. The Officers shall at once proceed and assume control of the accident spot and shall take such action as may be necessary and keep the Head Offices as well as the Divisional Officers of the concerned Division informed. They shall remain at spot until the respective Divisional Officers of the Division concerned arrives.
- (xiv) Traffic Inspector, Section Engineer (P.Way), Section Engineer (C&W) and Loco Inspector in charge of the section on which the accident occurred shall on receipt of advice of the accident proceed by the quickest means in order to render all possible assistance.

**8.19 Advice of resumption of traffic after interruption:**

The official of the Engineering Department, who authorises the resumption of traffic over portion of the line over which traffic has been interrupted by slips, breaches, failures of works, derailments or other causes, shall immediately on restoration of through communication, advise the Chief Commissioner of Railway Safety and the Commissioner of Railway Safety, General Manager, Chief Operations Manager, Chief Safety Officer, Chief Engineer, Chief Commercial Manager, and Divisional Railway Manager.

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