



National Federation of Indian Railwaymen

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to :

Indian National Trade Union Congress (INTUC)
International Transport Workers' Federation (ITF)

No. II/34/Part 16

Dated: 18/05/2017

The Chairman,
Railway Board,
New Delhi
Dear Sir,

Sub: NFIR's Charter of Demands – SPAD Definition to be reviewed to prevent harassment and victimization of Running and Safety categories' Staff (Item No. 30 of Charter of Demands)-reg.

Ref: (i) NFIR's letter No. IV/NFIR/WCM/209 dated 01/06/2013.
(ii) Railway Board's letter No. 2013/E(LR)-II/1/15 dated 02/09/2013 to GS/NFIR.
(iii) NFIR's letter No. II/34/Part XIII dated 10/02/2016.

While enclosing copy of its letter No. II/34/Part XIII dated 10/02/2016, on the subject, the Federation conveys its disappointment over non-responsive attitude of Railway Board on Federation's communication.

2. In this connection, Federation desires to bring to the kind notice of the Board (CRB) that the subject matter has also been dealt by the High Power Committee (R&S) constituted by the Railway Board to review the duty hours of Running and other safety related categories of staff and the HPC (R&S) gave recommendations vide Para 9.12 of its report as under:-

“Existing instructions of minimum punishment to staff for SPAD cases should be reviewed to ensure that the decision takes into account the gravity of the offence (repercussions of the SPAD) and also the Loco Pilot's past record [Para 4.3.1.3 (1)]”.

3. Federation however is surprised to note that the Railway Board had taken arbitrary decisions vide minutes of the meeting of the full Board held on 06/10/2015 & 08/12/2015 which were circulated vide No. E(LL)/2015/HPC/2/Pt. MS dated 01/02/2016 without caring to consult Federations.

4. Further to above, Federation conveys following points in support of our contention that there is urgent need to define 'SPAD' so as to ensure that conclusions are arrived yet judiciously.

- SPAD (Signal Passing At Danger) is an unusual occurrence and can happen on account of human failure or the failure of machine/equipment.
- Even the human failures could be due to the failure of brake or signalling system or incorrect operation of signal.

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- To monitor the SPAD cases DATA LOGGERS have been provided. It is also an admitted fact that reduction in the distance of Relay after the stop signal from 13 mtrs to 03 mtrs has been contributing for increase in the number of SPAD cases.
 - Though there is a provision in General Rules (GRS) that if a train stops at main line, the speed should be reduced to 50 Kmph at outer most facing point to reduce SPAD, the Loco Pilots are however afraid of adhering to the speed limit to avoid loss of punctuality in trains.
5. To minimize/eliminate the incidents of SPAD, Federation therefore suggests following measures:-
- The Home Signal of the station may be kept at an 'adequate distance' to reduce unusual occurrences. The adequate distance may be taken as the distance sufficient to ensure safety.
 - A Rectangular Safety Board be placed at about 100/150 mtrs before the Home Signal. The Board could be white with orange inclined alternative reflecting strips with printing thereon with the caption "**Loco Pilot to stop at this board and draw ahead up to Home Signal if Home Signal is at ON**".

Reports received by the Federation reveal that more than 80% of SPAD cases takes place when the Loco Pilot just passes the distance of 100 mtrs or below. These type of cases do not have financial or any other negative consequences whatsoever but the Loco Pilots are imposed with the penalty of removal from service which does not at all commensurate with the repercussion of such incidents. The authorities while imposing severe punishments do not care realize the truth as to how the Loco Pilot and family members would survive on account of loss of job. The quantum of punishment on alleged SPAD is also justifiably questionable, considering the fact that even a hard core criminal when sent to jail gets three times meal in the jail whereas the Loco Pilot and his family suffers without livelihood due to imposition of draconian penalty.

Keeping total position in view, Federation suggests that in place of "imposition of the penalty" of 'removal from service' on the Loco Pilots, it would be appropriate that the Loco Pilot concerned be taken off from the running duties and placed under "grounding from running duties pending enquiry". Thereafter, on completion of enquiry, opportunity be given for submitting appeal to the Branch Officer to consider the case whether the Loco Pilot be taken back on running duty. NFIR also reminds that the issue of SPAD cases was discussed with the Board (CRB, MS, FC, AMS) on 21/07/2016 informally, but however without any fruitful decision.

NFIR, therefore, requests the Railway Board to consider the above points and take a view to define SPAD to save the Running Staff from unnecessary victimization. Federation proposes separate meeting to discuss the issue threadbare. Federation hopes to get a reference in this matter soon.

DA/As above

Yours faithfully,

(Dr. M. Raghavaiah) =
General Secretary

Copy to the Advisor (Safety), Railway Board, New Delhi for information and necessary action please.

Copy to the Executive Director (IR), Railway Board, New Delhi for necessary action please.

Copy to the General Secretaries of Zonal Unions of NFIR.

Media Centre/NFIR.

File No. IV/RSAC/Conf./Part VII.

NFIR

National Federation of Indian Railwaymen

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to :

Indian National Trade Union Congress (INTUC)
International Transport Workers' Federation (ITF)



No. II/34/Part XIII

Dated: 10/02/2016

The Secretary (E),
Railway Board,
New Delhi
Dear Sir,

Sub: NFIR's Charter of Demands-SPAD definition to be reviewed to prevent harassment and victimization of Running Staff and Staff belonging to Safety categories (Item No. 30 of demands)-reg.

Ref: (i) NFIR's letter No. IV/NFIR/WC/209 dated 01/06/2013.
(ii) Railway Board's letter No. 2013/E(LR)-II/1/15 dated 02/09/2013 addressed to the GS/NFIR.

Federation invites attention of the Railway Board to the minutes of the meeting held by Railway Board (CRB, MS & FC) with NFIR on 23/08/2013 wherein NFIR's 34 Point Charter of Demands was discussed. The Railway Board while conveying comments on the 34 Point Charter of Demands vide letter cited under reference had advised following position in respect of demand No. 30 on the subject:-

"Definition of SPAD is not laid down as such. Any passing of 'stop' signal (except permissible signals and those permitted under certain rules such as Automatic signals) at danger by a loco without authority is treated as SPAD irrespective of distance travelled by Loco after passing a signal at danger. Safety Directorate is of the view that the same should continue.

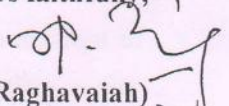
However, Railways were asked to give their suggestions with regard to review of punishment norms issue by Railway Board including those for SPAD.

Replies received from Railways are being compiled and changes proposed, if any, will be put up for perusal and approval of Board".

Thereafter, a period of more than two years has passed, the position relating to changes proposed and the decision of Railway Board thereon is yet to be communicated to the Federation.

NFIR, therefore, requests the Railway Board to apprise the Federation the proposed changes and the decision taken by the Board at an early date. The Federation also requests to make available the suggestions received from railway early.

Yours faithfully,


(Dr. M. Raghavaiah)
General Secretary