

RAILWAYS TO SECURE SIGNALLING EQUIPMENT WITH DOUBLE LOCKS

Month-long safety drive to be launched to ensure cabins which house such equipment are provided with a dual-lock access system; officials told to inspect and ensure that an SMS alert is generated upon opening or closing of relay rooms

Days after the devastating three-way train accident in Odisha, which claimed the lives of 275 passengers and left more than 900 injured, the Indian Railways has decided to secure the goomties that house signalling equipment on railway station premises with a double-lock arrangement.

A goomty is a small cabin at level crossings or near stations where railway equipment is kept.

In a circular to the General Managers of all Zonal Railways on Monday, Tej Prakash Agrawal, Executive Director, Safety, Railway Board, directed them to launch a month-long safety drive to ensure that the goomties located within the railway station limits are provided with double locks.

The instructions to secure the signalling equipment come at a time when a signalling failure is suspected to be the reason why the Shalimar-Chennai Coromandel Express entered the loop line while its signal was cleared for passage on the main line at the Bahanaga Bazaar station in Balasore district of Odisha.

Senior officials were told to inspect and ensure the existing double-locking arrangement for relay rooms, a sensitive installation that controls the signals, points and the interlocking system at railway stations, where the stationmaster would have one key and the signal maintainer the other. They were also told to ensure that an SMS alert is generated upon opening or closing of relay rooms.

Railways to secure signalling equipment

The superfast express collided with a stationary goods train on the loop

line. Some coaches fell on the adjacent line causing the derailment of the Yeshwantpur-Howrah Express which entered the station at the same time.

The dual-lock access control is to ensure that standard safety guidelines are followed while accessing signalling equipment. Officials were told to check whether the norms and guidelines in the process of disconnection and reconnection of signal and telecommunication equipment were being scrupulously followed by the station staff.

Shailendra Kumar Goel, former Director-General, Indian Railway Institute of Signal Engineering and Telecommunications, told The Hindu that the Odisha accident took place on one of the busiest routes of the Railways where the line capacity utilisation was in excess of 100%. On such busy routes, hardly any time is given to the staff for carrying out maintenance or repairs. The maintenance personnel need a block or disconnection (temporary suspension of the signalling system at the station) to carry out maintenance of signalling equipment or to attend to repairs, he said.

"Since blocks are not routinely available on high-density routes, signalling and station operating staff often breach the prescribed safety protocols and informally access the sensitive installations. It is suspected that the Coromandel Express accident might have been caused by such unauthorised tampering of the signalling system where the signal was given for main line passage and the point [movable rails] took the train to the loop line," he said.

However, Mr. Goel said, an in-depth investigation by an expert investigating agency was needed to ascertain the real cause of the accident.

INDIA, U.S. FINALISE ROAD MAP FOR DEFENCE INDUSTRIAL COOPERATION

India and the U.S. on Monday concluded a road map for 'Defence Industrial Cooperation' which shall guide the policy direction for the next few years towards cooperation in high technology areas and identifying opportunities for co-development and co-production. This was concluded during the bilateral meeting between Defence Minister Rajnath Singh and visiting U.S. Secretary of Defence Lloyd Austin.

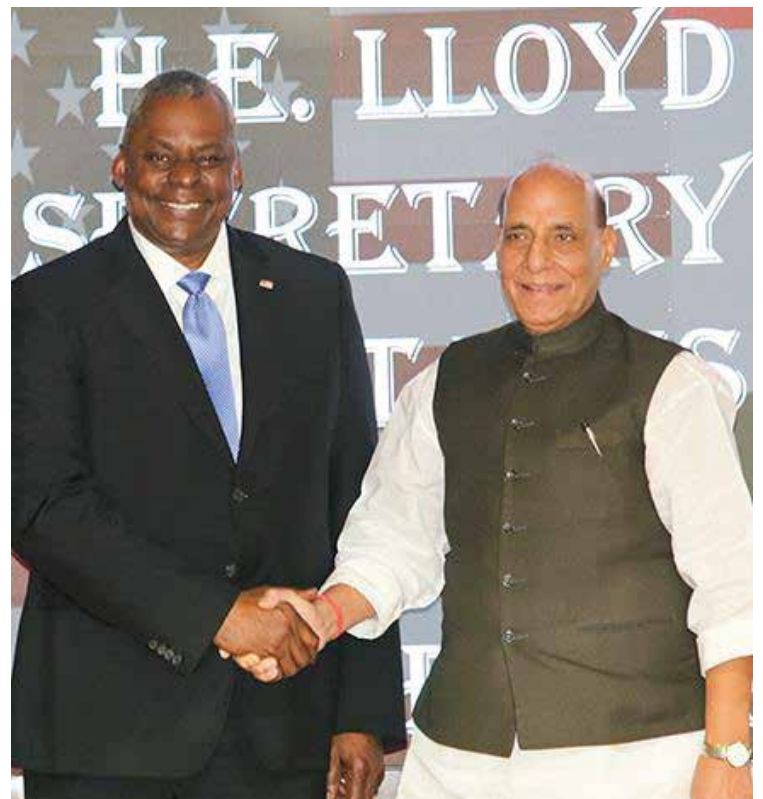
"The two Ministers explored ways of building resilient supply chains. Both sides will identify opportunities for co-development of new technologies and co-production of existing & new systems and facilitate increased collaboration between defence start-up ecosystems of the two countries. Towards these objectives, they concluded a road map for U.S.-India Defence Industrial Cooperation which shall guide the policy direction for the next few years," a Defence Ministry statement said. "The two sides discussed a substantial range of bilateral defence cooperation issues, with particular focus on identifying ways to strengthen industrial cooperation."

Mr. Austin reached India on Sunday evening from Singapore on a two-day visit. He was given a tri-service guard of honour on Monday. After the meeting, Mr. Singh said on Twitter that the talks revolved around enhancing defence cooperation in several areas, including convergence of strategic interests and enhanced security cooperation.

"India-U.S. partnership is critical for ensuring a free, open and rules-bound Indo-Pacific region. We look forward to closely work with the U.S. for capacity building and further consolidating our strategic partnership," he said.

Both sides reviewed the robust and multifaceted bilateral defence cooperation activities and agreed to maintain the momentum of engagement, the statement said, while noting that they welcomed the inaugural dialogues held recently focusing on defence Artificial Intelligence and defence space.

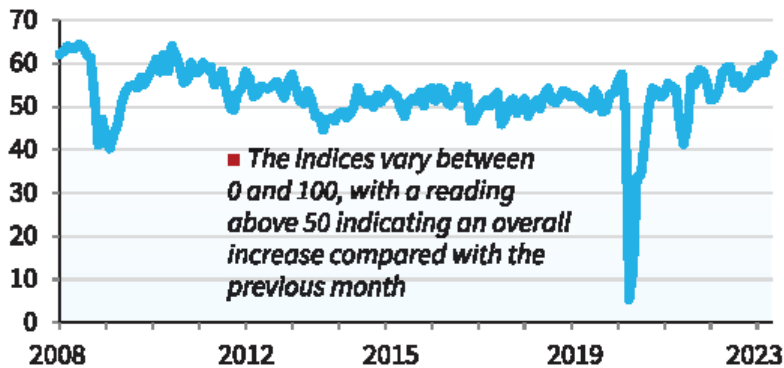
"They also discussed the regional security issues given their shared interest in maintaining peace and stability in the Indo-Pacific region," the statement added.



SERVICES PMI SIGNALS SUSTAINED GROWTH PACE

Getting down to business

Despite falling from 62 in April to 61.2 in May, the seasonally adjusted S&P Global India Services PMI Business Activity Index signalled the second-fastest expansion in output in 13 years



Services sector output grew at the second fastest pace in 13 years in May, as per the S&P Global India Services PMI Business Activity Index, which

eased to 61.2 from 62 in April. This triggered an uptick in new jobs that was the highest so far in 2023.

Positive demand trends also persisted from overseas markets, with export orders rising for the fourth successive month and at the highest pace this year, the survey showed. Favourable demand conditions, new client wins and positive market dynamics supported output, S&P Global Market Intelligence wrote in a note.

Firms reported a surge in costs of inputs, as well as food, transportation and wage costs, at a pace that was the highest since December. Consequently, firms raised service charges in May at a pace that has only been witnessed once in the past six years.

The highest increase in input costs was faced by consumer services companies, while transport, information and communication firms raised service charges for customers at the steepest rate.

While firms remained upbeat about business volumes growing a year from now, overall confidence levels fell marginally from April's levels, with some concerns about competitive pressures building up.

Persisting challenges

While the index indicates demand resilience and output growth, inflationary pressures continued to pose a challenge, said Pollyanna De Lima, economics associate director at S&P Global Market Intelligence.

"Ongoing increases in output charges could erode purchasing power, affect the affordability of services and potentially dampen economic growth, companies could be seeking operational efficiencies and exploring alternative sourcing options to navigate through these challenges," Ms. De Lima said.

EYE ON OIL

India must bring pump prices of petrol and diesel in line with global oil prices

The world's largest grouping of crude oil producers, commonly known as OPEC+, agreed on Sunday to extend ongoing production cuts into 2024 as it seeks to keep oil prices from falling amid concerns about a global economic slowdown. OPEC major and leading producer Saudi Arabia also voluntarily vowed to reduce output by an extra 1 million barrels per day (bpd) in July, sending international oil future contracts higher on Monday. The more than 20-nation OPEC+ bloc, which has been striving to curtail supply in order to support prices in the face of flagging demand, had in a surprise move in April announced additional output cuts amounting to 1.66 million bpd. That move's impact on prices was, however, shortlived and benchmark Brent crude futures have largely remained below \$80 a barrel, after briefly rising above \$87 in the wake of the surprise output cut in April. For India, which imports more than 80% of its crude oil requirements, the combined Saudi-cum-OPEC+ announcements of supply curtailment are a cause for some concern given the potential they have to push up global oil prices. Still, with India having sharply increased its purchase of crude from Russia since Moscow's invasion of Ukraine and the consequent western sanctions against Russian energy exports, the price India pays for an imported barrel of oil has been steadily declining.

As of last week's close, the average monthly price of India's crude oil

basket had declined by as much as 38% from its June 2022 peak of \$116.01 a barrel to \$72.39. While there is a good likelihood for some near-term uptrend in global oil prices as a result of the latest OPEC+ move, India has through its stepped-up imports of Russian crude — it bought a third of its oil from the sanctions-hit country in March — substantially buffered itself from any appreciable adverse impact. Still, the softening in crude purchase prices has not percolated to the Indian consumer. Pump prices of petrol and diesel have remained unchanged since May 22, 2022, with the governments at the Centre and the States, and the oil marketing companies unwilling to forego any revenue, possibly as a way of insulating themselves from any rise in costs in the future. With retail inflation showing signs of easing in recent months and private consumption spending data showing a distinct lack of vigour as a result of the inflationary erosion in consumptive capacity, policymakers must reassess their stand on fuel prices. While the demand for bringing oil products under the ambit of GST so as to help rationalise fuel prices is unlikely to be met any time soon, especially given the revenue implications for States, the Centre can take the lead and provide a fiscal fillip to the economy by cutting its levies on the key transport fuels.

IN THE SHORT TERM, STABILISE THE LINE OF ACTUAL CONTROL

For the last few years, the situation on the Line of Actual Control (LAC) has continued to remain extremely tense; it has just stopped short of a war, with the Doklam and Galwan crises. Every now and then, the media reports incidents of transgressions and stand-offs between Indian and Chinese troops at the LAC even as both countries incur a huge expenditure in ensuring defensive preparedness as well as better military infrastructure as they induct men, material and equipment close to the LAC.

Need for stability

After Galwan, we have seen one of the biggest mobilisations of Chinese forces into Tibet. There has also been an increase in rhetoric and jingoism in both countries, calling for more aggression. The seriousness of the matter can be gauged from the statement made recently by India's External Affairs Minister S. Jaishankar at a media group's meet — that "the situation along the LAC in Eastern Ladakh remains very fragile and quite dangerous in terms of military assessment". This state of affairs is not sustainable and can trigger a major conflict, thereby destabilising the entire region and adversely impacting the world, politically and economically. Therefore, it is in everyone's

interest that the LAC is made stable and the two giant neighbours see a benign rise.

The complexity of the India-China border problem precludes a permanent solution on an immediate basis. Chinese territorial claims include the entire Arunachal Pradesh and the occupied Aksai Chin. No Chinese government, more so the present one under Xi Jinping, is likely to tone down the narrative that has been built over a long time, which claims Ladakh and Arunachal Pradesh as two of the five fingers that are attached to the Tibetan Palm.

Similarly, the Indian political establishment is not in a position to make any concessions to facilitate a mutually acceptable border settlement. Thus, it is better that both sides consider taking short-term but effective and pragmatic steps to stabilise the LAC, reducing the possibilities of a conflict. For India, it is all the more important that LAC disputes do not escalate into full-fledged conflicts because despite the assurances made by the government, there is no surety that the results of war will be favourable to us.

Agreements and inadequacies

The India-China engagement got an impetus after the visit by then Indian Prime Minister to China in December 1988. Since then, four agreements have been signed between the two countries (in 1993, 1996, 2005 and 2013) to maintain peace along the LAC, laying the framework for dealing with the border issue and covering the spectrum of engagement from the highest levels of government to border personnel meetings in the field. For more than two decades, these arrangements have served their purpose well. However, the heightened tension on the LAC suggests that there are inadequacies in the agreements.

The agreements are based on the premise that the LAC is mostly defined and understood by both parties. However, this is not the case and there are large segments which lack clarity.

Article I of the 1993 Agreement stipulates the creation of joint mechanisms to verify and settle LAC-related disputes. After 19 years, the Working Mechanism for Consultation and Coordination on India-China Border Affairs (WMCC) was created in 2012. It meets twice in a year but has little to show in terms of results on the ground.

The 3,488 kilometre-long LAC has only four Border Personnel Meeting (BPM) points; the Lipulekh BPM Point which was proposed in the Article V of the 2005 Protocol has not been established till now. The paucity of BPM points precludes constructive engagement between the troops on the ground resulting in the escalation of disputes.

A mutually agreed reduction and redeployment of forces along the LAC, as in Article II of the 1993 Agreement and Articles II and III of the 1996 Agreement, has not seen any progress.

The current mindset among the Indian security establishment is to be

“unyielding” with China as it is felt that the “salami slicing tactics” of the Chinese must be halted. While firmness is essential, there is also a need to identify the reasons for rising clashes on the LAC and working on solutions. The opinion is that aggression is not the only reason for the rise in LAC incidents; the quantum jump in surveillance technology provides visibility of movement of opposing forces in areas that were blind spots earlier. This coupled with increased troop density, better roads, improved logistics and availability of aviation assets enhance the reaction capability, thereby increasing the face-offs and clashes. Consider these steps

Whatever be the reasons, the situation needs to be brought under control and chances of a full-fledged conflict minimised. These steps are recommended to usher peace and stability on the LAC.

Convert the LAC into a Line of Control (LC) by delineating it on the map and on the ground without prejudice to border claims. This will reduce the urge among the forward troops to inch forward. This may seem difficult but can be implemented with a display of maturity by both sides and with the use of technology.

The disputed areas on the LAC can be treated as no entry zones; alternatively, both sides should be allowed to patrol these areas as per a mutually agreed frequency.

Joint patrolling of the disputed areas must also be explored as this can result in the maintenance of status quo and an increase in confidence.

Existing Confidence Building Measures and engagement mechanisms need to be strengthened by providing more teeth to the WMCC and establishing more BPM points so that local issues can be resolved quickly.

WHAT IS AFFECTING TRADE MOMENTUM?

What are the essential headwinds observed with respect to global trade? How is the Russia-Ukraine conflict affecting trade in the international market? Why has there been an overall decline in the demand for goods and services? How has the collapse of financial institutions affected trade?

EXPLAINER

The story so far:

Mired in a slowing economy, inflationary setting and tighter monetary controls worldwide, India's merchandise exports shrunk 12.7% on a year-on-year (YoY) basis to \$34.66 billion in April — a six-month low. Imports fell sharper by 14% to \$49.90 billion during the same period. As reported by The Hindu earlier, the fall in imports and exports is not limited to India as other countries too have recorded similar declines — affirming the notion about slowing global demand.

What are the current underlying trends in global trade?

The essential headwinds observed with respect to global trade are weaker economic activities worldwide, inflation and tightening of monetary policies, disrupted supply chains because of the Russia-Ukraine conflict and financial instability because of the collapse of several financial institutions in advanced economies.

The ongoing conflict in Eastern Europe continues to have a bearing on the prices of energy, food and commodities. As observed by the World Trade Organization (WTO), though food and energy prices receded from their post conflict peaks by the fourth quarter last year, “they remained high by historical standards and continued to erode real incomes and import demand” during the mentioned period. The impact of energy prices was strongest during the winter months in Europe as Russia was among the largest suppliers of energy to Europe before it was sanctioned. Europe responded to the loss of gas shipments from Russia by shifting to other suppliers, including the U.S., Qatar, Norway and Algeria. This potentially increased LNG prices elsewhere such as Japan, where the prices doubled between January last year to February this year.

The collapse of financial institutions — such as of the crypto exchange FTX (November 2022) alongside three banks in the U.S. since March (the Silicon Valley Bank, Signature Bank and First Republic Bank), and the loss of confidence in Credit Suisse added to the troubled scenario. As the United Nations Conference on Trade and Development (UNCTAD) in its latest update (in April) concluded, the events raised “the spectre of financial contagion in an already slowing economy”.

What are we looking at?

The EU is India's third largest trading partner after the U.S. and China. The European Economic Forecast (published in February) held that the region would “narrowly escape the recession” that took shape around September. As for the U.S., in May, Fed Chair Jerome Powell said that inflation had “somewhat”

moderated since the middle of the last year. Nonetheless, inflation pressures continued to run high with expectations of it receding to 2% having a “long way to go”. The JP Morgan Global Manufacturing Purchasing Managers' Index (PMI), compiled by S&P, registered 49.6 in May — unchanged for the third consecutive month and indicating a marginal deterioration of business conditions. The indicator is used to assess manufacturing business conditions.

How are these related to trade?

To put it simply, in a period of economic slowdown, international trade, both exports and imports, falls sharply as overall demand for goods and services stand reduced. There is an aversion for discretionary spending which particularly weighs on some imports and postponable expenditures. It is in this light that the exports of engineering goods, gems and jewellery, chemicals, and readymade garments and plastics, along with petroleum products contracted or grew at a slower pace in 2023. Similarly, inflation, the uneven rise in prices especially of essentials such as food and energy erodes the purchasing power of an individual. Additionally, inflation also affects the flow of capital to a developing country. Important to note, the share of exports of goods and services combined in GDP stood at 21.4% in FY 2021-22.

What next?

On May 15, Santosh Kumar Sarangi, Director General of Foreign Trade and Additional Secretary in the Ministry of Commerce had said, “Global demand is not looking good from markets like the EU and the US. For the next two-three months, the demand scenario doesn't look very optimistic,” adding that the government will initiate inter-ministerial talks to find ways to diversify and sustain the exports momentum.

Likewise, Rumki Majumdar, Economist at Deloitte India told The Hindu that a global slowdown, especially in the U.S. which is our major trading partner would have implications on demand for our merchandise exports. High base effect may also reflect on growth numbers. “However, services exports will hold the fort. Imports may remain low as commodity prices and INR value stabilise. However, quicker recovery may add pressure on import demand.”

As for the concern about lower imports, Ms. Majumdar points to the non-crude non-jewellery segment that has grown by 15% in the last fiscal — higher than the long-term average growth. “This shows that domestic demand remains robust. A cyclical correction should not be seen as a slowdown. Lower imports have been because of stable oil prices, reducing our imports bills.”

WE AIM TO INSPIRE YOU

GOVT. ASKS AIRLINES TO MONITOR AIRFARES ON GO FIRST'S ROUTES

Spotlight on fares

The Civil Aviation ministry has asked airlines to 'self-monitor' airfares on routes that were served by Go First

- The suspension of flights by Go First led to a surge in ticket prices at its rivals
- Ministry asks airlines to develop mechanism to ensure reasonable pricing within highest fare buckets
- Almost 100 aircraft grounded due to delays in delivery of engines, spare parts leading to a shortage of seats



Airlines told to keep a check on last-minute airfares in the wake of a surge in the prices of tickets; Ministry of Civil Aviation asks carriers to monitor prices during calamities like Odisha train crash

The Centre wants airlines to "self-monitor" their fares on routes that were earlier served by Go First after the suspension of flights by the latter resulted in a surge in ticket prices at its competitors. The carriers have also been told to keep a check on their costliest airfares, typically levied on seats sold closest to departure or on the last batch of available seats.

"Airlines must self-monitor airfares on certain select routes that have seen considerable surge pricing of late, particularly those that were earlier being serviced by Go First," the Ministry of Civil Aviation said in a statement after a meeting with airlines.

It has also asked airlines to develop a mechanism to ensure reasonable pricing within the highest fare buckets, which would be monitored by the DGCA. Multiple issues such as supply chain constraints which have grounded almost 100 aircraft due to delays in delivery of engines and spare parts, suspension of flight operations, as well as peak travel demand during the summer holidays has resulted in a surge in spot fares and fares booked 15-days in advance.

The ministry has also asked carriers to monitor prices during calamities like the Odisha train crash.

OPEC+ DEAL SWELLS RISK OF OIL PRICE RISE: BIROL

The head of the International Energy Agency (IEA) on Monday said that the chance of higher oil prices had increased sharply after a new pact between producers to limit supply.

The OPEC+ group of oil producers, which comprises the Organization of the Petroleum Exporting Countries (OPEC) and allies including Russia, agreed on a new oil output deal on Sunday.

The prospect of higher prices has "increased a lot" as a result of the deal, Fatih Birol, the IEA's executive director, told a meeting of global airline leaders.

Mr. Birol added that there was an imbalance in the global oil market in the second half of this year already, and that the situation would worsen after the latest OPEC+ decision to reduce oil output.

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'CURBING CYBER RISK REQUIRES GLOBAL EFFORT'

With growing interconnections across the world, curbing cyber risk requires international effort, Reserve Bank of India (RBI) Deputy Governor M.K. Jain said at an event held on Monday in Mumbai

He said India's supportive regulatory environment, with its focus on safety, speed and scalability, has positioned the country as a leader in payment system innovation.

Since cyber threats transcend geographical boundaries, he said, countries and financial institutions must work together to address them.

Calling for collective action Mr. Jain said, "the global financial system's interdependencies need to be better understood by mapping key operational and technological interconnections, including that of critical infrastructure."

He said a minimum common framework for cyber-security needs to be devised that outlines best practices and standards for financial institutions to follow. This can help ensure that all institutions are taking the necessary steps to protect themselves from cyber threats, he added.



*I didn't fail the test,
I just found Hundred ways to do it wrong.*

- BENJAMIN FRANKLIN

HOW CAN THE WOES OF DELHI METRO USERS BE SOLVED?

What are some solutions to reduce overcrowding in metros? How have other countries tackled the issue?

The story so far:

Traffic and congestion on Delhi roads have often caught the ire of daily commuters, but now overcrowded metros are adding to the chaos. Delhi is expected to become the world's largest agglomeration around the year 2028, according to a UN survey. Residents in the capital city have gravitated towards metro trains which is the most common mode of public transport. But in a span of few years, the Delhi metro, which began its first service in December 2002, faces the challenge of being overly crowded, especially during peak hours. The network spans the length and breadth of Delhi and the National Capital Region (NCR) and carries over 20 lakh passengers every day.

How are countries like Israel and Japan tackling overcrowding?

The Delhi Metro faces an ever-growing ridership, and the space to move around in trains during peak hours is becoming limited. Delhi must look at solutions which involve re-designing space in metros by adopting folding seats, double-decker metros and wider standing. Israel Railways has introduced standing carriages as part of efforts to reduce overcrowding in local trains. The new strategy in Israel will feature folding seats and handles, while regular seats and tables will be dismantled from the floor.

Delhi can try to adopt similar although less extravagant, quid pro quo solutions to tackle the unbearable congestion in morning peak-hour trains. Another example is from the Tokyo Metro which is the fastest tube across the world. The Tokyo metro recently made international headlines when it started giving commuters free food coupons for staple Japanese dishes served in local restaurants like a bowl of soba noodles (thin buckwheat noodles) and tempura to those who use pre-peak hour trains for 10 consecutive days. Specifically, the Tozai line of the Tokyo metro is the most crowded, linking the city's business hub to the suburb of Chiba. According to a report, it was found that the Tozai line had a 199% congestion rate before the scheme. For comparison, a 100% congestion rate means there are no free seats. And a 200% congestion rate means bodies

come into contact with each other and one feels considerable pressure.

What are some solutions for Delhi?

The right set of policy actions and public investments can help leverage large-scale private investment in this sector and find new solutions. Modernising trains built to meet smaller passenger rates, expanding and improving existing networks, combined with modernisation of signalling systems and rolling stock, are some solutions the private sector can help with. One of the biggest problems that gets the least attention is the lack of focus on last-mile connectivity in Delhi public transportation.

Although there are almost 18 multi-level parking facilities across Delhi, nearly all of them remain underutilised. For instance, the North Delhi Municipal Corporation's state-of-the-art seven-storeyed, automated underground parking at Kamla Nagar, which was constructed in 2013, lies almost empty during peak business hours. Better use of these public parking spaces will encourage people to not park on roads and cause further traffic jams. Every metro station provides parking spaces for people to close the gap of long distances between one's residence and the nearest metro station.

What has the budget stressed on?

The new budget proposal tabled by the Government of the National Capital Territory of Delhi makes promises of upscaling the bus transport system and augmenting its electric bus fleet. The capital outlay under this has set aside ₹28,556 crore to induct electric buses; ₹3,500 crore to improve Delhi's public transport system; ₹1,500 crore for electrification of 57 bus depots; 1,600 new electric buses; 900 EV charging points; and a Mohalla bus scheme for last mile connectivity. This 'mohalla bus' scheme ensures last mile-connectivity and the development of three ISBTs (Inter-State Bus Terminus) with airport-like facilities in Delhi. The government also plans to develop 1,400 bus queue shelters with digital screens that will display bus schedules.

Tanya Mittal works with the FICCI International Division

TRAGIC TRACK

The Railways must not lose focus on safety as it expands its services

The rail accident in Balasore in Odisha on June 2, involving the collision of three trains, is a tragic reminder of the challenges that India faces in modernising and expanding its rail services. At least 275 people were killed and over 900 injured when the Shalimar-Chennai Coromandel Express, the Yesvantpur-Howrah Express and a freight train collided in the worst rail accident in two decades. But an accident of this kind had been foretold, as recently as February this year when a collision between two trains was averted at Hosadurga Road Station in the Birur-Chikjajur section of the Mysore Division of the Railways, thanks only to an alert loco pilot and the moderate speed of the train, which could be brought to a stop. The train had gone off its intended track, which was reported as a result of faulty signalling system and dangerous human intervention. An official record of that incident called for "immediate corrective actions... to rectify the system faults and also sensitizing the staff for not venturing into shortcuts". The accident in Balasore, it now appears in a preliminary inquiry, followed the same disastrous sequence of mechanical failures and human errors.

The Indian Railways carries nearly 15 million passengers every day now compared to the peak of 23 million a day the year before the COVID-19

pandemic. India has an ambitious plan to improve its rail infrastructure, and in the year 2023-24, ₹2.4-lakh crore has been allocated for capital expenditure. Accidents per million train kilometre have fallen over the last decade, but poor maintenance of tracks and the rolling stock and overstretched staff are problems that the Railways can no longer camouflage with glitzy facades. Safety measures including anti-collision systems are expanding, but evidently not at an adequate pace. In 2021, the Prime Minister announced that 75 new semi-high speed trains labelled Vande Bharat would be started over 75 weeks, and several have been started already. There has been attention on passenger amenities also, but nothing can be more important than safety. The accident in Balasore should prompt India's railways development plans onto the right track. Speed should be strived for, but safety is paramount. Sabotage is not ruled out in the Balasore accident, which will be probed by the Central Bureau of Investigation. More important will be the corrective measures by the Railways at the operational and planning levels. It will have to find more resources to modernise and rationalise its priorities.

A WORD OF ADVICE TO THE DELHI POLICE

The protest by India's medal winning wrestlers has been in the news for long. Two cases of sexual harassment were reportedly registered on April 28, 2023 by the Delhi police against the president of the Wrestling Federation of India (WFI), after the intervention of the Supreme Court of India, based on a petition filed by a few wrestlers. The cases were under the Protection of Children from Sexual Offences (POCSO) Act and the relevant sections of the Indian Penal Code (IPC) concerning the outraging of the modesty of a woman and sexual harassment, while the other was with respect to outraging the modesty of a woman under the IPC. While the investigation of these two cases is under way by the Delhi police, the complainant wrestlers are still consistent in their demand—the arrest of the accused. They too offered to undergo a narco-analysis test when the accused offered to undergo any such test to prove his innocence. Some of the allegations date back to previous years, the implication being that there was a delay in lodging the complaint with the police. At the stage of the

registration of the first information report (FIR), if a complaint has the ingredients of a cognisable offence, the mandate of the Supreme Court (given in Lalita Kumari vs Govt. of Uttar Pradesh and others (2014)) could not have been violated. The veracity of allegations (of a cognisable offence) cannot be inquired into before registering an FIR. In case the delay in reporting the matter is over three months, the reasons for the delay are to be explained satisfactorily. It is also a recognised principle of law that a mere delay in an FIR is no ground to discard the prosecution story, if the truthfulness and plausibility of the explanation for the delay are established to the satisfaction of the court. Otherwise, it may need corroboration with additional and credible evidence. Therefore, the insistence of the Delhi police on holding a preliminary inquiry and a delay in registering cases does not seem to be justified. As far as conducting a narco-analysis test or any such similar scientific test is concerned, such tests are conducted either on a suspect or on a witness (but

not on a victim) under conditions laid down in Selvi vs State of Karnataka (2010). The truthfulness of the allegations cannot be established with the aid of such tests. The credibility of the statement of the victim is tested through a thorough cross-examination which alone could be sufficient even to prove her case. Similarly, the statement recorded by a judicial magistrate under Section 164 of the Criminal Procedure Code (Cr.PC) will be useful only if the judicial magistrate is called by the trial court for examination. However, such tests administered on the accused may help in a further investigation if some information or material is discovered after such tests.

Arrest is conditional

On the issue of arrest, one needs to look at the substantive laws and sections applied. According to information available in the public domain, allegations that pertain to sexual assault at the workplace or otherwise which may attract Section 8 or/and Section 10 (punishment for aggravated sexual assault as the president of the WFI was in the position of authority) or/and Section 12 (sexual harassment) of the POCSO Act in the case of a minor victim and Section 354 (outraging modesty of a woman) or/and 354A (sexual harassment) of the IPC in case of other victims. In none of these sections, the punishment is more than seven years of imprisonment.

Therefore, according to Section 41 of the Code of Criminal Procedure, arrest is not mandatory unless there is material evidence to show (as mandated by the Supreme Court in Armesh Kumar vs State of Bihar & Anr. (2014) the possibility of tampering of evidence or making any threat, or to prevent committing of any further offence or for proper investigation of the offence. Otherwise, issuing notice under Section 41A of the Cr.PC for appearance before the police would be sufficient. Since the accused is an influential person, these apprehensions mentioned above may not be ruled out; however, there need to be reasons and material to justify the arrest.

On the other hand, if there are multiple offences committed at multiple locations over a period of time, the police also need reasonable time to look for and collect evidence to build their case. Ultimately, it is the evidence which will be relevant to convict the culprit(s), and not the arrest only.

Complete the investigation quickly

Therefore, looking at the sensitivity of the cases, the best option available with the Delhi police is to complete the investigation quickly and have the final report in court. For offences punishable with imprisonment of less than 10 years, as in the present cases, investigation needs to be completed in 60 days after arrest to prevent the detainee from being released on bail. Since no arrest has been effected so far, this provision is not attracted in a strict sense in the given cases. However, it would be prudent to complete the investigations expeditiously in keeping with the provisions of the Cr.PC. For the minor victim, there is also a presumption in favour of prosecution under the POCSO Act and it will be for the accused to prove that he did not commit the offence. If the police do not find sufficient evidence to charge sheet the accused, it has to put up the final report in court. When the victims are insistent in their allegations and are protesting for justice, the allegations cannot be said to be false. However, the court may still frame charges and proceed with the trial. The ultimate decision to proceed with the trial or not to, and frame charges would be taken by the judicial magistrate after deliberations. Any delay in investigation will not only invite adverse consequences in the law but also shake public confidence in the Delhi police, which is the principal investigating unit in the capital of the country.

On the other hand, the victims, if not satisfied with the progress of the cases, may approach the Delhi High Court to issue directions to the Delhi police to put up the status report and complete the investigation in a given time frame. The views expressed are personal

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