

EASTERN RAILWAY

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ALL CONCERNED

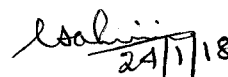
Sub: Guiding norms for imposition of punishment on Loco Pilots/ Assistant Loco Pilots in cases of Passing Railway signals at Danger (SPAD) as specified in first proviso to Rule 6 of the Railway Servants (Discipline and Appeal) Rules, 1968 (as amended from time to time).

Deputy Director/Safety (A&R)III, Railway Board's letter No. 2017/Safety (A&R)/18/11 dated 08.01.2018 on the above subject is circulated for information, guidance and strict compliance.

This Serial Circular is available on Eastern Railway's official website. URL No. <http://www.er.indianrailways.gov.in> under **About us → Department → Personnel → CODEs MANUALs & CPO's Serial Circulars → CPO's SERIAL CIRCULARS.**

INDEX No. 1033: Norms for imposition of punishment on Loco Pilots/Assistant Loco Pilots in cases of Passing Railway Signals at Danger (SPAD) as specified in first proviso to Rule 6 of the Railway Servants (Discipline and Appeal) Rules, 1968.

DA: As above.


24/1/18
(U. Lahiri)

Dy. Chief Personnel Officer/R
for Principal Chief Personnel Officer

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			(ii) <u>For Assistant Loco Pilots:</u> • Reduction to the lowest grade/post for a minimum period of three years, where the period of reduction shall operate to postpone future increments of pay. • Reduction to the lowest grade/post for a minimum period of three years, if there are contributory factors like loss of brake power on the run. (iii) Safety/monitoring category of involved crew should be kept as 'C' for 02 years after fit for main line duty. (iv) Loco Pilots involved in SPAD case will be immediately de-rostered, sent for refresher course and fresh psycho-test. (v) Competency Certificate should be re-issued after checking their knowledge by competent Authority.
		1.1.2 Distance traveled beyond the Stop Signal is more than the Signal Overlap/Block Overlap.	Removal from service or Compulsory retirement where entirely due to neglect of loco pilot ; Reduction to a lower grade for a period of 02 years, where the period of reduction shall operate to postpone future increments of pay, if there are contributory factors like loss of brake power on the run which he could not have detected when he took charge of the locomotive. At the appeal stage, contributory factors and past records of Loco Pilot may be

			taken into account and punishment reviewed. In exceptional cases, running duty may also be restored to such loco pilots after re-training and fresh psycho-test.
1.2	During Dispatch of the train – SPAD at Starter Signal, Advanced Starter Signal, IBS Signal and Automatic Signal	SPAD	Removal from service or Compulsory retirement where entirely due to neglect of loco pilot; Reduction to a lower grade for a period of 02 years, where the period of reduction shall operate to postpone future increments of pay, if there are contributory factors like loss of brake power on the run which he could not have detected when he took charge of the locomotive. At the appeal stage, contributory factors and past records of Loco Pilot may be taken into account and punishment reviewed. In exceptional cases, running duty may also be restored to such loco pilots after re-training and fresh psycho-test.
1.3	Gate Signal at Manned Level Crossing	SPAD	1.3.1 For Loco Pilots: • Reduction to a lower post/grade of Loco Pilot Shunter for a period of 02 years where the period of reduction shall operate to postpone future increments of pay, where SPAD is entirely due to neglect of Loco Pilot. • Reduction to a lower post/grade of Loco Pilot Shunter for a period of 02 years, if there are contributory factors like loss of brake power on the run

			which he could not have detected when he took charge of the locomotive. 1.3.2 <u>For Assistant Loco Pilots:</u> • Reduction to the lowest scale for a period of two years, where the period of reduction shall operate to postpone future increments of pay. • Reduction to the lowest scale for a period of two years, if there are contributory factors like loss of brake power on the run, which he could not have detected when he took charge of the locomotive. 1.3.3. Safety/monitoring category of involved crew should be kept as 'C' for 02 years after fit for main line duty. 1.3.4 Loco Pilots involved in SPAD case will be immediately de-rostered and sent for refresher course. 1.3.5 Competency Certificate should be re-issued after checking their knowledge by competent Authority.
1.4	Shunt Signal	Failure of LP/ALP in observing the shunt signal.	Withholding of increments for two years, however, Disciplinary Authority must record reasons for not imposing one of the major penalties
1.5	SPAD in AWS/ATP territory	SPAD	Removal from service or compulsory retirement where entirely due to neglect of loco pilot ; Reduction to a lower grade/post for a period of 02 years, where the period of reduction shall operate to postpone future increments of pay, if there are contributory factors like loss of brake power

			on the run which he could not have detected when he took charge of the locomotive. At the appeal stage, contributory factors and past records of Loco Pilot may be taken into account and punishment reviewed. In exceptional cases, running duty may also be restored to such loco pilots after re-training and fresh psycho-test
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2.0 In 1st instance of SPAD, for all cases other than item no. 1.1.1 and 1.3 in above table, punishment norms for ALP, will be as follows:

Any one of the major penalties will be awarded to ALP other than compulsory retirement/ removal/dismissal from service, as decided by the competent authority

3.0 Punishment in SPAD (in 2nd instance):

2nd instance of SPAD needs to be viewed seriously and thus needs to be penalized as per the following norms:

Removal from service or Compulsory retirement where entirely due to neglect of Loco Pilot ; Reduction to a lower grade/post for a period of 02 years, where the period of reduction shall operate to postpone future increments of pay, if there are contributory factors like loss of brake power on the run which he could not have detected when he took charge of the locomotive.

At the appeal stage, contributory factors and past records of Loco Pilot may be taken into account and punishment reviewed.

In exceptional cases, running duty may also be restored to such loco pilots after re-training and fresh psycho-test.

4.0 On 2nd instance of SPAD, at Appeal or revision stage , in no case should Loco Pilot be put back on foot-plate duties if found solely responsible for the SPAD in 1st and 2nd instances. He/she should be reinstated ordinarily to lower or equivalent to initial Loco Pilot/ Shunter Grade and accordingly redeployed in non-running duty.

5.0 For Assistant Loco Pilot, in the 2nd instance of SPAD, he/she may be downgraded to initial stage of recruitment.

H. B. Singh

6.0 The performance of Loco Inspectors also needs to be monitored and they may be apportioned responsibility if repeated incidents of SPAD are noticed amongst LP/ALPs in their jurisdiction.

7.0 It is clarified that passing of penalty orders shall be governed by the statutory rules i.e. the Railway Servants (Discipline and Appeal) Rules, 1968 and the instant instructions are being issued to the Disciplinary Authorities for their guidance while their right to impose a penalty by independent application of mind in accordance with the provisions of the said rule is not being interfered with in any manner.

8.0 The above norms shall come into force with effect from the date of issue of this letter.

9.0 SPAD cases which occurred before the date of issue of this letter shall be decided based on the prior instructions.

10.0 Please acknowledge receipt.

H. C. Banga
(H.C. Banga)
Deputy Director/Safety (A&R) III
Railway Board
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