

**M.C.O.C. SPECIAL CASE NO. 21 OF 2006****DATE:20TH OCTOBER 2011****EXT. NO.1680****DEPOSITION OF WITNESS NO.156 FOR THE PROSECUTION**

I do hereby on solemn affirmation state that:

My Name : Samir Lohani  
Age : 39 years  
Occupation : Service (Indian Railways)  
Res. Address : Bungalow No.2, Railway East Colony, Jamalpur,  
Dist-Munger, Bihar-811214.

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**Examination-in-chief by SPP Chimalkar for the State**

1. I was posted as Sr. Divisional Safety Officer in Mumbai Division office of Western Railway in 2006. I am posted as Professor, Indian Railways Institute of Mechanical and Electrical Engineering, Jamalpur at present. The Divisional Railway Manager, Western Railway, Mumbai Central, Mumbai forwarded a letter to me sent by ACP S. L. Patil of ATS, Mumbai. The letter now shown to me is the same, it bears the inward stamp of my office. (It is marked as **Ext.1681**). Its contents are as per the original letter that is in my file. The ATS requested by that letter to send information about the revenue loss suffered by the railways due to suspension/ cancellation of railway

traffic, total amount of compensation paid to the next of kin and the injured, amount paid to various hospitals and other expenses in connection with the blasts in the western local railways on 11/07/06. I called for the information from the concerned various departments. I collected it and forwarded it to ACP, ATS. The letter now shown to me is the same, it bears my signature. The contents of the letter and the contents of the two annexes along with it are correct. (It is marked as **Ext. 1682** (3 pages)). The annexes are photocopies. I have the originals with me. The damage to property was assessed at Rs. 88,66,239/-. The figures of compensation that were given in the above letter were of the compensation given at that time, which was just a start of the claims. The total money paid in case of death, grievous injuries and simple injuries by the railway administration lastly is Rs. 12,45,50,000/-. Besides this, railway claims tribunal has decreed 732 claims and awarded Rs. 9,37,72,000/- as compensation. I have given these figures on the basis of the information that I collected from the Western Railway Headquarters, Mumbai, which they have sent to the railway board. I am producing the office copy of the official correspondence made by Dy. Chief Claims Officer,

Headquarters office, Churchgate, Mumbai to the Dy. Director, TC-III, Railway Board, Mumbai along with two annexes. (It is marked as **Art-369 (3 pages)**).

**Cross examination by adv Wahab Khan for A2, 7, 10 & 13**

2. My statement was not recorded. I have not replied to any application under the RTI. A standard procedure is followed for determining the compensation to be awarded in case of deaths and injuries. In case of an accident, an FIR is first registered in the railway police station. Memorandum of *post-mortem* examination and injury certificates are collected. Statements of witnesses are recorded. The claimant collects copy of FIR, copy of *post-mortem* report or injury certificate and his statement or statements of witnesses and annexes them with the claim form and file certificate. I had no occasion to deal with such type of claim application in this case. I was not dealing with such cases, therefore, there was no question of I coming across any case of grant of compensation without there being any statement of witness.
3. The trains have a fixed time schedule and destinations. However, the platforms where they would halt are not fixed. Platforms

may be changed in case of operational exigencies. Record is maintained about scheduled time of arrival and departure of a train and also about the actual time of arrival and departure. I do not know whether the investigating railway police or the ATS had asked for these timings in connection with the seven trains involved in the blasts. I cannot tell these timings of those trains today as I was not dealing with it. I cannot say how many passengers travel in a first class bogie during peak hours. I cannot tell about the sitting and standing capacity of a first class bogie.

**Cross-examination by Adv P. L. Shetty for A3, 8, 9, 11**

4. Declined.

**Cross-examination by Adv Wahab Khan h/f Rasal for A1 & 4 to 6**

5. Declined.

No re-examination.

R.O.

**Special Judge**

**Date:-20/10/2011**

**(Y.D. SHINDE)  
SPECIAL JUDGE  
UNDER MCOC ACT,99,  
MUMBAI.**