

## Transforming J&K through Connectivity

The Pradhan Mantri Gram Sadak Yojana (PMGSY), launched in Jammu and Kashmir in 2001-02, has become a cornerstone of rural development and connectivity in the Union Territory. Over the past two decades, this visionary initiative has transformed the infrastructure landscape of the region, facilitating unprecedented progress in remote and hilly areas. With nearly 3,500 projects, including 217 bridges, completed under the scheme, the Central Government's commitment to inclusive development and rural upliftment deserves unreserved appreciation. The PMGSY was designed to provide all-weather connectivity to unconnected habitations, particularly those with populations exceeding 250 as per the 2001 Census. In Jammu and Kashmir, a region known for its challenging terrain and dispersed settlements, this mission has been a lifeline. A total of 3,742 projects, encompassing 305 bridges and a cumulative road length of 20,801 kilometers, have been sanctioned. Out of these, 3,429 projects have been completed, connecting 2,129 out of the targeted 2,140 habitations. With an expenditure of Rs 12,650 crore, these achievements stand as a testament to the government's commitment to rural connectivity. Beyond the impressive numbers lies a narrative of empowerment and progress. The enhanced connectivity has brought remote villages closer to essential services like healthcare, education, and markets. It has spurred economic growth by facilitating the movement of goods and people, enabling farmers and artisans to access wider markets. This transformation aligns seamlessly with the ethos of "Sabka Saath, Sabka Vikas" (Together with All, Development for All). The last five years have witnessed a renewed push in accelerating project completion under the PMGSY, reflecting the current administration's focused attention on infrastructure development. The strides made during this period are noteworthy, particularly in the context of Jammu and Kashmir's unique challenges, including its mountainous geography and harsh climatic conditions. The government's emphasis on ensuring quality standards, as highlighted by Joint Secretary Amit Shukla during a recent review, underscores the seriousness with which this mission is being pursued. Durable and safe infrastructure is not just a necessity but a symbol of the government's intent to improve the lives of people in even the most inaccessible corners of the region. Additionally, the creation of a daily monitoring mechanism, as directed by the Ministry of Rural Development, ensures accountability and adherence to timelines. Such systematic approaches are vital for overcoming operational challenges and delivering sustainable results. The on-ground reviews of critical road and bridge projects further reflect the administration's hands-on approach and willingness to address bottlenecks proactively. As Jammu and Kashmir emerges from decades of underdevelopment, the PMGSY has been a catalyst for change. It has laid the foundation for socio-economic integration, promoting unity through connectivity. Roads are often called the lifelines of a nation, and in the case of Jammu and Kashmir, they are more than that—they are bridges to a brighter future. The Central Government, through its unwavering focus on rural infrastructure, has demonstrated that development is not a privilege but a right for every citizen. The successes of the PMGSY in Jammu and Kashmir are a shining example of how visionary policies, backed by determined execution, can transform lives. For this, successive Union Governments deserve not just applause but gratitude from the people of Jammu and Kashmir and the nation at large.

## TOP COURT HAS OPENED A PANDORA'S BOX THROUGH ITS AYODHYA VERDICT

■ RASHIKA BODH

On November 25, 2024, the Supreme Court of India upheld the inclusion of the words 'secular' and 'secular' in the Preamble of the Constitution.

The court, while dismissing a batch of petitions in its seven-page Order, observed, "In 1949, the term 'secular' was considered imprecise, as some scholars and jurists had interpreted it as being opposed to religion."

"Over time, India has developed its own interpretation of secularism, wherein the State neither supports any religion nor penalises the profession and practice of any faith. This principle is enshrined in Articles 14, 15 and 16 of the Constitution..."

On the very same day, approximately about 160 km away from the Supreme Court in Delhi, violence erupted between local Muslim residents and the police in the Sambhal district of Uttar Pradesh, leaving four people—Naeem Ghazi, Bilal Ansari, Mohammad Ayan and Mohammad Kaif—dead.

The violent clash was triggered by the fears of a mosque being demolished after a lower court ordered a survey of the religious structure in order to establish whether a Hindu temple existed there some 500 years ago.

Both these events took place exactly one day before November 26, 2024—the 75th anniversary of the Indian Constitution. These contrasting events—one a judicial affirmation of constitutional principles, the other a violent manifestation of communal discord—paint a complex portrait of contemporary India.

While different sides will have different accounts of what transpired and who is to blame, it is important to understand how places of worship and harmony have become places of clash and dissonance in today's India.

In order to avoid disputes over religious places and one year after violence over the Babri Masjid at the height of the Ram Mandir movement, the Parliament in 1991 enacted the Places of Worship (Special Provisions) Act, a landmark legislation designed to freeze the religious character of places of worship as they existed on August 15, 1947.

The Act explicitly prohibits the conversion of any place of worship to a different religious denomination, effectively seeking to prevent future communal disputes over religious sites.

Introducing the Act, the then Union home minister S.B. Chavan had articulated its fundamental purpose: to halt the recurring communal tensions sparked by religious site disputes. The legislation was explicitly designed "not to create new disputes and to rake up old controversies which had long been forgotten by the people," but to preserve social harmony.

Parliament's rationale was clear: these "controversies arising from time to time with regard to the conversion of places of worship" consistently threatened to "vitate the communal atmosphere" in the country. The Act represented a legislative attempt to draw a line under historical religious conflicts, preventing their continuous reactivation in contemporary political and social discourse.

The Act left the Babri Masjid—Ram Janmabhoomi dispute outside its purview. Yet, the importance of the Act can be gauged from the fact that the landmark 2019 Ayodhya judgment reaffirmed the constitutional significance of the Places of Worship Act.

As per the Bench, the Act was a critical "legislative instrument designed to protect the secular features of the Indian polity", a fundamental constitutional principle. The court delivered a powerful rebuke to historical revisionism, asserting that legal recourse cannot be sought for historical wrongs committed by past rulers.

"Our history is replete with actions that have been judged to be morally incorrect," the judgment noted, emphasising that contemporary legal mechanisms should not become instruments for settling ancient disputes.

By upholding the Act, the court highlighted a crucial constitutional principle: the law must prevent the reopening of historical wounds and protect the secular fabric that binds India's diverse social and religious tapestry. The Act, in the court's view, was not just legislation, but a bulwark against communal retrogression.

The tragic incident that took place in Sambhal was triggered by a court-ordered survey. In an extraordinary departure from India's typically sluggish judicial system, the court had moved with remarkable speed in the case.

previous judgments.

Despite pending petitions challenging the Places of Worship Act, the court has allowed for 'non-invasive' surveys to take place in Gyanvapi in Kashi and Idgah in Mathura, where the case trajectories are similar to Ayodhya.

Both the Gyanvapi Mosque and the earlier batch of cases have faced challenges from mosque committees citing the Places of Worship Act, 1991. However, courts have consistently ruled against these objections, allowing the suits to proceed.

In the Gyanvapi case, the court has clarified that the suit seeks to assert the right to worship Hindu deities, not to 'convert' the mosque. Similarly, in the earlier cases, the Allahabad High Court has interpreted the Act to not define the term "religious character".

The court has reasoned that a structure cannot simultaneously be both Hindu and Muslim, and its true religious character can only be determined through evidence. Therefore, the Act does not completely bar proceedings to ascertain this character.

In September 2022, the Supreme Court led by former Chief Justice of India (CJI) U.U.

Introducing the Act, the then Union home minister S.B. Chavan had articulated its fundamental purpose: to halt the recurring communal tensions sparked by religious site disputes. The legislation was explicitly designed "not to create new disputes and to rake up old controversies which had long been forgotten by the people," but to preserve social harmony. Parliament's rationale was clear: these "controversies arising from time to time with regard to the conversion of places of worship" consistently threatened to "vitate the communal atmosphere" in the country. The Act represented a legislative attempt to draw a line under historical religious conflicts, preventing their continuous reactivation in contemporary political and social discourse. The Act left the Babri Masjid—Ram Janmabhoomi dispute outside its purview. Yet, the importance of the Act can be gauged from the fact that the landmark 2019 Ayodhya judgment reaffirmed the constitutional significance of the Places of Worship Act. As per the Bench, the Act was a critical "legislative instrument designed to protect the secular features of the Indian polity", a fundamental constitutional principle. The court delivered a powerful rebuke to historical revisionism, asserting that legal recourse cannot be sought for historical wrongs committed by past rulers.



Within hours of the petition being filed, an advocate commissioner was appointed and directed to survey the mosque—all without hearing the other side. The civil judge also ordered for a report to be filed by November 29.

But perhaps it would be wrong to question the legal mannerism of the events, as the lower court was merely walking in the footsteps of the Supreme Court. While communal clashes have never been 'foreign' to the Indian sub-continent, this time the case is different; it is the Supreme Court that has, post the Ayodhya verdict, opened a Pandora's box of such cases.

On a plain reading, the Places of Worship Act tells us that the religious character of a place is not to be disturbed and such property disputes are beyond the purview of the usual civil proceedings as they are an exception.

Basically, when it comes to a place of worship, a civil suit gets barred under the Act. However, the Supreme Court undermined the fundamental logic of the Act and its own

Lalit directed the government to respond within two weeks, but the Union has yet to file its affidavit.

Last year, former CJI D.Y. Chandrachud made oral observations regarding the Gyanvapi Mosque case. He observed that the 1991 Act does not bar inquiries into the status of a place of worship on August 15, 1947, as long as there is no intention to alter or convert its nature. This interpretation differs from the stance taken in the Ayodhya judgment, also purportedly authored by Justice Chandrachud.

It appears that the lower courts have interpreted the Supreme Court's observations to mean that such cases seeking to determine the original nature of a place of worship, even if it cannot be altered, are not barred by the 1991 Act.

The legislative intent of the Places of Worship Act could not have been any clearer—to let the religious structure retain its character as it was on the agreed date of independence.

The entire point of having the law in the first place is that it is arduous to conclusively decide upon the true character of some places of worship and the best thing that can be done is to let the places be as they are.

The purpose is to avoid future clashes in the name of contesting rightful claims of the past. The Act created a legal firebreak against the potential conflagration of communal violence and even provided for a date to be as clear as it could get.

Each attempt to definitively determine the 'original' status of a religious site risks reopening historical wounds, reigniting dormant communal tensions, and transforming academic or legal inquiries into sources of social conflict. Section 3 of the Act puts a bar on both inter- and intra-religious conversions as it reads, "No person shall convert any place of worship of any religious denomination or any section thereof into a place of worship of a different section of the same religious denomination or of a different religious denomination or any section thereof."

The language of the three-page legislation with only seven provisions cannot get any clearer, simpler and more definitive.

## BITTER FIGHT FOR THE UDAIPUR PALACE IS A LESSON FOR SAMBHAL AND AJMER

■ SUSHIL KUTTY

Every human has a funny bone. But people fighting among themselves doesn't bring smiles. The Royals of Rajasthan used to fight. And who hasn't forgotten the Battle of Haldighati? Nowadays, there is the Battle for the mosque and the temple. There is Sambhal and Ajmer. There was 'Ayodhya', and there's Kashi and Mathura. In Rajasthan, there is the Battle for the Udaipur Palace!

The fight has gone into the hands of the 'Receiver', a government-appointed access-denier. The two royals in the dispute are Vishvaraj Singh, newly crowned ceremonial head of the Mewar royal family, and his uncle Arvind Singh Mewar. Both are claiming Udaipur's City Palace for their own. And their supporters are at each other's throats.

The government Receiver sits at the gates of a portion of the palace from which Vishvaraj Singh has been denied access. A disappointed Vishvaraj Singh went back home. Vishvaraj Singh is not like the Sambhal Member of Parliament or the Sambhal MLA, both of whom took things in their hands and now have criminal cases filed against them.

Vishvaraj Singh swallowed his pride. The politicians of Sambhal couldn't take the "insult" and laugh it away. Politicians should use their funny bone once in a while. Why carry on like nothing happened? Imagine the generations sacrificed at the altar of a temple or a mandir, depending upon your faith? Compared to the squabbling MP and MLA of Sambhal, Udaipur royals Vishvaraj Singh

and Arvind Singh Mewar are gentlemen. Their supporters fought a pitched battle at the gates of the Udaipur Palace, but there was no stone-pelting on the police. There was no alleged police firing on stone-pelters. There were also no killings.

This uncle and nephew are civilised enemies! And the Udaipur Palace is neither a temple nor a mosque. The royal fight for the palace kept policemen busy trying to keep the two royals and their supporters apart. Maharana Pratap would have been disappointed at the "no-war confrontation" but the times have changed and, then again, what are government-appointed Receivers for, if not for quelling riots from breaking out at the palace-gates?

The descendants of Maharana Pratap deserve a pat for being a lesson in fighting without blood-letting. The 'pratap' of Maharana Pratap still beats in the breasts of Vishvaraj Singh and Arvind Singh Mewar. The MP and MLA of Sambhal should learn from these two though most Indian historians did their best to erase the memory of Maharana Pratap from and all sundry minds!

Maharana Pratap met his maker long ago. Around the time when the Mughals cornered Hindu temples and razed them to the ground. Today, there is a counter-movement going on and it is a reminder of how things panned out in those long gone times. But Udaipur is an example of how things can be brought under control without rancour and violence.

Appoint a Receiver! If Maharana Pratap's "vansaj" can be induced to stop fighting in the streets, or at the palace gates, even the squabbling politicians can be brought to bury the hatchet and

start respecting the "small, small judges" who decide the fate of temple and mosque while interpreting the Places of Worship Act to the best of their abilities.

Sure, the Places of Worship Act doesn't apply to palaces and royal claims, nevertheless it is a lesson in grace. A government-appointed 'Receiver' is so much a better option than stone-pelting and contesting religious slogans shouted full-throated. The Udaipur Palace did not see violence mar the scene; no bullets were fired, no fires were set off, no stones were hurled, nothing like what happened in Sambhal.

But the local administration of Udaipur can't get its mind off of what could have happened if the two royals, with bloodlines linked, were allowed to fight it to the death like it used to be during Maharana Pratap's time? Just for context, how far is Ajmer from Udaipur or Udaipur from Sambhal? There is dispute in all three places. Sambhal and Ajmer are both the same old Masjid-over-Mandir fight to the finish but Ajmer is about relatives.

Nothing galls anybody more than being denied access, the blood boils, whether it's access to a portion of real-estate or to a broken heart. The question boils down to, is Arvind Singh Mewar a bleeding heart? The situation in and around Udaipur City Palace "remains tense and the markets are closed, security is tight". Will the Mewar Rajputs drop hate and put a halt to hostilities? Chances are they will and matters will be settled out of court or in court. There won't be Sambhal or Ajmer in Udaipur.

In times long gone, swords would have clashed and heads would have rolled down the palace steps.

And markets closed means there is no trade. Ask Pakistanis what that means. The government-appointed 'Receiver' must be having the last laugh, perhaps even having the best "curry-cuts" for dinner in the blocked section of the Udaipur City Palace. It is a pity Vishvaraj Singh cannot just walk in with a query. He deserves better now that he is ceremonial head of the Mewar family.

And Arvind Singh Mewar should show a bigger heart. Barring Vishvaraj Singh is not Rajput! The royals of Mewar shouldn't descend to the petty politicking of Sambhal and Lucknow politicians who are shamelessly ranking the lower judiciary as "small, small judges", not worthy of sitting on judgement on matters spawned by those very petty politicians.

Arvind Singh Mewar is the paternal uncle of Vishvaraj Singh. Both have blue blood in them. They shouldn't be behaving like the Sambhal MP and the Sambhal MLA, who instigated the brick-battling in Sambhal. Watching these fellows on live television defending their unlawful actions with an earnest face is beyond sham, it is the height of shamelessness.

Chances are very slim that the MP and the MLA of Sambhal will start behaving like model citizens, but there is hope that Arvind Singh Mewar and Vishvaraj Singh will stop being crass politicians. Land disputes and masjid-mandir disputes are taking up so much of our time that even the clock has started protesting. The wages of 1947! Not that the Udaipur uncle and nephew aren't politicians. Vishvaraj Singh is a BJP MLA and his wife Mahima Kumari is the MP from Rajsamand.

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