



PARLIAMENT OF INDIA

RAJYA SABHA

188

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

ONE HUNDRED EIGHTY EIGHTH REPORT ON FUNCTIONING OF COMMISSION OF RAILWAY SAFETY

(PRESENTED TO THE HON'BLE CHAIRMAN, RAJYA SABHA ON 06.02.2013)
(PRESENTED TO THE HON'BLE SPEAKER, LOK SABHA ON 06.02.2013)



**RAJYA SABHA SECRETARIAT
NEW DELHI
FEBRUARY 2013/MAGHA 1934 (SAKA)**

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* Will be appended at printing stage

**COMPOSITION OF THE DEPARTMENT-RELATED PARLIAMENTARY
STANDING COMMITTEE ON TRANSPORT, TOURISM AND CULTURE
(2012-2013)**

1. Shri Sitaram Yechury - Chairman

Rajya Sabha

2. Shri Satish Sharma
3. Prof. Alka Balram Kshatriya
4. Shri V. Hanumantha Rao
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9. Shri Kunal Kumar Ghosh
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24. Shri Modugula Venugopala Reddy
25. Shri Dushyant Singh
26. Shri Rakesh Singh
27. Shri Shatrughan Sinha
28. Shri K. Sudhakaran
29. Shri Dinesh Trivedi
30. Shri Sisir Kumar Adhikari*
31. Shri Madan Lal Sharma#

@ Ceased to be a Member of the Committee consequent upon his/her inclusion in the Council of Ministers w.e.f. 28th October, 2012.

* Nominated on 14th December, 2012 *vice* Shri Khagen Das.

Nominated on 9th January, 2013 *vice* Dr. Kruparani Killi, who ceased to be a Member of the Committee consequent upon her inclusion in the Council of Ministers w.e.f. 28th October, 2012.

SECRETARIAT

Shri N.K. Singh, Joint Secretary
Shri Jagdish Kumar, Director
Shri Swarabji B., Joint Director
Shrimati A.S. Chakravani, Assistant Director
Shri T. Kennedy Jesudossan, Committee Officer

INTRODUCTION

I, the Chairman, Department-related Parliamentary Standing Committee on Transport, Tourism and Culture, having been authorised by the Committee to present on its behalf, do hereby present this One Hundred and Eighty Eighth Report on “Functioning of Commission of Railway Safety”.

2. The Department-related Parliamentary Standing Committee on Transport, Tourism and Culture in its meeting held on the 19th October, 2011 decided to have an in-depth study on the Functioning of Commission of Railway Safety in view series of railways accidents some of them leading to high casualties in the past.

3. Apart from a detailed background note obtained from the Ministry of Civil Aviation, Ministry of Railways and Commission of Railway Safety the Committee heard the views of the Secretary, Ministry of Civil Aviation, Ministry of Railways and Commission of Railway Safety in its meetings held on the 15th November, 2011, 21st February, 11th October and 5th November, 2012.

4. The Committee wishes to express its thanks to the Chairman and Members of Railway Board, Secretary and other officers of the Ministry of Civil Aviation and Chief Commissioner and Commissioners of Commission of Railway Safety for providing necessary inputs and clarifications during deliberations on the subject.

5. The Committee considered and adopted the Report at its meeting held on the 3rd January, 2013.

NEW DELHI;
January 3, 2013
Pausa 13, 1934 (Saka)

SITARAM YECHURY
Chairman,
Department-related Parliamentary Standing
Committee on Transport, Tourism and Culture.

TABLE OF ABBREVIATIONS

ACD	Anti-Collision Device
CCRS	Chief Commissioner of Railway Safety
CRS	Commissioner of Railway Safety
CsRS	Commissioners of Railway Safety
EOI	Expression of Interest
ETCS	European Train Control System
HoD	Head of Department
IRCA	Indian Railway Conference Association
JPO	Joint Procedure Orders
KRCL	Konkan Railway Corporation Limited
RSA	Railway Safety Authority
RRDC	Railway Research and Development Council
RDSO	Research Designs and Standards Organization
SPAD	Signal Passed at Danger
TCAS	Train Collision Avoidance System
UMLC	Unmanned Level Crossing

REPORT

1. The Commission of Railway Safety which is under the administrative control of the Union Ministry of Civil Aviation, deals with the matters pertaining to safety of rail travel and train operation and is charged with certain statutory functions laid down in the Railways Act'1989. These functions are inspectorial, investigatory and advisory in nature. Formerly called the Railway Inspectorate, it functioned under the control of the Railway Board till May, 1941. Pursuant to the recommendations of the 'Pacific Locomotive Committee', the Inspectorate was separated from the control of Railway Board to secure its independence from the authority administering the Railways. It was endorsed by the Central Legislature also. After its separation, the Inspectorate was kept under Department of Communications. It came under the administrative control of the Ministry of Civil Aviation in May, 1967.

2. While 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 railways administration through its inspectorial, investigatory and advisory functions and thereby assists them in ensuring that all stipulated measures are taken and standards are adhered to and implemented in regard to the soundness of rail construction and safety in train operation.

3. The Commission of Railway Safety (CRS) is headed by a Chief Commissioner of Railway Safety (CCRS), who also acts as the Principal Technical Advisor to the Central Government on matters with which Commission is concerned. Apart from CCRS, there are nine Commissioners of Railway Safety (CsSR), exercising jurisdiction over one or more zonal railways. Jurisdiction of each CSRS is called a "Circle". Details of the Circles and their geographical jurisdiction are placed at *Annexure I*.

4. There are five Deputy Commissioners of Railway Safety posted in the headquarters at Lucknow for assisting the CCRS and the CsRS as and when required. In addition, there are nine field Deputy Commissioners, one each in every Circle Offices to assist the Commissioners of Railway Safety.

5. Due to series of Railways accidents, some of them leading to high casualties in the recent past, the Department-related Parliamentary Standing Committee on Transport, Tourism and Culture decided to look into various aspects of the functioning of Commission of Railway Safety namely, how far has this Commission been effective in inspecting tracks and rolling-stock from safety angle; what has been the impact of its investigation and reports on improving rail safety; whether this Commission enjoys intended autonomy in actual practice; how seriously its advice/recommendations are taken by the Ministry of Railways; and how to further restructure/empower the Commission to make it effective in real terms.

6. The Department-related Parliamentary Standing Committee on Transport, Tourism and Culture, it may be recalled, had presented its 83rd Report on the functioning

of the Commission of Railway Safety in the year 2004 but nothing much appeared to have been done thereafter on its recommendations.

7. The Committee, after it decided to further examine the functioning of the Commission of Railway Safety, sought a status note from the Ministry of Civil Aviation and Ministry of Railways. The Committee also heard the representatives of Ministry of Civil Aviation, Chief Commissioner of Railway Safety and Ministry of Railways in its meetings held on the 15th November, 2011 and 21st February, 11th October and 5th November 2012.

8. However, after the first round of discussions with the both the Ministries separately and also with the CCRS, the Committee found that the two Ministries had quite different, sometimes opposite views on certain crucial issues relating to effectiveness, autonomy and need to empower and restructure the CRS. The Ministry of Railways maintained that the CRS was fulfilling its mandate effectively and had enjoyed complete autonomy and that its views are taken quite seriously and most of its recommendations are implemented and that there was no need to disturb the existing arrangement to further restructure/empower CRS. The Ministry of Civil Aviation which is also central government for the CRS had expressed contrary views on many such issues.

9. The issues raised by the Committee on the functioning of Commission of Railway Safety and the response of the Ministries of Civil Aviation and Railways thereon and the observations/recommendations of the Committee have been enumerated in the succeeding paragraphs.

Duality of Command

10. The Committee was informed that the responsibility for safety in the working and operation of Railways rests solely with the Railway Board and the Zonal Railway authorities. As per the Allocation of Business Rule of Ministry of Railways, Commission of Railway Safety has been excluded from it. The main task of the Commission of Railway Safety is to direct, advise and caution the Railway executives with a view to ensure that all reasonable precautions are taken in regard to soundness of rail construction and safety of train operation. The Railway Board refers to the Commission matters relating to modification or enhancement of standards in respect of operation of trains, track, locomotive, rolling stock and revision of rules embodied in the General Rules, Rules for the opening of New Lines, Manuals, IRCA Regulations, Schedule of Dimensions and other publications.

11. To a specific query on the role of Ministry of Civil Aviation, it was informed that Ministry of Civil Aviation deals with administrative, establishment, financial issues and issues related to Parliament. The Chief Commissioner of Railway Safety decides technical matters.

12. In cases of investigation of serious railway accidents, file is submitted to Secretary by CCRS directly once after submission of preliminary investigation report by Commissioner of Railway Safety and again after receiving the comments/Action taken by Railway Board on final reports of the Commissioners.

13. Generally, technical issues between Commissioners of Railway Safety and Ministry of Railways (Railway Board) are discussed and resolved by Chief Commissioner of Railway Safety. However, on unresolved issues, Chief Commissioner may seek intervention by Secretary, Ministry of Civil Aviation to settle the matter at higher level.

14. When asked about the interface between Ministry of Railways (Railway Board) and CRS, the Committee was informed that mainly it was through Chief Commissioner. Except accident inquiry reports, which are forwarded directly to Railway Board by Commissioners, all other reports of the Commissioners come to CCRS, who forwards these to Railway Board with his recommendation, if any. Coordination meeting between Railway Board and Commissioners has been a mechanism for Commissioners to discuss technical issues directly with Members of Railway Board to arrive at the agreeable position. Such meeting is proposed by Chief Commissioner, whenever some technical issues are required to be discussed by Commissioners with Railway Board.

15. The Committee was informed that Commissioner of Railway Safety and Chief Commissioner of Railway Safety function under the following Acts/Rules:-

- a) The Railways Act, 1989 and rules made under Section 29 and Section 122 of the Act;
- b) Rules for the opening of a Railway or Section of a Railway for the public carriage of passengers, 2000;
- c) Statutory Investigation into Railway Accidents Rules, 1998 (Issued by Ministry of Civil Aviation); and
- d) Railway (Notices of and Inquiries into accidents) Rules, 1998 (Issued by Ministry of Railways).

16. Thus, CRS functions under Rules framed by both the Ministries under the Railways Act. While accident investigation related rules are issued by the Ministry of Civil Aviation, accidents inquiry related rules were issued by the Ministry of Railways. Though the CRS is under the administrative control of Ministry of Civil Aviation, it takes its origin and discharges its duties as per the Rules and Regulations framed under the Railways Act. The Committee feels that involvement of two Ministries - Ministry of Railways and Ministry of Civil Aviation, leads to avoidable confusion and also makes it difficult to apportion the responsibilities due to duality of control and command in the functioning of CRS. It also leaves scope for conflict of interest for Ministry of Railways.

17. Besides, under the Railways Act the term Central Government means the Ministry of Railways. There being some overlapping in safety related issues between the Railway Board and CRS as it is, this confusion gets further confounded. Although Ministry of Railways denied the existence of such a confusion, instances of unilateral action by the Railway Board for deciding standards and codes and informing the Commission of Railway Safety without any involvement/consultation with the latter were brought to the notice of the Committee. The Committee is

constrained to conclude that such an arrangement is suitable to Ministry of Railways which is why, it does not want to disturb the existing arrangement.

18. The Government of India (Transaction of Business) Rules clearly delineate the functions of various Ministries/Departments of Government of India. The Committee recommends that the term Central Government occurring in the Railway Act should adequately be defined to demarcate the functions of Ministry of Railways and Ministry of Civil Aviation to avoid any confusion in respect of powers, mandate and autonomous working of CRS between the two Ministries.

19. The Committee raised the issue of adequacy of existing rules, legislations relating to Railway Safety and a need, if any, to amend these to meet the present day requirements, the Ministry of Railways informed that the existing rules, legislations relating to Railway Safety were adequate and that there was no need to amend them. However, review of safety standards is a continuous process and amendments in the manuals, codes, general rules, etc are made as and when required.

20. It was brought before the Committee that whenever the Ministry of Railways propose to change any rules relating to railway safety, the same is referred to CRS, but modifications or changes in standards or codes pertaining to railway safety were not referred. Thus the changes/modifications in safety codes are implemented without consultation with CRS. As per the Government of India (Transaction of Business) Rules when the subject of a case concerns more than one Department, no decision can be taken or order issued until all such departments have concurred, or failing such concurrence, a decision thereon has been taken by or under the authority of the Cabinet. As such any modification/change of rules or standards by the Ministry of Railways needs the concurrence of Ministry of Civil Aviation also.

21. The Annual Report of CRS for 2010-11, gives specific examples of amendment/modification of rules/policy in respect of safety train operations without the information/involvement of the office of CRS. One such examples was revised Policy Circular dated the 12th July, 2010 on the 'sanction of speed of nominated trains on specific routes' and the increase of speed of trains without the approval of Commissioner of Railway Safety of the concerned Zone, resulting in danger to travelling public.

22. The Committee is of the view that any decision taken by the Ministry of Railways in respect of matters relating to railway safety should have the concurrence (not merely consultation) of the Ministry of Civil Aviation as per the Government of India (Transaction of Business) Rules.

23. In view of the scope for confusion due to dual control in respect of CRS on many respects, this Committee had recommended in its 83rd Report to go for a stand-alone legislation for Commission of Railway Safety in the year 2005. As such, the Ministry of Civil Aviation had prepared a draft 'Commission of Railway Safety Bill' which, the Committee was informed, did not find favour with the Ministry of Railways and eventually the proposal was dropped in the year 2010. The Committee does not know the exact reason for Railway's reservation in this regard but is still convinced that in the present rail safety scenario, having a separate

legislation needs serious consideration for clearly defining the role, powers and jurisdiction of CRS for ensuring its autonomy and effective functioning.

CHIEF COMMISSIONER OF RAILWAY SAFETY

24. The Committee was informed that after its separation from the Railway Board in May, 1941, a post of Chief Government Inspector of Railways, later designated as Chief Commissioner of Railway Safety, was created with headquarters with the Government of India and Commissioners of Railway Safety made administratively subordinate to him. It was also envisaged that Commissioners of Railway Safety directly communicated with the CCRS but not with the administrative Department i.e. Department of Communications, then. The Chief Commissioner of Railway Safety is the principal technical advisor to the Government in matters concerning Commission of Railway Safety. No separate office was created for the Chief Commissioner of Railway Safety and he was provided with assistance of regular Staff from the Ministry of Civil Aviation. This scheme implies that the Chief Commissioners of Railway Safety is a part of the Ministry though offices of the Commissioner of Railway Safety are subordinate offices under the Ministry.

25. The Chief Commissioner of Railway Safety directs the technical activities of the Organization and is responsible for advising the Central Government in all matters concerning Commission of Railway Safety. Involvement of the Chief Commissioner in activities of the Commission of Railway Safety broadly categorized into three functions given in the succeeding paragraphs. .

26. *Opening of new lines, etc.:-* Primary responsibility for inspection of new a line vests in Commissioner of Railway Safety, who on receipt of reference from the concerned Railways and after scrutiny, decides the date of inspection. After careful inspection, he submits detailed report to Railway Board through Chief Commissioner of Railway Safety. As it has been stated earlier, CCRS is the competent and independent authority under the Railways Act, 1989. However, being the principal technical advisor to the Government, he may in his wisdom, record his views/ comments on the report submitted by CsRS and forward it to Railway Board along with the CsRS Report.

27. *Inspection report of the Commissioner of Railway Safety:-* Report of the inspection after each occasion should be submitted to Chief Commissioner of Railway Safety who has no authority to alter or modify or revise the report submitted by the CsRS. He can only record his views, if has to say anything. If Chief Commissioner considers any issue to be serious, he brings it to the notice of Railway Board for necessary action.

28. *Accident investigation:* - Generally, the investigation of the serious railway accident is undertaken by the CsRS holding geographical jurisdiction of accident site. However, CCRS may direct any other Commissioner to hold an investigation or initiate inquiry by himself. Once the process of investigation starts, Chief Commissioner of Railway Safety does not intervene in the investigation. After completion of the inquiry, Commissioner of Railway Safety submits a preliminary factual report to CCRS and forwards copies to Railway Board and concerned Railway administration. Final report is submitted to CCRS and is simultaneously forwarded to Railway Board and Zonal

Railways. After obtaining the remarks of GM of concerned railway, CCRS prepares his considered opinion and sends his note to Railway Board with such recommendations as he considers necessary. Though CCRS has no authority to alter/modify/revise the report of the Commissioner of Railway Safety, however, he may record his expert comment on the report of the Commissioner of Railway Safety and forward it to Railway Board for necessary action.

29. Chief Commissioner of Railway Safety is consulted by Railway Board' in matters pertaining to corrections or amendments to General Rules, Rules for opening of a Railway, Schedule of Dimensions, the Permanent Way, Works and Signal Engineering Manuals, Procedures for inquiries into accidents, Codes of Practice for Engineering Works and other publications. As the Commissioners of Railway Safety are the field officers and users of the rules and manuals, their views are obtained by CCRS before forwarding his comments in the matter. CCRS also discusses with Railway Board on matters related to Commission of Railway Safety.

30. Chief Commissioner of Railway Safety prepare in each financial year an annual report giving full account of the activities of the Commissioners during the financial year and forward it to the Central Government to be laid before each House of Parliament.

WORKING OF COMMISSIONER OF RAILWAY SAFETY

31. On the working of Commissioner of Railway Safety, it was informed that the detailed procedure pertaining to the inspection of a railway, prior to opening to passenger traffic, had been laid down in the Railway Act, 1989 for opening of a railway or section of a railway for the public carriage of passengers. While carrying out this inspection, the Commissioner of Railway Safety has to satisfy himself that the safety of the travelling public has, as far as practicable, been ensured; General Rules regulating train operations have been correctly applied; and the maximum and minimum dimensions have been properly observed. It has also to see that the works, structure, rolling stock and appliances belonging to the Railways are not only in proper state when inspected, but have also been designed and constructed in such a manner as may, so far as practicable, guard against accidents in future. He also decides about the limits of speed and other working conditions, which in his judgment, would ensure necessary safety. A careful scrutiny is made to ensure that all railway bridges have been designed to load specified in the Bridge Rules and that the stresses under these loads shall not exceed those specified in the Indian Railway Standard Code of Practice. He carries out as thorough an inspection as practicable and test checks as many items of works and equipment as he may consider necessary to ensure provisions mentioned earlier.

32. Commissioners have to carry out field inspections of newly electrified lines before the introduction of passenger traffic and recommend to the Railway Board for sanction as also the use of new locomotive and Rolling Stock on the existing lines, under such condition as may be prescribed.

33. No works affecting safety of the passenger traffic can be undertaken on any railway line which is open to passenger traffic without the prior sanction of the Commissioner of Railway Safety, except under emergency where also the fact should be

immediately reported to him. He is empowered to sanction works without inspection, the opening for passenger traffic such as deviation lines, regirdering and reconstruction of bridges, resignalling and remodelling and other alterations and re-constructions, station yards, introducing new level crossing or eliminating them and other items not materially affecting the character of works , but which form part of or are directly connected with the working of a railway already open for public carriage of passengers.

34. All application for works in connection with new bridges, signals and interlocking, installations and other works affecting the safety of traffic or any improvement required on such works have to be scrutinized and sanctioned by the Commissioner of Railway Safety they are being taken in hand.

35. Besides, for various oversize consignments which infringe running dimensions, approval of the Commissioner of Railway Safety has to be obtained before they are permitted to be transported over the railway.

37. Any work involving an infringement of the standard dimensions are sanctioned by the Railway Board on the recommendations of the Commissioners, which are made after thorough scrutiny and investigation of the safeguards proposed for the safety of traffic.

FIXING OF STANDARDS

38. When asked about the availability of parameters and technical specifications for quantifying railway safety in the country, it was informed by the Ministry of Railways that Indian Railways had a very well defined system to ensure safety. Safe working on Indian Railways is established through the following:

- a) Rules of train operations including those during abnormal situations are laid down in General and Subsidiary Rules.
- b) Specification and technical parameters of every safety equipment are laid down in various manuals issued by Railway Board and Zonal Railways and these parameters are kept within specified limits through regular maintenance.
- c) All safety equipments are procured as per technical specifications prepared by Research Design and Standard Organization (RDSO) which is the R&D wing of Indian Railways.

39. Apart from these, circulars/JPOs (Joint Procedure Orders)/Safety Bulletins are published from time to time to ensure strict implementation of the instructions.

40. The Ministry of Railways further informed the Committee that review of safety standards is a continuous process and amendments in the manuals, codes, General Rules, etc. are made as and when required.

41. It was brought out before the Committee that the Ministry of Railways sometimes lowers the standards of rolling stock and rail track once they are put in operation, without informing CRS. Before any railway track or rolling stock are added into normal operations, the same are inspected and certified by CRS to the effect that they meet the

standards fixed by Ministry of Railways. As such, altering standards of rolling stock or railway track after their induction into service for the convenience of maintenance poses a serious threat to safety aspects of such stocks.

42. The Committee feels that minimum standards for railway tracks and rolling stock should be codified in consultation with the Commission of Railways Safety, Ministry of Civil Aviation with a view to rule out any possibility of lowering the required standards as per its convenience by the Ministry of Railways. The Committee also feels that the standards fixed should not be lowered on the plea of scarcity of resources to maintain them. The CRS should be empowered to carry out periodic safety audit of Railways to ensure the proper functioning of the railway safety apparatus of the huge railway network in the country.

INSPECTION

43. The Committee was informed that in term of Section 4 (2) (b) of the Indian Railways Act, 1890, the annual inspections were being carried out by the officers of the Railway Inspectorate (CRS) till July, 1953. The Committee learnt that such inspections were discontinued through a Railway Board's Order in 1953. The Ministry of Communications, the then administrative Ministry informed the Inspectorate *vide* a letter dated 16 July, 1953. The Ministry of Communications through the same letter instructed the Commissioners of Railway Safety (the then Government Inspectors) to carry out annually, an inspection of 20% of the route kilometers of railway under their jurisdiction. These inspections are required to be fitted in, as far as possible, with the programme of the General Manager, Deputy General Manager and Head of the Department of the railway concerned, and opportunity should be taken of their presence, on each occasion to discuss matter with them. No detailed report on these inspection were required to be submitted to Railway Board, Railway Administration or to any other outside authority. However, a report was submitted to CCRS as soon as possible after each inspection.

44. During the deliberations, the Committee asked, how the power of "periodical routine inspection" provided by an Act of Parliament could be withdrawn by an executive order without amending the parent Act, the Ministry of Railways stated that Section 4(2)(b) of the Railway Act 1890 provided the duties of an Inspector of the Railways(now CRS) as under:

'to make such periodical or other inspections of any railway or of any rolling stock used thereon as the Government may direct'.

45. The Ministry of Railways further argued that the said executive order was issued under the provision 'as the Government may direct'. It, therefore, did not require amendment of the Act. No back reference in this regard had been received from the Ministry of Communication then, or Ministry of Civil Aviation now.

46. The Ministry of Railways further argued that in any case the provisions of the earlier Railways Act of 1890 and the executive order issued in 1953 have been superseded by the new Railways Act 1989. Section 6(b) (Duties of Commissioner) and Section 7(a) (Powers of Commissioner) of the Act empowers Commissioners to enter upon and inspect any Railway or any rolling stock used thereon for any of the purposes

laid down in the Railway Act. These provisions are similar to Section 4(2)(b) and Section 5(a) of the Railway Act, 1890.

47. The CsRS are always invited for annual inspections conducted by the General Managers and attended by all Principal Heads of Department. Besides this, they are extended all support whenever they wish to inspect any section/rolling stock using his powers under Section 7(a) of Railways Act, 1989 or during the course of an accident investigation.

48. The argument extended by the Ministry of Railways in respect of its order issued in the year 1953 relieving CsRS of their duty of 'annual periodical inspection' is not legally tenable. The said circular says very clearly that Government Inspectors (then) are being "relieved of their responsibility under Section 4(2)(b) of the Indian Railways Act 1890". It took away, in fact, the duty of inspection provided to the Commissioners by the Act of 1890. This amounts to by-passing the law making power of Parliament. Besides, the Committee does not agree with the Ministry's argument that this was done under the power to issue direction by the Central Government, as provided in Section 6(b) of the Railways Act. The Committee is of the view that the power to issue directions given to the Ministry by the Act, cannot be used to take away something given by the same Act. This is against the basic tenets of subordinate legislation. This 'power to issue direction' should relate to such details, procedures, manner, formalities, timings, etc. of the inspection and certainly not for withdrawing these powers. And the Ministry is supposed to have laid down rules, etc. for carrying out these functions. The Committee does not know if any rule, regulations etc. have been framed under this.

49. Although the Ministry of Railways contended that the said circular of 1953 became ineffective with the Railways Act 1989 coming into operation, the Committee was informed that the said circular has continued to remain in operation till date. The Committee feels that this circular should have been objected to by the then Ministry of Communication when it was issued and later by the Ministry of Civil Aviation and the matter could have been settled in consultation with the Ministry of Law, if needed. And if the 1953 Order became inoperative with the new Railway Act coming into being in 1989, the Ministry of Railways should have issued a fresh circular clarifying the position, which unfortunately was not done. In the absence of such a clarification, the said Order continued to remain in operation till date. The Committee fails to understand the silence of both the Ministries and desires this issue to be settled on priority in consultation with the Ministry of Law & Justice under intimation to this Committee.

50. The Committee is of the opinion that powers for annual inspections of open lines and asset of the Railway by CRS should be strengthened. The Commissioner of Railway Safety is "invited" by General Manager to the annual inspection conducted by them, as per the existing practice. The Committee feels that such a practice makes CsRS dependent on the GMs who may carry out inspection as per their desire and convenience. The Committee feels that the CsRS should be given independence to carry out periodic or other inspection of railway lines as provided in Section 6 (b) of Indian Railways Act 1989.

INVESTIGATION OF RAILWAY ACCIDENTS

51. When enquired about the procedure involved in investigation of railway accidents, the Committee was informed that Commission of Railway Safety was mandated to conduct inquiry into only train accidents carrying passengers and resulting in loss of human life or grievous hurt causing total or partial disablement of permanent nature to a passenger or a serious damage to railway property, in terms of Section 114 of the Railways Act 1989. A Commissioner submits his inquiry report, which is a Confidential Document in terms of Rule 4 of Statutory Investigation into Railway Accidents Rules 1998, to the Chief Commissioner of Railway Safety and simultaneously forwards copies of the report to the Railway Board, railway administration and such other authorities as are prescribed in the above rule.

52. The Committee learnt that while a large number of safety related events and occurrences that lead to railway accidents are being investigated and handled by the Railways, the CRS investigated only serious accidents. When asked to clarify, the Committee was informed that on receipt of notice of Railway Accident from Railway Administration as defined in Section 113 of the Railway Act 1989, the inquiry is conducted by CRS into accident as defined in Section 114. However, under Section 114(1), it is open to the Commissioner to hold an inquiry into any other accident, which in his opinion, requires holding of an inquiry by him. For accidents where no inquiry is held by CRS or he communicates that he is not able to hold an inquiry, the Railway administration has been empowered under Section 115 of the Act to conduct an inquiry in accordance with the prescribed procedure. In some cases, inquiry has also been done by a Commission, set up under the 'Commissions of Inquiry Act, 1952'.

53. Section 113 of Railways Act, 1989 provides the type of accidents for which notices are to be issued by Railways. Section 114 provides the type of accidents to be investigated by the Commission of Railway Safety. Section 120 of Railways Act, 1989 deals with the inquiry into accidents not covered by Section 113 and powers of railway administration to deal with such cases.

54. It was further informed that any accident which involves passenger train resulting in a loss of passengers lives or grievous injury or loss of property in excess of Rs. 25 lakhs, is to be inquired by CRS. Moreover, there is no bar on inquiry of accidents involving goods train. CCRS/CRS are at their liberty to investigate any accidents whatever they deem fit.

55. The Committee notes that the accident enquiry is done as per the provisions of Railway Accident Rules, 1998 (Ministry of Civil Aviation) and Notice of and Inquiries into Accidents Rules, 1998 (Ministry of Railways). As such, the investigator - the CRS, carries out the accident inquiry on the basis of laid down procedure by the service provider – the Ministry of Railways. Since CRS does not have any independent investigating mechanism for accidents, it has to depend mainly on the Ministry of Railways for technical manpower, infrastructure and other logistical support required for investigations as well as inspections.

56. The Committee notes that CRS has powers to investigate a railway accident but normally it does so only after receiving a notice from the concerned GM. The

accidents for which no notice has been issued and those which the CRS is unable to investigate for some reasons, are investigated by the Ministry of Railways themselves. It has also been provided that the CRS investigates those accidents resulting in loss of passengers' life, grievous hurt or damage to property worth more than Rs. 25 lakhs. Besides, sometimes accidents are investigated under Commissions of Inquiry Act also. Thus, in actual practice, CRS is able to investigate only some accidents notified by the concerned GMs and a large number of accidents are left to be investigated by the Ministry the Railways, the service provider themselves. Although the Railways Act provides that the CRS can investigate any accident, notified or not, CRS, in actual practice, is not able to do so in view of the limitations - legal, infrastructural, technical, manpower, etc. under which it has to function. This presents a highly disappointing picture, where the CRS's powers relating to accident investigation, the basic mandate of CRS, is greatly restricted. Therefore, the Committee emphasizes the need for empowering CRS for increasing its autonomy and effectiveness as an accident investigator.

57. The Committee also feels that delayed reporting of such accidents/incidents in violation of Section 113(2) of Railways Act 1989 should be considered as serious and the concerned zone of the railways should be penalized for such violations accordingly.

58. It has come to the notice of the Committee that the Ministry of Railways had enhanced the financial threshold for investigating an accident to Rs. 2.5 crores from to Rs. 25 lakhs as provided in the Rules, without making necessary changes in the concerned rules. The Committee feels that through this enhancement, a large number of accidents have been excluded from the purview of the CRS. The Committee feels that this is another example of circumventing the Act of Parliament and Rules made thereunder, by an executive order *i.e.* through internal manual of the Ministry of Railways. If it was felt necessary to enhance the financial limits, it should have been done by amending both the Rules and notifying them in the Gazette and placing them before the Parliament. The Committee, therefore, recommends that the Ministry should amend the concerned Rules at the earliest and place them before the Parliament instead of adopting the executive orders.

59. The Committee notes that there are large numbers of incidents which may be serious enough but do not lead to human deaths etc. are not covered under Section 113. There may be 'accident' under Section 120 and, therefore, may not be investigated by any agency. The Committee is of the opinion that such serious incidents should also be investigated with a view to take preventive measures so that minor incidents do not lead to major accidents. The Committee feels that for this purpose 'incidents' need to be defined appropriately in Section 120 and inquiry be made necessary for them as well.

IMPLEMENTATION OF RECOMMENDATIONS OF CRS

60. On the issue of recommendations of the CRS not being mandatory, the Ministry of Railways argued that an accident investigating authority could make only recommendations. Decision on a recommendation is to be taken by safety controlling authority *i.e.* Ministry of Railways after considering safety as well as

executive/operational requirements. Overall public interest is also required to be considered.

61. If Commissioner of Railway Safety, during an accident inquiry, finds anything which is unsafe in his opinion and if he feels, an immediate action e.g. speed on a stretch of a line to be reduced is necessary to be taken, he can do so by imposition of the condition under delegated powers in rule 22 of 'Railway (Opening for the Public Carriage of Passengers) Rules, 2000'. This is done/should be done when there is only one layer of safety and that is likely to be breached. Such condition is binding on a Railway administration. Such condition may include provisions under which the imposed condition will be removed. Any such condition can be modified only by Central Government (Ministry of Railways), but views of the Commissioner should be considered before such modification, to meet the requirement of statute.

62. On matters of improving safety by modification of rule/standards/equipment/procedures, Commissioner makes recommendations in the accident investigation report.

63. It was further informed by the Ministry of Railways that recommendations made by the CRS related to the whole spectrum of rail operation and maintenance. While majority of the recommendations are accepted and implemented, some of them need thorough and detailed examination from various angles i.e. technical feasibility, operational significance, evaluation of extent of enhancement of safety, assimilation in the prevailing field environment and financial viability, etc. Some of them also require design and development of technology, import, trials and experiments, etc. involving considerable time period and funds.

64. For accidents occurring during last three years (2009-10, 2010-11 and 2011-12), out of 379 recommendations made by CRSs, 277 recommendations have been accepted and 12 recommendations have been partially accepted by the Ministry of Railways after the receipt of CCRS' note. 16 recommendations have not been accepted and 74 recommendations are under examination by the Ministry of Railways.

65. Ministry of Railways informed the Committee that non acceptance of recommendations, is primarily on consideration of practicability, feasibility and relative importance in enhanced safe operation. Recommendations by CRS are taken very seriously and deliberated thoroughly at the highest level and approval of the concerned Board Member is taken if any recommendation of the CRS is not to be accepted.

66. When the Committee asked about the mechanism available with the CRS to ensure that its recommendations accepted by the Ministry of Railways (Railway Board) have been implemented, it was informed that once a recommendation has been accepted by Ministry of Railways, it issues instructions on the matter to Railway administrations. Responsibility for ensuring compliance of the instruction rests with Railway Board. The mechanism with Ministry of Railways as well as with Railway administration for checking implementation of new/modified instruction is same as the one available to check compliance of already prescribed standards and rules for working.

67. There is no formal mechanism available with Commissioners of Railway Safety for finding out progress of implementation of particular instruction issued by Railway Board.

68. To a query on the avenues available for the Commission when its recommendations are not implemented by Ministry of Railways, it was replied that there can be two kinds of non implementation.

d) **Non-implementation after acceptance of a recommendation**

Ministry of Railway issues instructions to Railway administrations based on the recommendations of the Commission. But there is no avenue available for getting to know implementation status of the instruction issued by Ministry of Railways.

Majority of recommendations made by Commissioners in their accident investigation reports are for ensuring compliance of extant instructions/standards. This indicates that there are many cases of noncompliance of existing standards/rules/instructions. In such a situation, chances of compliance of a new instruction are much less, unless it is very closely monitored. Percolation of new instruction to field level can take substantial time.

e) **Other kind is non-acceptance of a recommendation**

Generally Railway Board conveys reasons for not accepting a recommendation. The position has mostly been accepted in such cases by CCRS. In case of disagreement, issue can be taken up again by CCRS with Railway Board in the same context or whenever some similar context rises. Besides, the recommendations made in accident investigation reports, Commissioners, through Chief Commissioner or Chief Commissioner on his own raises certain safety related issues, on which Commission desires certain action by Ministry of Railways. Some of these get resolved through discussions between Commissioners and Railway Board. Issues, which remain unresolved, and the position is not satisfactory in the opinion of Chief Commissioner, are included in Annual Report of Chief Commissioner.

69. To a specific query on forwarding the proceedings of all the technical committee meetings of Railway on the railway safety issues to Commission of Railway Safety regularly, it was informed that at present, proceedings of all the technical meetings of Railway Board on the railway safety issues are not forwarded to the Commission of Railway Safety. It is because the Commission of Railway Safety is functioning independently under Ministry of Civil Aviation. Sending of minutes of all the meetings may adversely affect the independent thought process of the Commission of Railway Safety which is the spirit behind keeping the Commission outside the Ministry of Railways. However, the amendments in existing manual recommended by these committees and accepted by the Competent Authority are sent to the Commission of Railway Safety for information.

70. When enquired about reason for the delay in installation of anti-collision device and voice recorders in locomotives, as recommended by the Commission of Railway Safety, Ministry of Railways informed that Anti-Collision Device and voice recorder in locomotives, anti collision device supplied by Konkan Railway Corporation Limited (KRCL) had been installed over 1736 Route Kilometres on Northeast Frontier Railway. Based on the experience gained on Northeast Frontier Railway, the specifications were modified for electrified, multiple line, automatic signalling sections and trials were conducted on Southern Railway. The deficiencies noticed during trials are being analysed by KRCL for modifying the software. Further, trials will be conducted after removal of deficiencies. Besides this, to improve the functionality and dependability of ACD, a new specification of Train Collision Avoidance System (TCAS) has been drawn which will also prevent SPAD (Signal Passing at Danger) cases. Expression of Interest (EOI) has been called for development of an indigenous system. As regards voice recorders, they said that suitable voice recorders were not available due to the excessive noise condition of locos. Therefore, such recorders are being developed and their trials are continuing.

71. The Committee notes that the recommendations of the CRS are not mandatory and the Ministry of Railways takes its own decision on a recommendation of CRS on the basis of executive and operational and other requirements. The Committee also notes that majority of the recommendations made by the CRS are accepted by the Ministry of Railways. However, there does not exist a formal mechanism to inform the CRS whether the accepted recommendations have actually been implemented. The Committee emphasises the need for putting a system for this purpose in place so that periodic status reports are sent to CRS about the compliance of accepted recommendations. It would greatly help him in shaping his opinion on different issues in his subsequent Reports.

72. The Committee is concerned to note that majority of the recommendations made by the CRS related to “ensuring compliance of extant instructions/standards” concerning railway safety. It means that non-observance of safety instructions/standards is the main cause of railway accidents. The Committee is constrained to conclude that the safety standards and instructions are not being followed by Ministry of Railways resulting into accident. This puts the entire safety mechanism including the effectiveness of CRS in question.

73. The Committee finds that some of the advanced safety systems such as Complete Track Circuiting in station yards, Auxiliary Warning System in suburban section, Audio Visual Device in Locomotives, Data Loggers, Anti-Collision Device, etc. were recommended by CRS for consideration by the Ministry of Railways. All of which remain unimplemented so far on one pretext or the other. The Committee fails to understand why none of these modern safety devices could be adopted in Indian Railways, wholly or partially. The Committee notes that Anti Collision Device which was introduced in select rail routes on trial basis could not be expanded to other routes due to some deficiencies noticed during the trial period. The Committee hopes that further trials will be conducted after removal of deficiencies and the device will be installed on the rail routes in the coming years.

SEPARATION OF ROLES OF OPERATOR, REGULATOR AND INVESTIGATOR

74. The Ministry of Civil Aviation argued that it was a modern trend world over that any public service had two independent key players – the regulator and service provider. While the former lays down the safety regulations and exercises oversight on the quality of service, the later ensures compliance to those regulations. In cases of non-adherence to the laid down norms, generally the regulations provide for enforcement mechanism and penalty. Since in this case, Railways is both regulator as well as service provider, the conflict of interest is inbuilt in the existing set up. Therefore, they should be completely independent of one another.

75. When asked the Ministry of Railways argued that the Indian Railways was very unique system in the sense being fully owned by the Government of India. Independence of CRS and duality roles of Ministry of Railways have been reconciled well under the present Act by keeping Commission of Railway Safety under Ministry of Civil Aviation.

76. The Committee notes that currently Ministry of Railways, in actual practice, plays the roles of regulator, the operator and the investigator, as the CRS is largely dependent upon the Ministry of Railways in many ways for carrying out its mandate. Currently, separation of these roles is being resorted to in other areas for better management. This argument of the Ministry of Civil Aviation was not favoured by the Ministry of Railways.

77. The Committee, however, agrees in principle, with the idea of having a regulator fully independent of the service provider. This has been recommended by the Kakodkar Committee as well. The Committee recommends that this should be considered for implementation at the earliest as the existing system does not demarcate clearly between the roles of regulator and the service provider leaving thereby enough scope for conflict of interest. That may be the reason why the Ministry of Railways is not in favour of disturbing the existing structure in any manner.

HUMAN RESOURCES IN CRS

78. The Ministry of Civil Aviation when asked about the recruitment procedure for staff of the CRS and agency responsible for this, informed that the Chief Commissioner of Railway Safety was selected in consultation with the Union Public Service Commission from amongst the Commissioners of Railway Safety, who have put in minimum of three years of regular service in the grade. The appointment is made with the approval of Appointments Committee of the Cabinet. Commissioners of Railway Safety are appointed on absorption basis in consultation with the Union Public Service Commission and with the approval of Appointments Committee of the Cabinet.

79. Thus, the Railways are the only source of officers for appointments to post of Chief and other Commissioners of Railway Safety. Willing officers holding analogous post on regular basis or with five years of regular service in Senior Administrative Grade of Indian Railways Service of Engineers, Indian Railway Service of Mechanical Engineers, Indian Railway Service of Signal Engineers, Indian Railway Service of

Electrical Engineers and Indian Railway Traffic Service are eligible for consideration for appointment as CRS. 60% of the posts of CRS (total 10 posts including CCRS) are filled up from amongst IRSE and remaining 40% from amongst other disciplines.

80. The Deputy Commissioners of Railway Safety are appointed on deputation basis from amongst the officers of railways from signalling, electrical, mechanical, operating and civil engineering departments. The normal period of deputation in the Commission of Railway Safety is five years. The supporting staff of the Commission of Railway Safety is appointed through Staff Selection Commission or other methods as applicable in the Government of India's Offices.

81. The Ministry of Civil Aviation is responsible for appointment to the grade of Chief Commissioner of Railway Safety and Commissioner of Railway Safety. Office of Commissioner of Railway Safety is primarily responsible for appointment of supporting staff in Circle Office. The category-wise sanctioned and existing staff strength is placed at *Annexure-II*.

82. Regarding strengthening of staff in CRS, the Ministry of Civil Aviation informed that Railway Safety Review Committee 1998 had felt the need for strengthening the Commissioner of Railway Safety at field level and recommended that each Commissioner of Railway Safety should be assisted at least by one Deputy Commissioner of Railway Safety and two Senior Inspectors. Ministry of Civil Aviation accepted 1st part of the recommendation, i.e. assistance of one Deputy Commissioner, and did not accept 2nd part i.e. assistance of two Senior Inspectors to Commissioner of Railway Safety.

83. To a query on the training courses offered to officials of CRS and the allocation of budget for training, it was informed by the Ministry of Civil Aviation that no training course was offered to Commissioners of Railway Safety and Deputy Commissioners. There is no allocation for training at present in the Budget. CRS had sometimes deputed officials for familiarisation with new technology. Deputations of officials from CRS during the last three years were funded by Mumbai Railway Vikas Corporation and Metro Railway organizations.

84. The Committee feels that the autonomy and effectiveness of CRS is greatly constrained due to the fact that it has to depend mainly on the Ministry of Railways for technical manpower and other support. It also has to adjust to the convenience of the concerned railway administration for inspections etc. The Committee finds that Commissioners are working without any technical support. The CRS is currently managing with 111 staff as against the sanctioned strength of 145. Even the sanctioned staff is inadequate and CRS needs more technical staff and adequate infrastructure mainly at field level, to deal with its increased work due to ever expanding rail network. The Committee recommends that the man- power in CRS at various levels should be increased and vacancies filled on priority. The Committee emphasizes the need for strengthening and expansion of office of Commissioner of Railway Safety at Zonal level with adequate officers preferably from different technical background relevant for railways.

85. The Committee notes that Deputy Commissioners of Railway Safety are appointed on deputation basis from amongst the officers of railways from signalling, electrical, mechanical, operating and civil engineering departments. The Committee recommends that possibility be explored to ensure that Railway Officers join the CRS at some junior level, say below the Deputy CsRS rank so that such officer should be in a position to reach the level of Commissioner of Railway Safety in the course of time. The Committee hopes that this would widen the promotional avenues in CRS and the availability of more promotional avenues will definitely attract talents to CRS.

86. The Committee recommends to upgrade the status of Chief Commissioner of Railway Safety and Commissioners of Railway Safety to the level of Secretary and Special Secretary to Government of India respectively, which would greatly help CRS to improve its efficiency and effectiveness, while dealing with the Railways Board and Ministry of Railways. It would also result in attracting the best talent to the Commission. The financial implication of this recommendation will be insignificant as the CCRS normally draws the pay at the maximum of the grade (Rs 80,000 which is also the grade of Secretary) and the grade of CRS will go up by only Rs.1000 (from 79,000 max. to 80,000 max.) This issue is hanging fire since a long time and had been recommended earlier also by this Committee in its 83rd Report and also by the Department-related Parliamentary Standing Committee on Railways in its 19th Report. Railway Safety Review Committee headed by Justice Khanna in 1998 had also made recommendations in this regard. The Committee would like to know the reasons for non-implementation of these recommendations.

TRAINING AND SKILL UPGRADATION

87. The Committee was surprised to know that a major handicap in the current set up is that there is no system of skill upgradation for the officers working in the Commission. While the railway technology is constantly changing, the training needs of the CRS officials in the new technology developing fast are not looked after. The Committee feels that frequent exposure to specialized training courses are required for keeping the Commission officials abreast of the developments in technology and best practices being followed in the more developed railway systems. There is no budget for this purpose nor does the Commission have any powers for arranging such trainings. The Committee notes that Section 9 of Railway Act which deals with the facilities to be afforded to the Commissioners, lays down that all reasonable facilities shall be afforded by railway administration for discharge of the duties and exercise of power by the Commissioners but the railway administration does not include the Commissioners in the study tours or technology trainings arranged by them for railway officers. The Committee recommends that Railways Board must reserve slots in relevant training course meant for its senior officers for officers of the Commission for which budget may be shared with the Ministry of Civil Aviation. The Committee feels that it should be taken up on urgent basis.

RECOMMENDATIONS OF HIGH LEVEL SAFETY REVIEW COMMITTEE ON SAFETY ARCHITECTURE ON INDIAN RAILWAYS (DR.ANIL KAKODKAR COMMITTEE)

88. The Kakodkar Committee has made 106 recommendations, of which 5 relate to the Commission of Railway Safety. When asked about the comments of the Ministry of Railways, the Committee was informed that these are under consideration and Ministry had yet to finalise its opinion on them. The Ministry of Civil Aviation on the other hand, furnished its responses to the Kakodkar Committee Report relating to Railway Safety Commission. The Kakodkar Committee recommendations pertaining to or having a bearing on the Commission of Railway Safety are as follows:-

- a) A Railway Safety Authority (RSA) should be set up as a statutory body independent of Indian Railway Board under the Ministry. The Authority shall have a separate budget fully funded by the Ministry of Railways and shall be backed by a full-fledged Secretariat;
- b) New post of Member (Safety and Research) in Railway Board should be created who will be the link between Railway Board, Railway Safety Authority (RSA) and Railway Research and Development Council (RRDC) at the apex level.;
- f) Existing posts of Chief Safety Officers on Zonal railways should be upgraded to Additional General Manager (Safety) as part of the new Safety Architecture;
- g) The Institution of Commissioner of Railway Safety should be merged with Railway Safety Authority and should be strengthened and empowered. There should be CRS for each Zonal railway and each CRS should have a Regulatory inspection consisting of HODs of the concerned technical department;
- h) Role of Commissioner of Railway Safety should be withdrawn from the routine clearance proposals from the railways such as changes in Plan, Working Rules, etc. which consume lots of his time. These should be dealt and finalized by the concerned Principal Head of the Department who should full responsibility of the changes.

89. To a specific query on the steps taken to address the flaws in the existing railway safety system as pointed out by the Kakodkar Committee Report, it was informed that action has already been initiated on some of the recommendations like setting up an IT based system for reporting of safety related issues and maintaining Accidents data base, redundancy in track circuits, filling up of safety categories vacancies, issue of list of safety category items, sanctioning of works of ETCS level 1 (on 3397 route kilometres covering Automatic Signalling System), Elimination of Unmanned Level Crossing gates etc.(1360 UMLC gates have been manned since April 2010 upto September, 2012 whereas 1529 Level Crossings have been eliminated by way of closure/merger/provision of subways in the same period).

90. The Ministry of Civil Aviation while reacting to the recommendation of the Kakodkar Committee submitted that since in this case Railways is both regulator as well as service provider, the conflict of interest is inbuilt in the existing set up. These should be completely independent of each other.

91. In case of Ministry of Railways, the role of the Government and the service provider are all merged in one entity, namely the Railway Board. Now it has been proposed to create a RSA under the Ministry of Railways, which would have a Board represented by members from the Railway Board. This will not ensure independence of the RSA, and the safety regulator would be practically under the control and supervision of the service provider. It has been further proposed that the RSA would act as 'an independent authority under the Government' and would be responsible for all aspects pertaining to railway safety regulation and enforcement 'while the prime responsibility for safety continues with the Railway Board'. This is a self-contradictory statement for the reasons already mentioned. Hence the independence of the safety regulator sought to be achieved through the proposed RSA would be a non-starter.

92. The Ministry of Civil Aviation submitted the following as the necessary administrative reforms to make the Railway Safety Authority an effective and independent regulator:-

- a) Separation of the Service Provider and the Government in the Ministry of Railways – the Railway Board should be responsible for the provision of Railway Transport in the country and should work under the overall control and superintendence of the Government, i.e., Ministry of Railways. For this to be achieved, a separate administrative set up would have to be created at the Government level in the Ministry of Railways.
- b) Creation of an independent Safety Regulator, namely RSA, ideally through separate Legislation, to be housed in the Ministry of Railways. The RSA should be completely independent of the service provider, i.e. the Railway Board.
 - i. The RSA should be free to devise its regulations for safety oversight after thorough stakeholder consultation in a laid down manner. The safety regulations should be continuously updated keeping pace with the emerging issues and changing technology.
 - ii. The RSA should be adequately staffed with trained and skilled manpower up to the field level, so as to allow the RSA to fulfil its mandate of effective safety oversight.
 - iii. The funding of RSA should ideally be through a safety cess on the passengers, so as to ensure independent and build passengers' stake in the safety oversight mechanism.

93. The Ministry of Civil Aviation further informed the Committee that with the creation of the proposed RSA, the role of the Chief Commissioner of Railway Safety and Commissioners of Railway Safety would be limited to the investigation into serious

railway accidents. It would therefore become necessary to bring about necessary legislative amendments in the Railways Act, to redefine the role of the Chief Commissioner of Railway Safety and Commissioners of Railway Safety. Ideally this role of accident investigation should be vested into an independent accident investigation commission, to be housed in another Ministry, say the Ministry of Civil Aviation as per the existing arrangement, so as to ensure the independence of accident investigation.

94. The Committee notes that the High Level Safety Review Committee headed by Dr. Anil Kakodkar has made important recommendations for setting up of Railway Safety Authority and also for strengthening and empowering CRS. These recommendations came when this Committee was half way through its considerations of working of CRS. Ministry of Railways was requested to furnish its response to relevant recommendations of the Kakodkar Committee, which it said were under consideration. Whereas, Ministry of Civil Aviation did furnish detailed comments to those recommendations that have been given in the paragraphs above. Although, most of recommendations of Kakodkar Committee appear to be of far reaching significance for strengthening safety regulations in Indian Railways, this Committee could not apply its mind in the absence of Ministry of railways' response. It would, therefore, like to call upon the Ministry of Railways to finalise its responses at the earliest as it has already taken a long time. While, doing so it should discuss the issues with the Ministry of Civil Aviation and CRS. The Committee was informed that the Kakodkar Committee had not consulted the Ministry of Civil Aviation while finalising its recommendations. At this stage, the Committee can only say that recommendations of the Kakodkar Committee and comments/suggestions given by the Ministry of Civil Aviation appear to be very significant to be considered seriously. The Ministry of Railways should furnish its response in this regard to this Committee as soon as these are finalised. The Committee recommends that while implementing the recommendations the views of the Ministry of Civil Aviation may be taken into account and due weightage should be given. The role of Chief Commissioner of Railway Safety and Commissioners of Railway Safety should be clearly defined in the new dispensation and any legislative amendments, if necessary, must be brought forward accordingly. At any cost the role of operator, regulator and investigator must be clearly delineated and put under different administrative control.

95. Due to increase in the Metro Rail network in Delhi and its expansion to other cities as well, the Committee feels that the number of existing circles Safety Commission may need to be increased to cope up with future Metro Rail safety requirements. Accordingly, the existing Railways, CRS needs to be expanded and empowered.

GENERAL OBSERVATION

96. The Committee on the basis of the deliberations with the Ministry of Civil Aviation and that of Railways and information made available to it finds that the existing system in which CRS has to function, leaves much to be desired. The CRS has to work under lot of limitations and has to depend for so many things on the Ministry of Railways that it is not able to exercise, in actual practice, even those

powers, that are available to it in Railways Act and the Rules made thereunder. Its autonomy, thus, is greatly impaired.

97. The CRS is not having much say in the monitoring of railway safety presently in the country except accident investigation and inspection of new lines before they are commissioned. The CRS is not having any power to carry out annual audit of safety parameters of Indian Railways. The Committee emphasizes that the CRS should be strengthened with required powers and autonomy for the betterment of railway safety in the country.

98. The Committee found that apart from Parliamentary Committees, many high-powered Committees/Commissions, constituted by the Government from time to time, have made important recommendations for empowering Commission of Railway Safety. But most of these have largely remained unimplemented. The Committee fails to understand if it is due to lack of will or resistance from the Railways to change the *status quo*. The Committee is concerned about this. Recommendations/suggestions made in this Report, in fact, fall in two categories - those which can be implemented by executive/administrative orders and those that are long term needing legislative intervention. Those belonging to former may be implemented urgently, not to be delayed for those in the latter categories. The Committee, therefore, recommends that the Action Taken Replies should be submitted to it separately for the two categories furnishing status of their implementation in clear terms. The Committee feels that most of the problems with the CRS mentioned in this Report can be taken care of even in the existing system if the recommendations/suggestions of the Committee are implemented urgently.

RECOMMENDATIONS/OBSERVATIONS OF THE COMMITTEE – AT A GLANCE

However, after the first round of discussions with the both the Ministries separately and also with the CCRS, the Committee found that the two Ministries had quite different, sometimes opposite views on certain crucial issues relating to effectiveness, autonomy and need to empower and restructure the CRS. The Ministry of Railways maintained that the CRS was fulfilling its mandate effectively and had enjoyed complete autonomy and that its views are taken quite seriously and most of its recommendations are implemented and that there was no need to disturb the existing arrangement to further restructure/empower CRS. The Ministry of Civil Aviation which is also central government for the CRS had expressed contrary views on many such issues.

(Para 8)

Duality of Command

Thus, CRS functions under Rules framed by both the Ministries under the Railways Act. While accident investigation related rules are issued by the Ministry of Civil Aviation, accidents inquiry related rules were issued by the Ministry of Railways. Though the CRS is under the administrative control of Ministry of Civil Aviation, it takes its origin and discharges its duties as per the Rules and Regulations framed under the Railways Act. The Committee feels that involvement of two Ministries - Ministry of Railways and Ministry of Civil Aviation, leads to avoidable confusion and also makes it difficult to apportion the responsibilities due to duality of control and command in the functioning of CRS. It also leaves scope for conflict of interest for Ministry of Railways.

(Para 16)

Besides, under the Railways Act the term Central Government means the Ministry of Railways. There being some overlapping in safety related issues between the Railway Board and CRS as it is, this confusion gets further confounded. Although Ministry of Railways denied the existence of such a confusion, instances of unilateral action by the Railway Board for deciding standards and codes and informing the Commission of Railway Safety without any involvement/consultation with the latter were brought to the notice of the Committee. The Committee is constrained to conclude that such an arrangement is suitable to Ministry of Railways which is why, it does not want to disturb the existing arrangement.

(Para 17)

The Government of India (Transaction of Business) Rules clearly delineate the functions of various Ministries/Departments of Government of India. The Committee recommends that the term Central Government occurring in the Railway Act should adequately be defined to demarcate the functions of Ministry of Railways and Ministry of

Civil Aviation to avoid any confusion in respect of powers, mandate and autonomous working of CRS between the two Ministries.

(Para 18)

The Committee raised the issue of adequacy of existing rules, legislations relating to Railway Safety and a need, if any, to amend these to meet the present day requirements, the Ministry of Railways informed that the existing rules, legislations relating to Railway Safety were adequate and that there was no need to amend them. However, review of safety standards is a continuous process and amendments in the manuals, codes, general rules, etc are made as and when required.

(Para 19)

It was brought before the Committee that whenever the Ministry of Railways propose to change any rules relating to railway safety, the same is referred to CRS, but modifications or changes in standards or codes pertaining to railway safety were not referred. Thus the changes/modifications in safety codes are implemented without consultation with CRS. As per the Government of India (Transaction of Business) Rules when the subject of a case concerns more than one Department, no decision can be taken or order issued until all such departments have concurred, or failing such concurrence, a decision thereon has been taken by or under the authority of the Cabinet. As such any modification/change of rules or standards by the Ministry of Railways needs the concurrence of Ministry of Civil Aviation also.

(Para 20)

The Annual Report of CRS for 2010-11, gives specific examples of amendment/modification of rules/policy in respect of safety train operations without the information/involvement of the office of CRS. One such examples was revised Policy Circular dated the 12th July, 2010 on the 'sanction of speed of nominated trains on specific routes' and the increase of speed of trains without the approval of Commissioner of Railway Safety of the concerned Zone, resulting in danger to travelling public.

(Para 21)

The Committee is of the view that any decision taken by the Ministry of Railways in respect of matters relating to railway safety should have the concurrence (not merely consultation) of the Ministry of Civil Aviation as per the Government of India (Transaction of Business) Rules.

(Para 22)

In view of the scope for confusion due to dual control in respect of CRS on many respects, this Committee had recommended in its 83rd Report to go for a stand-alone legislation for Commission of Railway Safety in the year 2005. As such, the Ministry of Civil Aviation had prepared a draft 'Commission of Railway Safety Bill' which, the Committee was informed, did not find favour with the Ministry of Railways and eventually the proposal was dropped in the year 2010. The Committee does not know the exact reason for Railway's reservation in this regard but is still convinced that in the

present rail safety scenario, having a separate legislation needs serious consideration for clearly defining the role, powers and jurisdiction of CRS for ensuring its autonomy and effective functioning.

(Para 23)

CHIEF COMMISSIONER OF RAILWAY SAFETY

FIXING OF STANDARDS

The Committee feels that minimum standards for railway tracks and rolling stock should be codified in consultation with the Commission of Railways Safety, Ministry of Civil Aviation with a view to rule out any possibility of lowering the required standards as per its convenience by the Ministry of Railways. The Committee also feels that the standards fixed should not be lowered on the plea of scarcity of resources to maintain them. The CRS should be empowered to carry out periodic safety audit of Railways to ensure the proper functioning of the railway safety apparatus of the huge railway network in the country.

(Para 42)

INSPECTION

The argument extended by the Ministry of Railways in respect of its order issued in the year 1953 relieving CsRS of their duty of 'annual periodical inspection' is not legally tenable. The said circular says very clearly that Government Inspectors (then) are being "relieved of their responsibility under Section 4(2)(b) of the Indian Railways Act 1890". It took away, in fact, the duty of inspection provided to the Commissioners by the Act of 1890. This amounts to by-passing the law making power of Parliament. Besides, the Committee does not agree with the Ministry's argument that this was done under the power to issue direction by the Central Government, as provided in Section 6(b) of the Railways Act. The Committee is of the view that the power to issue directions given to the Ministry by the Act, cannot be used to take away something given by the same Act. This is against the basic tenets of subordinate legislation. This 'power to issue direction' should relate to such details, procedures, manner, formalities, timings, etc. of the inspection and certainly not for withdrawing these powers. And the Ministry is supposed to have laid down rules, etc. for carrying out these functions. The Committee does not know if any rule, regulations etc. have been framed under this.

(Para 48)

Although the Ministry of Railways contended that the said circular of 1953 became ineffective with the Railways Act 1989 coming into operation, the Committee was informed that the said circular has continued to remain in operation till date. The Committee feels that this circular should have been objected to by the then Ministry of Communication when it was issued and later by the Ministry of Civil Aviation and the matter could have been settled in consultation with the Ministry of Law, if needed. And if the 1953 Order became inoperative with the new Railway Act coming into being in 1989, the Ministry of Railways should have issued

a fresh circular clarifying the position, which unfortunately was not done. In the absence of such a clarification, the said Order continued to remain in operation till date. The Committee fails to understand the silence of both the Ministries and desires this issue to be settled on priority in consultation with the Ministry of Law & Justice under intimation to this Committee.

(Para 49)

The Committee is of the opinion that powers for annual inspections of open lines and asset of the Railway by CRS should be strengthened. The Commissioner of Railway Safety is “invited” by General Manager to the annual inspection conducted by them, as per the existing practice. The Committee feels that such a practice makes CsRS dependent on the GMs who may carry out inspection as per their desire and convenience. The Committee feels that the CsRS should be given independence to carry out periodic or other inspection of railway lines as provided in Section 6 (b) of Indian Railways Act 1989.

(Para 50)

INVESTIGATION OF RAILWAY ACCIDENTS

The Committee notes that the accident enquiry is done as per the provisions of Railway Accident Rules, 1998 (Ministry of Civil Aviation) and Notice of and Inquiries into Accidents Rules, 1998 (Ministry of Railways). As such, the investigator - the CRS, carries out the accident inquiry on the basis of laid down procedure by the service provider – the Ministry of Railways. Since CRS does not have any independent investigating mechanism for accidents, it has to depend mainly on the Ministry of Railways for technical manpower, infrastructure and other logistical support required for investigations as well as inspections.

(Para 55)

The Committee notes that CRS has powers to investigate a railway accident but normally it does so only after receiving a notice from the concerned GM. The accidents for which no notice has been issued and those which the CRS is unable to investigate for some reasons, are investigated by the Ministry of Railways themselves. It has also been provided that the CRS investigates those accidents resulting in loss of passengers’ life, grievous hurt or damage to property worth more than Rs. 25 lakhs. Besides, sometimes accidents are investigated under Commissions of Inquiry Act also. Thus, in actual practice, CRS is able to investigate only some accidents notified by the concerned GMs and a large number of accidents are left to be investigated by the Ministry the Railways, the service provider themselves. Although the Railways Act provides that the CRS can investigate any accident, notified or not, CRS, in actual practice, is not able to do so in view of the limitations - legal, infrastructural, technical, manpower, etc. under which it has to function. This presents a highly disappointing picture, where the CRS’s powers relating to accident investigation, the basic mandate of CRS, is greatly restricted. Therefore, the Committee emphasizes the need for empowering CRS for increasing its autonomy and effectiveness as an accident investigator.

(Para 56)

The Committee also feels that delayed reporting of such accidents/incidents in violation of Section 113(2) of Railways Act 1989 should be considered as serious and the concerned zone of the railways should be penalized for such violations accordingly.

(Para 57)

It has come to the notice of the Committee that the Ministry of Railways had enhanced the financial threshold for investigating an accident to Rs. 2.5 crores from to Rs. 25 lakhs as provided in the Rules, without making necessary changes in the concerned rules. The Committee feels that through this enhancement, a large number of accidents have been excluded from the purview of the CRS. The Committee feels that this is another example of circumventing the Act of Parliament and Rules made thereunder, by an executive order *i.e.* through internal manual of the Ministry of Railways. If it was felt necessary to enhance the financial limits, it should have been done by amending both the Rules and notifying them in the Gazette and placing them before the Parliament. The Committee, therefore, recommends that the Ministry should amend the concerned Rules at the earliest and place them before the Parliament instead of adopting the executive orders.

(Para 58)

The Committee notes that there are large numbers of incidents which may be serious enough but do not lead to human deaths etc. are not covered under Section 113. There may be 'accident' under Section 120 and, therefore, may not be investigated by any agency. The Committee is of the opinion that such serious incidents should also be investigated with a view to take preventive measures so that minor incidents do not lead to major accidents. The Committee feels that for this purpose 'incidents' need to be defined appropriately in Section 120 and inquiry be made necessary for them as well.

(Para 59)

IMPLEMENTATION OF RECOMMENDATIONS OF CRS

The Committee notes that the recommendations of the CRS are not mandatory and the Ministry of Railways takes its own decision on a recommendation of CRS on the basis of executive and operational and other requirements. The Committee also notes that majority of the recommendations made by the CRS are accepted by the Ministry of Railways. However, there does not exist a formal mechanism to inform the CRS whether the accepted recommendations have actually been implemented. The Committee emphasises the need for putting a system for this purpose in place so that periodic status reports are sent to CRS about the compliance of accepted recommendations. It would greatly help him in shaping his opinion on different issues in his subsequent Reports.

(Para 71)

The Committee is concerned to note that majority of the recommendations made by the CRS related to “ensuring compliance of extant instructions/standards” concerning railway safety. It means that non-observance of safety instructions/standards is the main cause of railway accidents. The Committee is constrained to conclude that the safety standards and instructions are not being followed by Ministry of Railways resulting into accident. This puts the entire safety mechanism including the effectiveness of CRS in question.

(Para 72)

The Committee finds that some of the advanced safety systems such as Complete Track Circuiting in station yards, Auxiliary Warning System in suburban section, Audio Visual Device in Locomotives, Data Loggers, Anti-Collision Device, etc. were recommended by CRS for consideration by the Ministry of Railways. All of which remain unimplemented so far on one pretext or the other. The Committee fails to understand why none of these modern safety devices could be adopted in Indian Railways, wholly or partially. The Committee notes that Anti Collision Device which was introduced in select rail routes on trial basis could not be expanded to other routes due to some deficiencies noticed during the trial period. The Committee hopes that further trials will be conducted after removal of deficiencies and the device will be installed on the rail routes in the coming years.

(Para 73)

SEPARATION OF ROLES OF OPERATOR, REGULATOR AND INVESTIGATOR

The Committee notes that currently Ministry of Railways, in actual practice, plays the roles of regulator, the operator and the investigator, as the CRS is largely dependent upon the Ministry of Railways in many ways for carrying out its mandate. Currently, separation of these roles is being resorted to in other areas for better management. This argument of the Ministry of Civil Aviation was not favoured by the Ministry of Railways.

(Para 76)

The Committee, however, agrees in principle, with the idea of having a regulator fully independent of the service provider. This has been recommended by the Kakodkar Committee as well. The Committee recommends that this should be considered for implementation at the earliest as the existing system does not demarcate clearly between the roles of regulator and the service provider leaving thereby enough scope for conflict of interest. That may be the reason why the Ministry of Railways is not in favour of disturbing the existing structure in any manner.

(Para 77)

HUMAN RESOURCES IN CRS

The Committee feels that the autonomy and effectiveness of CRS is greatly constrained due to the fact that it has to depend mainly on the Ministry of Railways for technical manpower and other support. It also has to adjust to the convenience of the concerned railway administration for inspections etc. The Committee finds that

Commissioners are working without any technical support. The CRS is currently managing with 111 staff as against the sanctioned strength of 145. Even the sanctioned staff is inadequate and CRS needs more technical staff and adequate infrastructure mainly at field level, to deal with its increased work due to ever expanding rail network. The Committee recommends that the man- power in CRS at various levels should be increased and vacancies filled on priority. The Committee emphasizes the need for strengthening and expansion of office of Commissioner of Railway Safety at Zonal level with adequate officers preferably from different technical background relevant for railways.

(Para 84)

The Committee notes that Deputy Commissioners of Railway Safety are appointed on deputation basis from amongst the officers of railways from signalling, electrical, mechanical, operating and civil engineering departments. The Committee recommends that possibility be explored to ensure that Railway Officers join the CRS at some junior level, say below the Deputy CsRS rank so that such officer should be in a position to reach the level of Commissioner of Railway Safety in the course of time. The Committee hopes that this would widen the promotional avenues in CRS and the availability of more promotional avenues will definitely attract talents to CRS.

(Para 85)

The Committee recommends to upgrade the status of Chief Commissioner of Railway Safety and Commissioners of Railway Safety to the level of Secretary and Special Secretary to Government of India respectively, which would greatly help CRS to improve its efficiency and effectiveness, while dealing with the Railways Board and Ministry of Railways. It would also result in attracting the best talent to the Commission. The financial implication of this recommendation will be insignificant as the CCRS normally draws the pay at the maximum of the grade (Rs 80,000 which is also the grade of Secretary)) and the grade of CRS will go up by only Rs.1000 (from 79,000 max. to 80,000 max.) This issue is hanging fire since a long time and had been recommended earlier also by this Committee in its 83rd Report and also by the Department-related Parliamentary Standing Committee on Railways in its 19th Report. Railway Safety Review Committee headed by Justice Khanna in 1998 had also made recommendations in this regard. The Committee would like to know the reasons for non-implementation of these recommendations.

(Para 86)

TRAINING AND SKILL UPGRADATION

The Committee was surprised to know that a major handicap in the current set up is that there is no system of skill upgradation for the officers working in the Commission. While the railway technology is constantly changing, the training needs of the CRS officials in the new technology developing fast are not looked after. The Committee feels that frequent exposure to specialized training courses are required for keeping the Commission officials abreast of the developments in technology and best practices being followed in the more developed railway systems. There is no budget for this purpose nor

does the Commission have any powers for arranging such trainings. The Committee notes that Section 9 of Railway Act which deals with the facilities to be afforded to the Commissioners, lays down that all reasonable facilities shall be afforded by railway administration for discharge of the duties and exercise of power by the Commissioners but the railway administration does not include the Commissioners in the study tours or technology trainings arranged by them for railway officers. The Committee recommends that Railways Board must reserve slots in relevant training course meant for its senior officers for officers of the Commission for which budget may be shared with the Ministry of Civil Aviation. The Committee feels that it should be taken up on urgent basis.

(Para 87)

**RECOMMENDATIONS OF HIGH LEVEL SAFETY REVIEW COMMITTEE
ON SAFETY ARCHITECTURE ON INDIAN RAILWAYS (DR.ANIL
KAKODKAR COMMITTEE)**

The Committee notes that the High Level Safety Review Committee headed by Dr. Anil Kakodkar has made important recommendations for setting up of Railway Safety Authority and also for strengthening and empowering CRS. These recommendations came when this Committee was half way through its considerations of working of CRS. Ministry of Railways was requested to furnish its response to relevant recommendations of the Kakodkar Committee, which it said were under consideration. Whereas, Ministry of Civil Aviation did furnish detailed comments to those recommendations that have been given in the paragraphs above. Although, most of recommendations of Kakodkar Committee appear to be of far reaching significance for strengthening safety regulations in Indian Railways, this Committee could not apply its mind in the absence of Ministry of railways' response. It would, therefore, like to call upon the Ministry of Railways to finalise its responses at the earliest as it has already taken a long time. While, doing so it should discuss the issues with the Ministry of Civil Aviation and CRS. The Committee was informed that the Kakodkar Committee had not consulted the Ministry of Civil Aviation while finalising its recommendations. At this stage, the Committee can only say that recommendations of the Kakodkar Committee and comments/suggestions given by the Ministry of Civil Aviation appear to be very significant to be considered seriously. The Ministry of Railways should furnish its response in this regard to this Committee as soon as these are finalised. The Committee recommends that while implementing the recommendations the views of the Ministry of Civil Aviation may be taken into account and due weightage should be given. The role of Chief Commissioner of Railway Safety and Commissioners of Railway Safety should be clearly defined in the new dispensation and any legislative amendments, if necessary, must be brought forward accordingly. At any cost the role of operator, regulator and investigator must be clearly delineated and put under different administrative control.

(Para 94)

Due to increase in the Metro Rail network in Delhi and its expansion to other cities as well, the Committee feels that the number of existing circles Safety Commission

may need to be increased to cope up with future Metro Rail safety requirements. Accordingly, the existing Railways, CRS needs to be expanded and empowered.

(Para 95)

General Observation

The Committee on the basis of the deliberations with the Ministry of Civil Aviation and that of Railways and information made available to it finds that the existing system in which CRS has to function, leaves much to be desired. The CRS has to work under lot of limitations and has to depend for so many things on the Ministry of Railways that it is not able to exercise, in actual practice, even those powers, that are available to it in Railways Act and the Rules made thereunder. Its autonomy, thus, is greatly impaired.

(Para 96)

The CRS is not having much say in the monitoring of railway safety presently in the country except accident investigation and inspection of new lines before they are commissioned. The CRS is not having any power to carry out annual audit of safety parameters of Indian Railways. The Committee emphasizes that the CRS should be strengthened with required powers and autonomy for the betterment of railway safety in the country.

(Para 97)

The Committee found that apart from Parliamentary Committees, many high-powered Committees/Commissions, constituted by the Government from time to time, have made important recommendations for empowering Commission of Railway Safety. But most of these have largely remained unimplemented. The Committee fails to understand if it is due to lack of will or resistance from the Railways to change the *status quo*. The Committee is concerned about this. Recommendations/suggestions made in this Report, in fact, fall in two categories - those which can be implemented by executive/administrative orders and those that are long term needing legislative intervention. Those belonging to former may be implemented urgently, not to be delayed for those in the latter categories. The Committee, therefore, recommends that the Action Taken Replies should be submitted to it separately for the two categories furnishing status of their implementation in clear terms. The Committee feels that most of the problems with the CRS mentioned in this Report can be taken care of even in the existing system if the recommendations/suggestions of the Committee are implemented urgently.

(Para 98)

ANNEXURE

Annexure-I
(vide para-3)

S.No	Circle & HQ.	Jurisdiction	Route KM
<u>1.</u>	Central Circle, Mumbai	(i) Central Railway, Mumbai (ii) West Central Railway Jabalpur (iii)Konkan Railway, Navi Mumbai	7,610.590
2.	Eastern Circle, Kolkata	((i) Eastern Railway, Kolkata (ii) East Central Railway, Hajipur	6,041.630
3.	Northern Circle, New Delhi	Northern Railway, New Delhi	6,968.400
4.	North Eastern Circle, Lucknow	(i)N.E. Railway, Gorakhpur (ii)North Central Railway, Allahabad	6,817.300
5.	North Frontier Circle, Kolkata	(i)N.F. Railway, Guwahati (ii)Metro Railway, Kolkata	3,931.306
6.	Southern Circle, Bangalore	(i)Southern Railway, Chennai (ii)South Western Railway, Hubli	8,274.530
7.	South Central Circle, Secunderabad	South Central Railway, Secunderabad	5,803.360
8.	South Eastern Circle, Kolkata	(i)S.E. Railway, Kolkata (ii)East Coast Railway, Bhubneshwar (iii)South East Central Railway, Bilaspur	7,650.680
9.	Western Circle, Mumbai	(i)Western Railway, Mumbai (ii)North Western Railway, Jaipur	11,640.800

Annexure-II
(vide para-79)

S.No	Name of Post	Total sanctioned post	Total No. of existing post as per return no.7 of 30.9.2011. Received from Circle office/Technical Wing
1.	Chief Commissioner of Railway Safety (Scale Rs.75500-80000)	1	1
2.	Commissioner of Railway Safety (Scale Rs.67000-79000)	9	9
3.	Dy. Commissioner of Railway Safety (General) [Scale Rs.37400-67000+8700(GP)]	1	1
4.	Dy. Commissioner of Railway Safety (Technical) [Scale Rs.37400-67000+8700(GP)]	13	3
5.	Assistant Director (Official Language) [Scale Rs.15600-39100-5400 (GP)]	1	1
6.	Office Superintendent [Scale Rs.15600-39100-4200 (GP)]	9	7
7.	Stenographer [Scale Rs.15600-39100-4200 (GP)]	11	8
8.	Safety Assistant [Scale Rs.15600-39100-4200 (GP)]	9	7
9.	Technical Assistant [Scale Rs.5200-20200-2800 (GP)]	2	2
10.	Junior Hindi Translator [Scale Rs.15600-39100-4200 (GP)]	1	1
11	Upper Division clerk [Scale Rs.5200-20200-2400 (GP)]	11	9
12	Lower Division Clerk [Scale Rs.5200-20200-1900 (GP)]	27	19
13	Staff Car Driver-II [Scale Rs.5200-20200-2400 (GP)]	1	1
14	Staff Car Driver [Scale Rs.5200-20200-1900 (GP)]	2	2
	MTS	47	40
	Total	145	111

