

EASTERN RAILWAY

No. E. 85 / 0 / Pt. XIII

Kolkata, dated 17 /12/2015.

ALL CONCERNED

Sub: Problems faced by the Loco and Traffic Running Staff while performing running duties – PNM/NFIR Item No. 34/2015.

A copy of IG/Admn, Railway Board's letter No. 2011/Sec (Spl)/100/12 dated 12.11.2015 is forwarded for information, guidance and necessary action.

(K. K. Murmu)

Asstt. Personnel Officer/R & Bills
for Chief Personnel Officer

Copy of IG/Admn, Railway Board's letter No. 2011/Sec (Spl)/100/12 dated 12.11.2015, addressed to GMs, All Indian Railways.

SUB: Problems faced by the Loco and Traffic Running Staff while performing running duties – PNM/NFIR Item No. 34/2015.

NFIR vide PNM Item No. 34/2015 has brought out that GRP personnel are many a time reluctant to perform the job of removing dead/perished human/animal bodies lying on Railway track. The job perforce is then performed by Loco Pilots/ALPs/Guards with the aim of running services without detention. The Federation has requested for Board's intervention and issue of suitable instructions to ensure that GRP personal take care of human/animal bodies found hit/lying on tracks.

2. In the above context, it is stated that provisions contained in section 174 of the CrPc and GRP Manual defines role of Police/GRP in case dead body has been found in the railway track/station premises. Copy of section 174 of CrPc is enclosed for ready reference.

3. Further duties of Railway Guards/Loco Pilot/Running staff about the acts to be initiated when a person is found injured or dead on or near railway tracks have been defined in Operating Manuals of respective Zonal Railways.

4. The above provisions may be suitably brought to the notice of all concerned to ensure smooth train operation in case any dead body is located in the track/station areas and also to avoid complaints of the type mentioned in para (1) above.

DA: As above.

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Section 174 in The Code Of Criminal Procedure, 1973

174. Police to enquire and report on suicide, etc.

(1) When the officer in charge of a police station or some other police officer specially empowered by the State Government in that behalf receives information that a person has committed suicide, or has been killed by another or by an animal or by machinery or by an accident, or has died under circumstances raising a reasonable suspicion that some other person has committed an offence, he shall immediately give intimation thereof to the nearest Executive Magistrate empowered to hold inquests, and, unless otherwise directed by any rule prescribed by the State Government, or by any general or special order of the District or Sub-divisional Magistrate, shall proceed to the place where the body

of such deceased person is, and there, in the presence of two or more respectable inhabitants of the neighbourhood, shall make an investigation, and draw up a report of the apparent cause of death, describing such wounds, fractures, bruises, and other marks of injury as may be found on the body, and stating in what manner, or by what weapon or instrument (if any); such marks appear to have been inflicted.

(2) The report shall be signed by such police officer and other persons, or by so many of them as concur therein, and shall be forthwith forwarded to the District Magistrate or the Sub-divisional Magistrate

(3) When -

(i) the case involves suicide by a woman within seven years of her marriage; or

(ii) the case relates to the death of a woman within seven years of her marriage in any circumstances raising a reasonable suspicion that some other person committed an offence in relation to such woman; or

(iii) the case relates to the death of a woman within seven years of her marriage and any relative of the woman has made a request in this behalf; or

(iv) there is any doubt regarding the cause of death; or

(v) the police officer for any other reason considers it expedient so to do, he shall, subject to such rules as the State Government may prescribe in this behalf, forward the body, with a view to its being examined, to the nearest Civil Surgeon, or other qualified medical man appointed in this behalf by the State Government, if the state of the weather and the distance admit of its being so forwarded without risk of such putrefaction on the road as would render such examination useless.

(4) The following Magistrates are empowered to hold inquests, namely, any District Magistrate or Sub-divisional Magistrate and any other Executive Magistrate specially empowered in this behalf by the State Government or the District Magistrate.