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THE HINDU ANALYSIS – 06 JUNE 2023



EDITORIAL 1 : CREEPING CHANGE: ON THE HIGH COURT RULING IN THE GYANVAPI MOSQUE CASE

CONTEXT

- By holding that a suit filed by five women to offer worship to Hindu deities at the Gyanvapi Mosque in Varanasi was maintainable, the Allahabad High Court has possibly legitimised a clever attempt to question its status.

THE JUDICIAL VERDICT

- In an order that upholds a district court verdict to the same effect, Justice J.J. Munir has ruled that the suit is limited in scope to enforcing the plaintiffs' right to worship Hindu deities and that it is not an attempt to convert the mosque into a temple.
- As a result, he has held that the suit is not barred by the Places of Worship (Special Provisions) Act, 1991
- In the process, the court has rejected the objections by the Committee of Management of the Anjuman Intezamia Masjid, Varanasi, that the suit is barred by the 1991 law, as well as the Uttar Pradesh Wakf Act, 1995, and the U.P. Sri Kashi Vishwanath Temple Act, 1983.

IMPACTS OF THE VERDICT:

- Given the fact that Hindu revanchism has been quite active in claiming that several places of worship of Muslims had been constructed on the ruins of Hindu temples after their demolishment (eg, Ayodhya Ram mandir/ Babri mosque issue), it is a matter of concern that the judiciary has endorsed the use of legal means to lay the foundation to building a possible future claim on the Gyanvapi Mosque.
- The court is right in noting that while deciding a motion to reject a civil suit at the threshold, it has to limit itself to the assertions made in the plaint. The plaintiffs have claimed that Hindu deities were being worshipped at the mosque precincts before and after August 15, 1947. In particular, they have

claimed that daily worship of Hindu deities was going on at Gyanvapi till 1990, after which it was suspended at the peak of the movement against the Babri Masjid in Ayodhya. After 1993, it was limited to a single day every year.

- A relevant question is whether it is merely a suit to assert a right to worship, or if it is part of a larger design. The court has rejected the objection that the suit is an instance of 'clever drafting' to cover up an attempt to change the mosque's status.
- However, it should be noted that the plaintiffs also question whether the mosque was built on Wakf property, and assert that property vested in the deity would remain with the deity even if the structure was destroyed.

CONCLUSION:

- It will be truly unfortunate if the customary right of worship is allowed to lead to incremental or creeping changes to the mosque's status.

EDITORIAL 2 : UNDERSTANDING THE KAVACH SYSTEM

CONTEXT:

- The death of over 288 passengers in the ghastly train accident on June 2 at Bahanaga Bazaar railway station in the Balasore district of Odisha has brought into sharp focus the safety mechanisms needed to prevent such tragedies.

WHAT IS KAVACH?

- The KAVACH is an indigenously developed **Automatic Train Protection (ATP) system** by the **Research Design and Standards Organisation (RDSO)** in collaboration with the Indian industry.
- The trials were facilitated by the South Central Railway to achieve safety in train operations across Indian Railways. It is a state-of-the-art electronic system with **Safety Integrity Level-4 (SIL-4) standards**. 'Kavach' is one of the cheapest technologies where the probability of error is 1 in 10,000 years.
- It is meant to provide protection by preventing trains to pass the signal at Red (which marks danger) and avoid collision. It activates the train's braking system automatically if the driver fails to control the train as per speed restrictions. In addition, it prevents the collision between two locomotives equipped with functional Kavach systems.
- The system also relays SoS messages during emergency situations. An added feature is the centralised live monitoring of train movements through the Network Monitor System.

HOW DOES KAVACH WORK ON RAILWAY SYSTEMS?

- The **Traffic collision avoidance system (TCAS)**, with the help of equipment on board the locomotive and transmission towers at stations connected with **Radio Frequency Identification (RFID) tags**, helps in two-way communication between the station master and loco-pilot to convey any emergency message.
- The instrument panel inside the cabin helps the loco-pilot know about the signal in advance without visual sighting, and the permissible speeds to be maintained.
- If a red signal is jumped and two trains come face to face on the same line, the technology automatically takes over and applies sudden brakes.

Additionally, the hooter activates by itself when approaching a level crossing which serves as a big boon to loco-pilots during fog conditions when visibility is low.

REASONS FOR THE ACCIDENT AND EXTENT OF DEPLOYMENT OF KAVACH:

- Both the Shalimar-Chennai Coromandel Express and the Yeshwanthpur-Howrah Express were not fitted with KAVACH-TACS. But Jaya Varma Sinha, a member of the Operation and Business Development, **Railway Board**, reasoned that the reaction time and distance were very short as the train was travelling at a very high speed.
- South Central Railway (SCR) Zone is a pioneer in the implementation of the KAVACH – (TACS). The Kavach system has been deployed over 1,465 kms in the SCR limits in 77 locomotives and 135 stations till March this year. Additionally, the Secunderabad-based Indian Railways Institute of Signal Engineering & Telecommunications (IRISET) hosts the 'Centre of Excellence' for Kavach. IRISET has been mandated by the Railway Board to train the inservice railway staff on Kavach. The Institute's Kavach lab carries out round the year training programmes.

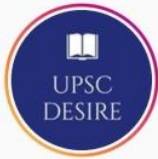
WAY FORWARD IN RAILWAY SAFETY:

- Kavach implementation is being taken up in a focused manner by the Railway Board. The first priority are the High Density Routes and the New Delhi-Mumbai and New Delhi-Howrah Sections, as they have higher chances of accidents because the trains run closer to each other.
- The second priority lines are the Highly Used Networks, the third ones are other Passenger High Density Routes and the final priority is of course to cover all other routes.
- RDSO has approved three firms for providing Kavach equipment with two more being in the pipeline. Glitches about vulnerability of a vehicle crossing a closed level crossing, stray cattle or boulders on track, radio communication issues in tunnels, ghat sections, have been tackled.

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