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## *Status of women in India*



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**Stringent laws to protect abuse  
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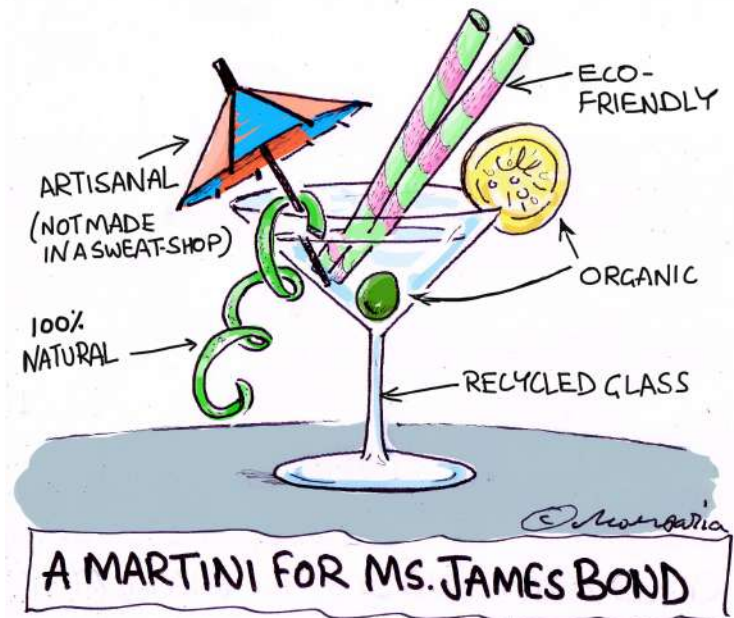
**Women misusing protection laws**

**Know India Better**

*Banavasi:  
The land of Kadambas*

**Face to Face**

*Dr. Avinash Ignatius*



# CONTENTS

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## THEME: STATUS OF WOMEN IN INDIA

### **Morparia's Page** 02

Status of Indian women, today 04  
*Manu Shrivastav*

Landmark judgments protecting 06  
women's rights  
*Nivedita Pal*

Stalking, not so innocuous! 08  
*Manu Shrivastav*

A woman's right to abort is conditional 10  
*Kriti Kalra*

Fighting bias across society and within homes 12  
*Sonal Aggarwal*

Stringent law to protect abuse of minors 14  
*Manu Shrivastav*

The cyber threat 16  
*Vedika Jain*

### **Know India Better**

Banavasi : The land of the Kadambas 17  
*Usha Hariprasad*

### **Face to Face**

Dr. Avinash Ignatius 27  
*A. Radhakrishnan*

### **General**

Sindhutai Sapkal : The mother of orphans 31  
*A. Radhakrishnan*

Has India woken up to Artificial 33  
Intelligence?  
*Hiren Bose*

An European classic at Ibsen fest 34  
*Prof. Avinash Kolhe*

### **Great Indians** 36



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# Status of Indian women, today

*There are several laws in India to protect women in our society. However, changing mindsets and perceptions of people still remain the biggest challenge, when it comes to implementation of the laws, says **Manu Shrivastava**.*



*#equality*

*#metoo*

*#safetyofwomen*

*#lawsprotectingwomen*

**A**round the world, the feminist movement or the women's movement started at different times, raised diverse issues and appealed to women at different levels. Every country treats its women in a unique manner, good or bad, derived from the baggage of cultural norms, traditions and practices.

There are myriad issues that the movement aims to address varying from nations to communities - sexual violence, domestic violence, reproductive rights, maternity leave, women's suffrage, workplace safety, female genital mutilation, equal pay, etc. What constitutes as a fundamental right is restricted to a state as that is determined by the law of the land. Law has a binding force, yet, it is often perception and practices that drive the behaviour of a society towards its women and permit or prohibit rights guaranteed to them.

India is a land of cultural and ethnic diversity. The history of one of the oldest civilisations that inhabited our land goes back thousands of years. Indian history was punctuated by constant assimilation of migration, invasion, tribes and groups from far and wide resulting in a society that is vibrant and unique.

The status of women in the melting pot of cultures, India, has been subject to regular and intermittent change resulting in the present state of women in the country.

## Equality of women, still a long way

India in ancient times was home to women sages that were greatly revered. India is a land where goddesses are worshipped by men and women alike and where the country is 'mother' land. Women were active in royal courts, often forming part of administrative and advisory councils and played an active role in politics as well. A fast-evolving civilisation absorbing surrounding and invading traits, India soon succumbed to gender discrimination resulting in confinement of women to households, female foeticide and infanticide, derogatory practices, illiteracy and several other ill-practices that were part of all religious faiths. Eventually, several bad practices that discriminated against women stayed and became customs within those communities; the practice of Sati, child marriage, purdah system, instant triple talaq, etc., to name a few.

When India was fighting for Independence, women from all walks of life and across the country came out of their homes and joined the freedom struggle. Post Independence, the founding fathers of the nation who were drafting the Indian Constitution included provisions to ensure rights of women are protected and women are empowered so they can live and work as equal citizens with the men. In time, several laws were enacted by the legislature and policies framed by the executive to protect women, improve their quality of life, ensure they are given equal opportunities for



education and employment. However, despite provisions in the Indian constitution and myriad laws to protect and empower women, the status of women in the Indian society and among society has still to go a long way before achieving equal status as men.

Law is effective only when it is implemented with the same intention it was made for. In most cases, it is perception in society and practice that obstruct delivery of justice and fair implementation of the law. Members of the bureaucracy, polity, law enforcement and the judiciary are part of the very society that discriminates against women. So, when they come in a position where they have to administer law or deliver justice, their personal prejudice often comes in the way that leads to the women being denied their rights.

So, in order to uplift women and ensure desired implementation of the law and give justice swiftly to uphold the rights granted to women by the Constitution, it is imperative to change perception and the resulting practices.

## Laws should be in sync with changing society

India is one of the few nations in the world with many laws specifically for women - The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, The Dowry Prohibition Act, Protection of Women from Domestic Violence Act, Special Marriage Act, Maternity Benefit Act, Medical Termination of Pregnancy Act, etc. There are, however, glaring gaps that prevent women from asserting their rights owing to societal perception and practices.

In 2018, the #MeToo movement came to India when Bollywood actress Tanushree Dutta made allegations of sexual harassment at her workplace, a film set. Similar stories of women from 'educated' middle-class and upper-middle class shook the nation that was left aghast with the extent of exploitation in certain industries and organisations. The merits of these allegations can be debated separately but what was important was the fact that so many women could not and did not address the offence of 'sexual harassment' despite there being a law in place due to shame and perception where a woman is 'judged' for coming out in the open with such allegations.

It must be noted that the segment of women that are active on social media do not represent the complete cross-section of women in the country. Internet and social media, despite the penetration in urban and rural set ups in the country, are restricted to fewer women than men. Smartphones are now household commodities but using powerful social media platforms such as Facebook, Twitter, Instagram, etc., is restricted to girls and women who are educated and 'allowed' to be active on social media.

The #MeToo movement highlighted harassment at workplace, yet it is only indicative of a larger issue as a significant number of Indian women do not work and stay in the confines of their homes – before and after marriage.

Instances of child abuse, harassment from family members, sexual abuse by family members such as fathers, brothers or uncles, emotional and financial abuse perpetrated by male and female members of the family are commonplace misdeeds. These acts violate a woman's right to life and right to live with dignity as guaranteed by the Indian Constitution.

These incidents not only go unreported as the woman feels a sense of shame in talking about it or reporting it. If at all she gathers courage to approach authorities despite being discouraged by her family, her complaints are not registered, and if registered do not reach their logical conclusion because of the bias among authorities that works against delivery of justice.

When the practice of instant triple talaq was banned, millions of Muslim women in India were saved from the barbaric practice. The constant fear of being divorced in an instant and at whim was nothing less of torture and living a life of insecurity for many married women.

Stalking is another offence that needs to be taken seriously by women and, more so, by the authorities. An act of stalking in person or in cyber space can lead to more serious offences such as rape or murder if not addressed in time. Other cyber crimes such as impersonation, fraud, blackmailing, identity theft, trolling, pornography, harassment, cyber bullying or forwarding videos of rape or abuse are other ways that affect women on a daily basis. Such crimes are targeted towards the weak, mostly women and children, across social strata. However, now other groups are also getting affected and young college girls, educated and working women are falling prey. With more than 196 million social media users in India in 2017, the magnitude of the problem is huge.

Independent India has evolved and, with it, the judiciary processes and laws that have to be in-sync with the changing society. A truthful evaluation of the grassroots situation and changes occurring will need to be done, and processes introduced to do them regularly. Deterrence will need to be taken into consideration while framing laws to further their reach and potential. Also, there should be a well-planned strategy to boost awareness and change parochial mindsets, societal perception and practices alongside. Women need to speak up for themselves, support and stand up for each other to battle perception in society and discriminatory practices that prevent their well-being and come in the way of asserting their rights as equal citizens. A famous American poet Maya Angelou had said, "Each time a woman stands for herself, she stands for all women."



**Manu Shrivastava is a media legal researcher with DraftCraft International, and co-convenor of 'The Woman Survivor' initiative that documents abuse of women and children within families.**

# Landmark judgments protecting women's rights

*The Indian judiciary has played a crucial role in framing and interpreting laws that uphold women's rights and dignity in India, resulting in several landmark judgments, writes Nivedita Pal.*



**T**he Indian judiciary has played a crucial role in framing and interpreting the law to uphold women's rights and dignity in India, resulting in several landmark judgments, writes Nivedita Pal.

The Indian judiciary comprising the High Courts of the states and the Apex Court i.e. the Supreme Court have, time and again, delivered judgments and orders that uphold the rights and dignity of women in the country. The progressive judgments delivered by these courts, since Independence, have helped and, sometimes, persuaded the Indian executive and the legislature to frame laws to uphold women's rights.

India is one of the few countries in the world with maximum number of laws that protect women and empower them. The Indian Constitution, through the Fundamental Rights, Fundamental Duties and the Directive Principles guarantees equal rights to all citizens. In fact, there are several provisions in the Constitution that embody the spirit of gender equality and lay the ground for framing policies, mechanisms, safeguards and programmes for protection and, more importantly, empowerment of women in the country.

The Indian Constitution upholds women's rights through right to equality, right to life with dignity and right to freedom from discrimination. In addition, there are

several laws that ensure protection of women rights and dignity.

When a judicial body delivers an order, that order becomes binding on the parties, that in such cases are often the state or the central government. In this manner, the judiciary plays a crucial role in interpreting the law to uphold women's rights, providing a lawful impetus to the law-making bodies in framing laws that protect women and setting precedents for lower courts and guiding them to deliver such judgments.

There are countless judgments that have positively influenced the women rights movement in India and upheld the constitutional rights affecting different spheres of a woman's life.

## The Sexual Harassment of Women at Workplace Act, 2013

One of the most important cases that provided for safety of women from sexual harassment at workplace was the Vishakha and others v/s State of Rajasthan case. Bhanwari Devi, a social worker (saathin) in Rajasthan was working with a state government programme to prevent child marriages. At one such instance, she tried unsuccessfully to protest against and stop a child marriage of a one-year-old infant. The family head, Ramakant Gujar in a bid to seek revenge for the humiliation, raped Bhanwari Devi with five of his men in front of her husband. The lower courts acquitted all the accused.

Consequently, Vishakha (group for women's education and research) along with four other women organisations filed a writ petition in the Supreme Court on the issue of sexual harassment of women at workplace and the absence of any protection --- to enforce Fundamental Rights of working women under Articles 14, 19 and 21 of the Indian Constitution. In 1997, the court ordered framing of such guidelines as 'Vishakha Guidelines' to be practiced at workplaces by the employers. These guidelines eventually formed the basis of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 --- an extremely important law to protect millions of Indian women who step out of their households to earn a living for their families.

The judgment laid down that it is the duty of the employer or other responsible persons in workplaces or other

institutions to prevent sexual harassment and furnish employees with mechanisms for effective resolution of such incidents. The Supreme Court also defined 'Sexual Harassment' for this purpose as disagreeable sexually determined behaviour direct or indirect as:

- physical contact and advances,
- a demand or request for sexual favours,
- sexually-coloured remarks,
- showing pornography,
- any other unwelcome physical, verbal or non-verbal conduct of sexual nature

## A landmark judgment on acid attacks

Another landmark case, *Laxmi v/s Union Of India* (2006) where an acid attack victim, Laxmi filed a Public Interest Litigation (PIL) in the Supreme Court praying for the betterment of the acid attack survivors, adequate compensation to the victim and measures to regulate the sale of acid. Laxmi was a minor when she was attacked by three men in New Delhi as she refused to marry a man named Naem Khan. She faced severe physical and mental trauma.

The issues raised in the PIL were:

- Considerable amendment in the Indian Penal Code (IPC), 1860 and Criminal Procedure Code (CrPC), 1973 relating to acid attacks as there is no specific provision for the same;
- Complete ban on the sale of acid and its various forms and that such acids should not be available over the counter, as easy availability encourages such culprits;
- Prosecution of acid throwers as well as the rehabilitation of acid attack victim which included treatment as well as compensation, as the treatment and surgeries are very expensive

In 2013, the Supreme Court taking cognisance of the rise in cases of acid attacks on women, imposed strict regulations on the sale of acid, including ban on sale of acid over the counter and ban on sale of acid to a person below 18 years. Dealers can sell acid to a person only after furnishing of a valid identity proof and the need for the purchase. Also, it is mandatory for the dealer to submit the details of the sale within three days to the police.

Many other orders were passed by the court for providing guidelines for the betterment of the acid attack survivors and granting them justice. These include amendment in CrPC requiring the government to compensate the victim, amendment in IPC and inclusion of separate section specifically dealing with acid attacks, minimum compensation of Rs 3,00,000/- to be given to every acid attack victim, full and free medical treatment and assistance to be provided to the victim even by private hospitals and no hospital or clinic can refuse treatment.

## Upholding the dignity of rape survivors

In *Lillu v/s State Of Haryana* (2013), for the first time the agony and trauma of a rape victim was realised who had to go through the two-finger test to give her character certification. On the basis of various precedents, the court

held that the test is a violation of the victim's right to privacy and dignity. The court held that rape survivors are entitled to legal recourse that does not re-traumatise them or violate their physical or mental integrity and dignity. They are also entitled to medical procedures conducted in a manner that respects their right to consent. Medical procedures should not be carried out in a manner that constitutes cruel, inhuman, or degrading treatment, and health should be of paramount consideration while dealing with gender-based violence.

## Other landmark judgments

Law is a reflection of society and with changing norms, the practices are also questioned in a court of law. In *ABC v/s The State (NCT of Delhi)* (2015) the Supreme Court in a landmark judgment held that an unwed mother belonging to the Christian faith is not bound to disclose the name of the child's father. The unwed mother would have all the rights as a guardian to the child and need not take the father's consent for guardianship rights.

A division bench held that living under the same roof, you are married under law in *Dhannulal and ors v/s Ganeshram and Ors* (2015). The bench held that continuous cohabitation of a couple together that is, 'live-in relationship' would raise the presumption of marriage unless otherwise proven. The case was that of a property dispute of a man who lived with a woman, not legally wedded wife, for 20 years and the bench held that she was eligible to inherit the property.

More recently, many petitions heard by the Apex Court questioned the Right to Freedom of Religion of women in India and religious practices. Here are a few landmark cases:

- In *Shayara Bano v/s Union of India* (2017), the Supreme Court declared the practice of Instant Triple Talaq (talak-e-biddat) un-Islamic and against the basic tenets of Quran. Shayara Bano had challenged the practice when her husband of 15 years invoked instant triple talaq. The court questioned the custom which is theologically sinful and why was it still part of the practice of a community. The court also directed the government to bring a legislation to this effect within six months.
- The government introduced the Muslim Women (Protection of Rights on Marriage) Act 2019:
  - Any pronouncement of talaq by a Muslim husband upon his wife, by words, either spoken or written or in electronic form or in any other manner whatsoever, shall be void and illegal;
  - Any Muslim husband who pronounces talaq upon his wife shall be punished with imprisonment for a term which may extend to three years, and shall also be liable to fine.
- The Sabarimala Temple case is one of the most important cases that initiated the debate between Right to Equality and Right to Freedom of Religion.

(continued on page 11...)

# Stalking, not so innocuous!

*It is only recently that stalking is being viewed as a dangerous crime against women. If not checked in the early stages, it can have serious consequences for the victims, warns **Manu Shrivastava**.*



It's only recently that stalking is being discussed in the purview of crimes against women. For years, members of the public, even authorities, weren't aware of the term and the gravity of the act. Amendments in the law and awareness through media and films has put the spotlight on stalking as a serious offence and is now being talked in legal and social debates.

For the common man, stalking is a harmless and innocuous act. However, it's only the victim who can give a perfect account of how stalking can affect one's life. Take for instance the recent case of a school principal in south Mumbai who has accused another woman of stalking her since five years and making her life hell. There have been several instances where women being stalked had to change jobs, relocate to a new place or even change identity to keep a 'crazy' stalker at bay.

There are myriad Bollywood films that show how following a girl, despite her displeasure, gets the girl to like you. The Indian film industry has glorified stalking. Now, many people talk about Kabir Singh and how it approves of

the culture of aggressive men, subdued women and 'toxic masculinity'. Not to forget many films in the past have glorified such acts of obsession, aggression and violence that now comes under the purview of 'stalking'. To name a few, Darr, Tere Naam, Raanjhaana, Anjaam, etc. In most of these movies, there is a twisted depiction of love and romance, often even against the wishes of the woman. Film certifying bodies and film-makers should play a more responsible role and not glamourise such acts.

## Stalking may lead to dangerous crimes

In January 2020, Pune police arrested five men for stalking and harassing a 40-year-old woman online. Further probe revealed that the men had created several other fake accounts. They would stalk women online, edit videos posted by them in an obscene manner and would re-share those videos.

It will be an extremely scary situation if someone stalks you...isn't it? While you can identify if someone stalks

you physically, you may not even realise when you are being stalked online. With the reach of internet on our computers, laptops and now even phones, more and more users are active in the virtual space. The sea of social networking sites and apps that are available on the touch of a key on phones has also opened doors for several cyber-crimes, including cyber-stalking.

What is stalking? Does it have a legal connotation to it? How common it is? These are some of the many questions that one may think of when one thinks of stalking. The term gained spotlight and some of us must have paid attention to it during the media coverage of the Varnika Kundu case where the Chandigarh-based DJ was allegedly stalked. While the case promised sufficient attention and is on way to reach its logical conclusion, the term 'stalking' did garner enough attention for the common man.

'Stalking' was introduced in the Indian Penal Code (IPC) through Section 354D in April 2013 based on the recommendations of Justice Verma Committee. The Committee was constituted after the horrific Nirbhaya gang rape case



in Delhi in 2012. The section introduced 'Stalking' as a specific offence and this is a big leap in identifying the gravity of the offence.

However, it will take many more serious crimes and perhaps more high-profile cases for people and women, in particular, to understand the gravity of stalking and how something seemingly innocuous can lead to more dangerous crimes such as molestation, rape and murder.

There have been several cases in the past when the victim's failure to report stalking or the police's refusal to register and take cognisance of an offence led to the murder or rape of the victim. The most notable case was of Priyadarshini Mattoo, a law student, who was raped and brutally murdered by her stalker.

## What does the law on stalking say?

According to Section 354 D of the Indian Penal Code:

- 1) Any man who – follows a woman and contacts, or attempts to contact such woman to foster personal interaction repeatedly despite a clear indication of disinterest by such woman; or monitors the use by a woman of the internet, email or any other form of electronic communication, commits the offence of stalking;
- (2) Whoever commits the offence of stalking shall be punished on first conviction with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and be punished on a second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

It must be noted that most women choose to ignore the person (stalker) or the act of stalking, sometimes not realising the seriousness of the offence and more often out of shame. The constant evasion of the situation only emboldens the stalker. It is often inaction on the part of the victim that stalkers get the courage to continue their acts and sometimes even escalate by attempting to rape and/or murder the woman. In case of physical stalking, a woman may change her commuting route or the travel schedule or time.

In case of online stalking, a victim may choose to simply block the stalker's profile or in more serious cases delete her own account. However, such acts almost never discourage stalkers and first-person accounts reveal that running away from a stalker is not a solution and they keep devising new ways and new profiles to stalk.

Hyderabad-based interior designer Ashika Reddy shares her experience of a man who started following her when she would go to a particular site for work. Choosing to ignore him, she got the shock of her life when one day the man followed her back to her home and tried to enter her apartment forcibly. "Had I contacted the police earlier I could have averted this incident", she said later. She says most girls, like her, try to wish away or dismiss the stalker as

someone who will walk away if ignored. In reality, it works the other way round and stalkers are emboldened when not acted against.

The Criminal Law (Amendment) Act 2013 defined stalking and made the law gender-specific with a more stringent punishment. However, like most other laws, similar challenges affect its implementation --- lack of awareness, mindset of people, societal perception and complacent authorities. Online stalking often leads to stalking in person and the prior gives vital information to the stalker about the movements, travel schedule, regularly-visited places, etc., of the woman.

## Stalking by family members

While most women are stalked by men who proposed marriage or relationship but were refused, there are several women who are stalked by their own families. When a woman resorts to live away from an 'abusive' family and chooses to become 'independent', often her family including her father, mother, brothers, sisters, uncles, etc., harass and stalk her to make life difficult.

Police, counsellors, women groups often dismiss such cases as 'family matter' making it difficult for the woman to seek any legal or judicial remedy and the seriousness of the offence only increases. Stalking by family members owing to their patriarchal mindsets is as serious an offence as stalking by an unknown person. Such families follow and monitor a woman's activities, against her wishes, through physical stalking and through social media. Such women are abused by family and judged by the society as they see it through the coloured prism of 'family dignity'.

The Indian Constitution guarantees 'The Right To Live With Dignity' under the fundamental 'Right to Life' to every citizen. Any act a man commits that is violative of a woman's right to life or right to live with dignity is an offence and punishable by law. Awareness about stalking and that even a family member can stalk is necessary to ensure women living away from her families are guaranteed the same rights under the Indian Constitution.

In cases of stalking, every activity of a stalker must be accounted for; a formal written complaint must be made in a police station and legal process initiated as that's the only way to protect the woman. If not, sometimes women themselves take law in their hands like the girl in Uttar Pradesh who threw acid on her stalker who was harassing her for not reciprocating his overtures.



**Manu Shrivastava is a media legal researcher with DraftCraft International, and co-convenor of 'The Woman Survivor' initiative that documents abuse of women and children within families.**

# Stringent law to protect abuse of minors

*India is leading the way by bringing into force stringent laws to punish offenders in rape and abuse of minors, writes **Kriti Kalra**.*



India is among the very few nations which has a separate and stringent law to effectively address the heinous crimes of sexual assault, sexual harassment and child pornography. The Protection of Children from Sexual Offences Act, 2012 (POCSO) was enacted to protect 'children' from the offences and provides for establishment of Special Courts for trial and related matters.

Of all the crimes that we know of and understand, rape is probably the most brutal and evokes heightened public sentiments. Rape survivors are traumatised for life, their families live in shame and survivors find it very difficult to assimilate in the society owing to the taboo associated with this crime. The situation is even worse if a child is raped because the child is not capable of understanding and handling the trauma and the effects linger for the rest of the child's life. Prior to POCSO Act, any sexual abuse or assault with a child was covered under Section 377 of the Indian Penal Code that was ambiguous and not stringent.

## Cases that shook the nation's conscience

Child abuse and rape are not uncommon but it was the abduction, brutal gang rape and murder of an eight-year-old girl in Kathua, Jammu and Kashmir in 2018 that triggered an unprecedented public outrage, similar to the one that gripped India after the Nirbhaya gang rape case in New Delhi. The seven accused were charged under relevant sections of the penal code effective in Jammu and Kashmir. However, the outcry that followed the incident was devoid of the objectivity that is needed to tackle such issues. The Kathua rape case and the following protests lead to an ordinance passed by the Indian government as a knee-jerk reaction to the incident whose goriness infused rage and

anger in the nation. To fulfill retribution as an outcome of legal punishment in the Indian criminal justice system, death penalty was demanded for the accused.

A similar demand was made by the people when Nirbhaya gang rape in December 2012 led to a nation-wide protest and support for death penalty for such crimes. Justice Verma Committee formed made recommendations for legal reforms in sexual crimes. It must be noted, however, that the committee was not in favour of death penalty for rape stating it may not have a deterrent effect, another outcome of legal punishment in the Indian criminal justice system. The committee had recommended increased jail sentence instead for such convicts.

Following the committee's recommendations, the Criminal Law (Amendment) Act, 2013 was introduced providing for amendment of Indian Penal Code (IPC), Indian Evidence Act (IEA), and Code of Criminal Procedure (CrPC) on laws related to sexual offences. Death penalty for rape was introduced, for the first time in India's penal history, only when the act caused the victim's death or caused the victim to be in 'a persistent vegetative state'. Punishment for "gang rape" was made minimum twenty years to life imprisonment.

## Stricter laws to deter potential criminals

Post the Kathua incident in January 2018, the nation-wide protests demanding death penalty for the rapists of the girl child led to the cabinet approving a Criminal Law (Amendment) Ordinance, 2018 in April 2018 to amend the POCSO Act, the Indian Penal Code, Indian Evidence Act and Criminal Procedure Code. The ordinance introduced stringent punishments -- jail term of minimum 20 years or life imprisonment or death for rape of a 'girl' under 12 years. Simultaneous amendments were introduced in the IPC, IEA, CrPC and POCSO to reflect the same.

Additionally, the minimum punishment for rape was increased from seven years to 10 years; the maximum punishment remained the same -- life imprisonment. A new clause (3) was added to Section 376 of the IPC prescribing the minimum punishment of 20 years to a person committing rape on a 'woman' under 16 years of age and a new Section 376AB was inserted prescribing the minimum punishment of 20 years rigorous imprisonment (RI) to a person committing rape on a woman less than 12 years of age. Such a person can be awarded capital sentence as well. Sections 376DA and 376DB provide minimum punishment of life imprisonment for persons involved in gang rape of

woman aged less than 16 years and 12 years respectively.

The Criminal Law (Amendment) ordinance made the punishment more stringent but did not address the problem in toto. Additionally, the provisions in the ordinance were 'unconstitutional', violative of Articles 14 and 16 of the Indian Constitution that guarantee equality to all before law and could be challenged in court. The sexual abuse of minor girls and minor boys would now be treated differently in the eyes of the law. When a child is abused, the trauma for a boy child is no less than that of a girl child. So, differential legal treatment to the same offence was bad in law. As it is, incidents of rape of minor boys rarely come out in the open due to the stigma attached and are shrouded in secrecy, with families of the male victims even more reluctant than those of female child victims to report such incidents.

The executive that passed the ordinance and the Ministry for Women and Child Development realised the anomaly the ordinance manifested. So, amendments to POCSO Act 2012 were recommended to the union cabinet to tackle this unconstitutionality that were approved by the cabinet in July 2019. In its original form, POCSO was gender neutral, prescribing the same punishment for abuse of male and female child. The amendments to Section 376 of IPC mentioned the word "woman" meaning that those guilty of raping boys below the age of 12 years, would not be subject to the death penalty provision.

## POCSO (Amendment) Bill, 2019

The Protection of Children from Sexual Offences (Amendment) Bill, 2019 was introduced in the Parliament and passed by both houses. It sought to amend sections 2, 4, 5, 6, 9, 14, 15, 34, 42 and 45 of the POCSO Act, 2012. The POCSO (Amendment) Act 2019 came into effect in August 2019. It introduced 'death penalty' for aggravated sexual

assault on 'children', besides providing stringent punishments for other crimes against minors.

The amended provisions include:

- Whoever commits penetrative sexual assault shall be punished with imprisonment of either description for a term which shall not be less than ten years (seven years in POCSO Act 2012) but which may extend to imprisonment for life, and shall also be liable to fine
- Whoever commits penetrative sexual assault on a child below sixteen years of age shall be punished with imprisonment for a term which shall not be less than twenty years, but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person, and shall also be liable to fine (new section)
- Whoever commits aggravated penetrative sexual assault shall be punished with rigorous imprisonment for a term which shall not be less than twenty years (ten years in POCSO Act 2012), but which may extend to imprisonment for life, which shall mean imprisonment for the remainder of natural life of that person, and shall also be liable to fine, or with death (death penalty included in POCSO Act 2019).

In a response to the debate on the bill, WCD Minister Smriti Irani stated "6.20 lakh sexual offenders were listed in the national database and they were being tracked by investigative agencies" underlining the need for stringent punishment for sexual offences against children. And, India is leading the way!

**Kriti Kalra is an activist and field researcher with [www.thewomansurvivor.com](http://www.thewomansurvivor.com) – an initiative of DraftCraft International to protect and empower women by bringing on one platform the latest on rights and issues, strategic case studies, state initiatives and informed legal opinions.**

# Landmark judgments protecting women's rights

(...continued from page 07)

The temple in Kerala - a shrine of Lord Ayyappa - had an age-old tradition of not allowing women of menstruating age to enter the premises. The practice was questioned in the court through a petition and in September 2018, the Supreme Court of India ruled that women of all age groups can enter Sabarimala Temple. The court initially lifted the ban and termed it as a violation of women's right to practice religion before going on to place it for review before a larger bench in November 2019.

The Apex Court said restrictions on women in religious places was not limited to Sabarimala alone and was prevalent in other religions as well. This was in reference to the review pleas for larger bench seeking review of its 2018 ruling that allowed menstruating women to enter the Sabarimala Temple in Kerala.

In January 2020, the All India Muslim Personal

Law Board (AIMPLB) filed an affidavit in Supreme Court stating that entry of women in mosque is allowed as per Islam. However, it is not mandatory for women to join group prayers or congregational prayers as they can offer prayers at home too. This was in response to a petition filed by a Pune-based Muslim couple seeking to uphold the right of Muslim women to enter mosques freely and offer namaz.

**Nivedita Pal is a Kolkata-based law associate working on a Women Rights Project with [www.thewomansurvivor.com](http://www.thewomansurvivor.com) – an initiative of DraftCraft International to protect and empower women by bringing on one platform the latest on rights and issues, strategic case studies, state initiatives and informed legal opinions.**

# Fighting bias across society and within homes

*Indian women are redefining their roles in society by exploring uncharted territories in every field that were once considered male bastions. However, they are still battling discrimination at home and outside, as patriarchal mindset has not changed much with time, says **Sonal Aggarwal**.*



India is a land of contrasts and diversity. Gender discrimination and bias has plagued the nation for centuries, so much so that the world thinks India is one of the worst places to live as a woman. India is also a nation of goddess worshipers and a land where people call their country their 'mother' - Bharat Mata.

Discrimination of women is prevalent across societies and cultures all over the world. While in some tribal and indigenous groups the female has more authority and better status as compared to their male counterparts, in most modern societies, in developing and developed nations alike, women face discrimination on personal and professional fronts. Swami Vivekanand once said, "There is no hope of rise for that family or country where there is no estimation of women, where they live in sadness". It's time for us to relook and reaffirm women's correct stature in society.

## Women redefining their roles

Indian women are speeding ahead in every field one can think of. Science, technology, sports, armed forces, medicine, law enforcement, law, research and more. In fact, in the last decade, women marched ahead in uncharted territories that were once considered bastions of men. In redefining their roles in the society, women have come a long

way ahead, treading a path that was long, arduous and full of challenges - physical, mental and societal.

Indian women have gone to space, deep-sea explorations, climbed the highest mountains, ran multi-national companies, led political parties, marched with the armed forces, flew jets and pioneered scientific research and technological developments. Women are the backbone of any society and the scaffold that holds families together.

In India, like the rest of the world, women and their role in society is a hot topic for discussion. Despite garnering support for gender equality from all quarters, including the men, a significant chunk of the male population in rural and urban India still believes that the role of women has been pre-defined – to manage the household, rear children and take care of the family. Social conditioning is an important factor, so much so that majority of the women also feel they have pre-determined and fixed role to play in a family and in society.

Sadly, most women tend to underestimate their achievements and potential. A patriarchal society expects a woman to be humble and polite. Women who are aggressive, driven and ambitious are often disregarded and their achievements dismissed. That's where the perception deeply



ingrained in our mindsets must change to give women their right place.

## Women in India's Independence movement

Women such as Rani Laxmi Bai, Sarojini Naidu and myriad others played pivotal roles in India's Independence movement. Indian women stood shoulder to shoulder with the men to bring India out of the shackles of the British. They rallied endlessly, marched for thousands of kilometres, faced lathis and bullets along with the men and completely embodied Mahatma Gandhi's vision of a free India and Swarajya. Subhash Chandra Bose's Indian National Army (Azad Hind Fauj) was the first in the world to recruit women to fight against the British.

The norms that bind women or curb their freedom are a product of the patriarchal form of society. In India, except for a few tribal groups and some communities in South India, society is predominantly patriarchal and consequentially a driver for gender-based discrimination.

Oppressive practices, orthodox traditions and the custom of submission of women have created bias that has now acquired the status of a norm pervading socio-economic groups and even across culturally diverse communities.

## Discrimination at workplace

The Human Development Report 2015, published by the United Nations Development Programme (UNDP) stated that the world over, women undertake most of the unpaid housework and care-giving work in their homes and communities. The statistics reveal the stark discrimination against women that exists in workplaces.

The report goes on to reveal that “due to disproportionate workload in terms of care giving duties, women most often have less time for other activities such as paid work and education”. In a sample of 62 countries, it is interesting to note that “on an average 4.5 hours a day were devoted by men to social life and leisure while for women, the number of hours was reduced to 3.9 in India.”

At workplace, women do not get paid on the same terms as their male counterparts. Part of the problem is lack of self-assurance and confidence in women to exercise their rights and the other part is presence of male superiors in the management who exercise personal bias. Many women drop out owing to lack of safety provisions at workplaces, often compounded by unsupportive families who use safety as an excuse to keep their women at home.

Not only there is a bias in hiring by organisations, there is a huge disparity in terms of remuneration, perks, facilities and provisions for promotion. Also, lack of creche, nursing rooms, even ‘clean’ toilets often dissuade women from working. Young mothers, pregnant women continuously face the fear of losing work.

Surprisingly, even educated working women seem

socially conditioned to comply to the demands of their husbands and in-laws and give up their careers post marriage and take up their ‘duties’ of child-bearing, housekeeping, etc.

The Indian government has brought in several schemes and newer laws to support working women. More recently, the government introduced a law to increase the duration of ‘paid’ maternity leave making it one of the longest in the world now, a move providing relief to millions of to-be-mothers who struggle between pregnancy and work commitments.

## Women-centric policies

India has come a long way, since Independence, in framing laws and policies to protect and empower women. More importantly, now more women are in the public sphere, catalysing change and creating spaces for women to be part of growing India.

Positive discrimination or affirmative action has been provided in the Indian Constitution for weaker sections of the society, such as women. Constitutional provisions, government schemes and local laws have helped reduce the gender gap. Also, the increased enrolment of girl child in primary and secondary schools, improved maternity benefits and maternal health have helped incorporate more women in the work force. Processes have now been put in place to prevent violence against women, reduce pay parity and prevent sexual harassment at workplace.

However, poor implementation of the law, insensitivity of the authorities and awry perception among the society and enforcement agents pose hurdles. Female foeticide is still rampant in several pockets across the country, dowry deaths and brutality are commonplace till date, women are at risk at workplaces, girl children and women are vulnerable to predators even within the confines of their homes and public apathy makes women prone to risks in public spaces.

Gender bias pervades all aspect of a woman's existence, even before they are born. Bias affects their right to education, healthcare, vaccination, nutrition, employment, representation, justice and life.

Women are an untapped resource that can fight illiteracy, poverty, violence and other ills that plague modern societies. The potential of the fairer gender has been revealed throughout history in literature, science, even war. Women have come a long way fighting all biases and now work at par with men. The world today needs to recognise it.

**Sonal Aggarwal is a dedicated volunteer and rural activist with [www.thewomansurvivor.com](http://www.thewomansurvivor.com) – an initiative of DraftCraft International to protect and empower women by bringing on one platform the latest on rights and issues, strategic case studies, state initiatives and informed legal opinions.**

# A woman's right to abort is conditional

*The Medical Termination of Pregnancy (MTP) law in India is progressive and the recently proposed amendments mark a significant victory for the reproductive rights of women, as it seeks to grant legal abortion on humanitarian, social, as well as therapeutic grounds, writes **Manu Shrivastava**.*



## Regulation of abortions

Every country has a different abortion law that permits, restricts or prohibits abortion and regulates it in a manner such. The law is governed by the socio-cultural and ethical framework of that country.

Abortion remains a divisive social and political issue. For example, in Ireland, where abortion has always been illegal, a new law introduced in 2018 allowed abortion during the first 12 weeks of pregnancy and later in cases where the pregnant woman's life is at risk, or in cases of fatal

In a country where discussions on sex education, pre-marital sex, safe sex, menstruation, sexual health and hygiene have hushed undertones, conversations around abortion invite mixed responses -- shame, stigma and sometimes fear. The topic, however, remains controversial and is perceived mainly through the prism of religious and moral and not medical grounds or an expression of a woman's personal choice.

Medical Termination of Pregnancy (MTP) or Medical Abortion is the ending of a pregnancy by removal of the foetus, pregnancy tissue or products of conception. When foetus is removed, it is done before it can survive outside the uterus. When the pregnancy is ended with deliberation, it is called an 'induced abortion' and when the abortion occurs without intervention, it is known as a 'spontaneous abortion' or a 'miscarriage'. A procedure where foetus capable of surviving outside the womb is removed is called 'termination of pregnancy'.

There are two ways to end a pregnancy i.e. abortion:

- Medical abortion by use of drugs (pills)
- Surgical abortion by operation in a clinic

foetal abnormalities. The archaic Irish abortion law came under intense scrutiny and criticism when in 2012, an Indian woman living in Ireland – Savita Halappanavar, died after being denied an abortion while suffering a septic miscarriage.

In India, a very progressive Medical Termination of Pregnancy (MTP) Act was enacted in 1971 that provides for the termination of certain pregnancies by registered medical practitioners until 20 weeks of pregnancy.

The union cabinet recently approved The Medical Termination of Pregnancy (Amendment) Bill, 2020 that proposes 'to permit the termination of pregnancy up to 24 weeks from the existing 20 weeks' and 'aims to expand access of women to safe and legal abortion services on therapeutic, eugenic, humanitarian or social grounds'.

The increase in gestational age has been proposed mainly for rape survivors and minors and will now require consultation from two medical experts, instead of one. Minister of Women and Child Development Smriti Irani called it 'a new step towards gender equality'.

And rightly so, as the amended law will help minor rape survivors who, in the initial months, do not even realise they are pregnant. In such cases, the parents often learn of the rape and the pregnancy much later, sometimes after 20 weeks. So, the proposed amendments mark a significant victory for reproductive rights of women.

## The stigma of abortion

The stigma of abortion affects young girls and women, communities, medical practitioners, MTP providers, lawyers, activists, even grassroots workers. Largely stigmatised in urban and rural India, the taboo associated with abortion often prevents women from seeking safe and legal MTP services.

It stops them from talking about their experiences to guide other women. Out of fear and shame, women don't even report malpractices and deficiency in services that are rampant in abortions given the 'secrecy' surrounding it. It is the single-most reason for the associated cost of an MTP escalating to exorbitant amounts owing to the hugely unregulated practice.

According to a study by The Lancet Global Health on the incidence of abortion and unintended pregnancy in India, an estimated 15.6 million abortions were performed in 2015. This means an abortion rate of 47 per 1,000 women aged 15–49, similar to the abortion rate in neighbouring South Asian countries.

Of these, most of the abortions (81 per cent) were achieved using pills or drugs (medical abortion) obtained either from a health facility or another source; 14 per cent were performed surgically in health facilities (surgical abortion); the remaining five per cent were performed outside health facilities i.e. using unsafe methods.

## The risks of unsafe abortions

Despite a good abortion law in place, many vulnerable women continue with unwanted pregnancies or undertake unsafe abortion methods. A study published in the Indian Journal of Medical Ethics revealed that 10-13 % of maternity-related deaths are directly associated with botched-up abortions.

The law in India is progressive but societal perception and the stigma associated with abortion means lack of awareness and poor implementation of the law. The newly-proposed amendments seek to grant legal abortion on humanitarian, social, as well as therapeutic grounds.

Shady banners and placards at bus stops, public toilets, in dingy lanes and in obscure corners of the city offering to perform abortions are not an uncommon sight. There are as many illegal options available as legal to perform abortions. Illegal facilities and availability of 'unaccounted-for' MTP pills at pharmacies pose grave threat to lives of girls and young women who, for multiple reasons, social and financial, cannot approach legitimate clinics or

medical professionals.

## Reproductive rights and privacy

The MTP Act gives an 'adult' woman complete autonomy and authority to decide if, and when, she wants to undergo abortion. It is only at the explicit will of the woman, and no other, that a doctor can perform abortion within the legally-permitted time. The Supreme Court of India in a landmark judgment had said, "A woman's freedom of choice whether to bear a child or abort her pregnancy are areas which fall in the realm of privacy." However, in reality, doctors ask for express consent from husbands or families or father of the child (in case of pregnancies outside wedlock) before performing the abortion.

The MTP Act clearly provides for protection of the identity of the woman. However, most government and private hospitals disregard privacy completely. The doctors and the staff are prejudiced and outright careless in terms of protecting the identity of the woman.

In most facilities, government or private even in reputed facilities, the paperwork generated as a prerequisite to any MTP procedure are easily accessed by any staff, when making inquiries or between personnel from other departments even during procedures such as conducting an ultrasound of the uterus. There are absolutely no precautions taken to uphold the patient's privacy.

Despite provisions in the law, a woman's reproductive rights are not recognised by the very administrators of the law.

## Prejudice at every step

The entire procedure of an abortion is traumatising for a woman and has lasting effects. It becomes more difficult and trying for a woman who seeks abortion of a pregnancy outside wedlock. The prejudice that is ingrained in society surfaces through people who 'administer' law at every step. Hospital staff, doctors, chemists even pharmacists.

It is important to grant reproductive rights to a woman in the complete sense. Safe abortions and reproductive rights can be assured by talking about abortions, safe sex, pre-marital sex and removing the stigma associated.



**Manu Shrivastava is a media legal researcher with DraftCraft International, and co-convenor of 'The Woman Survivor' initiative that documents abuse of women and children within families.**

## The cyber threat

*The social media today has empowered women and given them a platform to be heard. However, the down side is the risk that women face in cyber space in the form of trolling, hacking, stalking, online abuse, etc., cautions, **Vedika Jain**.*



is actively sharing personal information and details on the internet through social networking sites and apps are staggering and worrisome. Social networking sites such as Facebook, Twitter, YouTube, Quora, Instagram, Pinterest, Snapchat, LinkedIn boast of billions of site visits and app downloads and millions of new subscriptions every month.

In India, the number of active social media users was 310 million in January 2019 which is expected to rise to 448 million by 2023. Facebook, YouTube being the most popular social media networking platforms and TikTok being the most downloaded app of 2019.

## Social Media has empowered women

There is no doubt that social media has pervaded every aspect of our lives, even our personal spaces. As a young country with a population of over 1.3 billion people, there were 560 million active internet users in 2019. The figure is estimated to reach 636 million active internet users in 2021.

With an average sex ratio of 940 females per 1,000 males, there are inadvertently a significant number of females who are active internet users at present and the number will only grow in the years to come. So, how safe are Indian women in cyber space? And is there a need for young girls and women to worry as the virtual world inches closer every minute?

In India, the highest internet penetration is in NCT of Delhi followed by Kerala, Jammu and Kashmir, Haryana, Himachal Pradesh and Punjab. The eastern states, except Assam in the Northeast, have lower internet penetration. The penetration is rising with every passing day and among the metros, Mumbai has the highest internet population closely followed by Delhi. Also, Kerala, Tamil Nadu and NCT of Delhi have a higher proportion of female internet users. The male-female user ratio is 60:40 in Indian metros with a population larger than five million people.

Several studies, trends and development in the recent years have managed to highlight the pros and cons of social media in affecting and influencing women`s rights movement. “In India, similar to several other countries, women lag behind their male counterparts in mainstream media and basically lack equitable representation,” says Lucknow-based Mass Media student Sonal Choudhary.

“Social media has successfully managed to reduce the gap and offered a level-playing field for women who can now voice their opinion freely. It is important for women to speak up and be those voices that inspire and transform societies because only women are sensitive enough to understand problems and find reasonable solutions”, she avers.

Social media platforms are encouraging women from diverse backgrounds and socio-economic strata to have an audience and be heard. Women who were denied any power traditionally or the 'privilege' to exercise decision-making are now finding their space, creating identities through social media. A Mumbai-based media professional Sneha Nair accepts that despite being in 'powerful' positions, women often exercise restraint in dealing with male subordinates or counterparts.

(continued on page 30...)

The numbers and the sheer size of population that





# BANAVASI

## *The land of the Kadambas*

*A town steeped in antiquity, Banavasi in Karnataka was once a capital of the Kadamba dynasty who ruled over the north-west part of Mysore for more than 200 years. The beautiful Madhukeshwara temple, the remains of a rumbled down fort and a summer palace at Gudnapur are the only reminders of a glorious past.*

***Text & Photographs : Usha Hariprasad***



**The Adi-Madhukeshwara temple at Pampa Vana dedicated to Shiva**

It was dark when I reached Banavasi. There was a chill in the air as I stepped out of the vehicle. I could hear the chirping of the crickets high above me. All around me were trees of teak and jackfruit. With very less street lights and houses afar, the guest house at Banavasi looked to be deserted, miles away from any civilisation. In other words it was just perfect – no traffic, no blare of horns to disturb my peace. It was total bliss.

Call it by any name Vanavasa, Vaijanthipura or Banavasi, the town is steeped in antiquity. Determined to explore the place as much as possible during my two days stay here, I set out to visit the Pampa forest just opposite my guesthouse.

## Pampa Vana and Adi Madhukeshwara

Pampa Vana or forest is a grove with the typical set of Malnad trees – jackfruit, teakwood, and rosewood... As the name suggests the grove is dedicated to the Kannada poet Pampa. A dilapidated children's park at the entrance greets me and as I walk further down the narrow muddy lane with tall trees on either side of me, I hit upon

an ancient temple – the shrine of Adi Madhukeshwara. Nothing much to see at the temple except for a lone Shiva *linga* decked up with white flowers from the forest nearby. The temple houses a *garbagriha* (sanctum sanctorum) and a small *navaranga* with four pillars. The *shikara* (spire) of the temple is of a later time period but renovated in Kadamba style while the *navaranga* is of later Chalukyas.

It is only later that I learnt about this temple's significance. The famous Madhukeshwara temple of Banavasi was first constructed here, but due to unsuitability of this location, it got shifted to its present location in Banavasi town. There is however much more to the Adi Madhukeshwara temple than this.

Sharada, a 60-year-old woman from the Gudikar community of Banavasi mentioned that the villagers have a tradition connected to the temple. "If there is a dearth of rainfall in this area, the farmers worship this deity and lo, within a week there are rains in the village."

Exploring the Pampa Vana I remembered what Pampa said about Banavasi. "It is difficult to be born there



as a man; if that is not possible let one be born as *kokila* (cuckoo) or a bee in the paradise of Banavasi.”

## A glorious past

The next day after a simple breakfast of *Kada-bu*-rice dumplings and sliced pineapples which Banavasi is quite famous for, I head out to Madhukeshwara temple. The temple with its myriad lanes form the nucleus of this small town. The lanes lend meaning to the place and give a peek into its once glorious history. As I stroll through the lanes I come across Santepete – *sante* means bazaar so perhaps the lane was for village produce; then came Kanchipete – a lane for bronze products as *kanchu* in Kannada means bronze. There are the typical hole in the wall shops; shops selling two varieties of pineapples known as king and queen, tender coconut, etc. Just across the temple is the River Varada flowing peacefully – a mute witness to the splendid Kadamba dynasty who ruled over north-west part of Mysore for more than two centuries.

The Kadambas ruled from 4<sup>th</sup> century AD to

middle of 6<sup>th</sup> century AD making Banavasi their first capital.

Banavasi is quite ancient. It finds mention in many inscriptions and literature. During the Mahabharata period it was known as Vanavasa. The Buddhists knew it as Vanavasa and Asoka had sent his missionaries here, the Jains knew it as Vaijayanti while Hiuen Tsang, the Chinese pilgrim-scholar mentions it as the city of KonKon-ki-napulo. In Ptolemy's geography Banavasi is mentioned as Byzantian. Banavasi was a part of Satavahana Empire as well; bricks, coins and inscriptions of this period are found here. No doubt Banavasi is old, however nothing much of its antiquity remains today except for a rumbled down fort, a summer palace few kilometers away at Gudnapur, and the Madhukeshwara temple which boasts of a second century inscription.

## Tracing the Kadamba history

About 44 kilometers from Banavasi is a place called Talagunda that has an ancient stone inscription that talks more about Kadamba dynasty. In front of the



Madhukeshwar courtyard





***(Above) The Jain temple near Madhukeshwara has the image of Chandranatha***

***(Below) The Triloka-mantapa depicts the three worlds***

Pranaveswara temple of Talagunda, there is an inscription composed by poet Kubja in Champu style in Sanskrit. The 450 AD inscription was installed by Santivarman of Kadamba dynasty and mentions that his father Kakusthavarmā constructed a tank for Pranaveswara temple. More importantly it mentions the founding of the Kadamba dynasty by Mayuravarma.

### **This is what it says...**

Mayuravarma, a Brahmin of Manaya gotra went to Kanchi for pursuing Vedic studies. There he was humiliated by a Pallava guard and in anger he took up arms, collected an army, defeated the Pallava officers and established his kingdom. The name Kadamba was after the kadamba tree that grew in his ancestral home. He ruled from 345-360 AD after which he was succeeded by his son Kongunivarma and his grandson Bhageeratha. Kakusthavarmā ruled from 425-450 AD and after him his kingdom got divided between his two sons – Santivarman and Krishna Varma I. Santivarman ruled from Banavasi while the other son ruled from Tripurvata. During Santivarman period he had to fight the Pallavas. His son Mrigesa Varma 470-488 AD, succeeded him. He expanded the kingdom and during his time period, Halsi was made as a secondary capital of Kadambas. Ravivarman was another illustrious ruler, who ruled from 500-538 AD and he was





followed by his son Harivarma. During his reign he was attacked by Krishnavarma II from Triparva line of Kadamba branch who united both the branches of Kadamba family and captured Banavasi. However he was defeated by Pulakesi I, the Chalukya chief who later built a fort at Badami and established his rule. Thus the independent rule of Kadambas came to an end after this. Though the dynasty was overpowered by the Chalukyas, the Kadamba chiefs continued ruling as feudatory chiefs – notable among them were Hangal Kadambas, Kadambas of Goa etc.

## Madhukeshwara temple

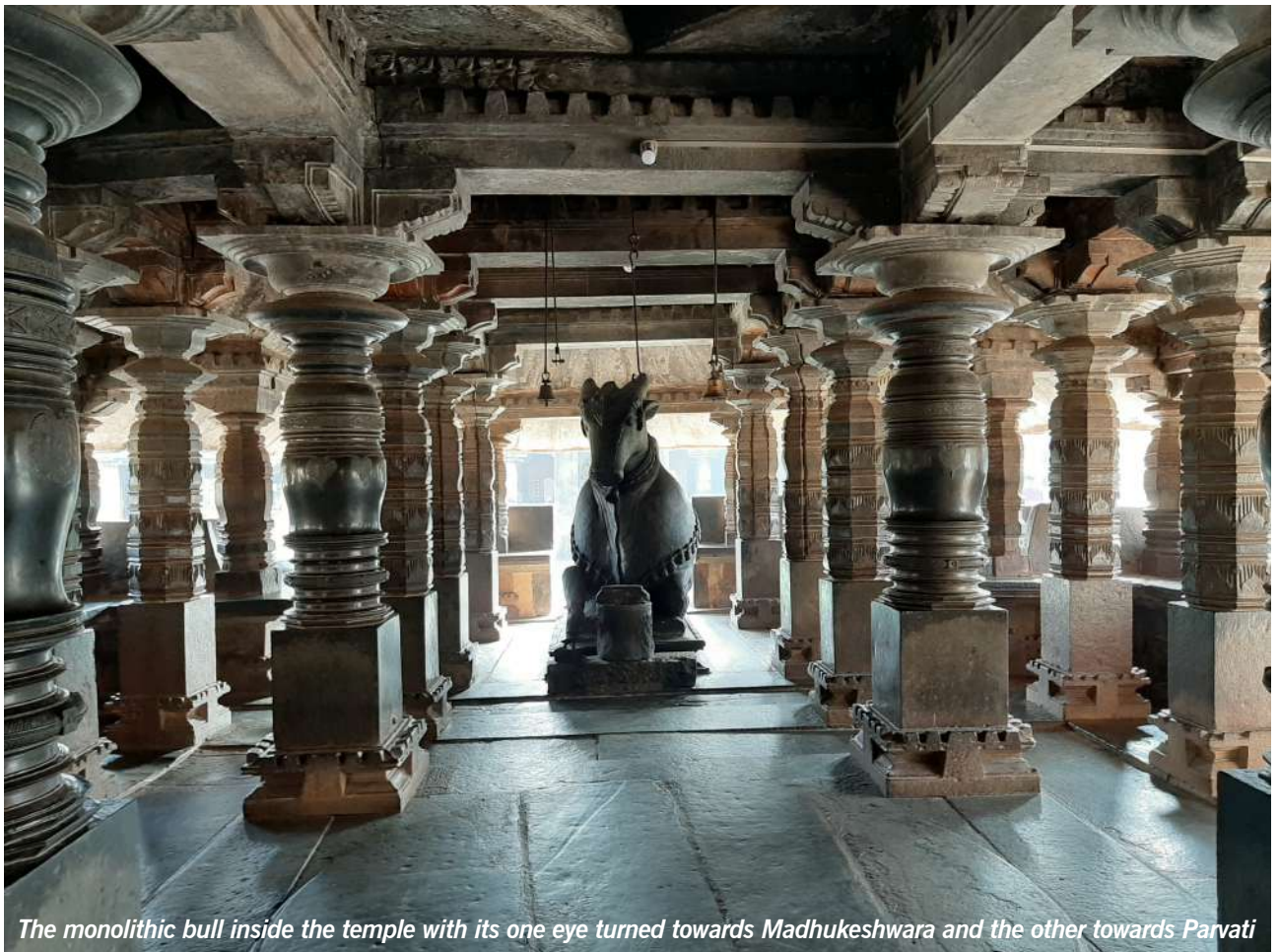
Enter the Madhukeshwara temple and you will be thrown back in time. Various dynasties have left imprints on the temple. While the temple is an ancient one, perhaps as old as the Satavahana period (early rulers from Karnataka who ruled till 225 AD) or still older, later dynasties like Kalyana Chalukyas, Hoysalas, rulers of Sonda, and a few others have expanded the temple. Thus the temple is still in a very good condition.

The temple is dedicated to Shiva and has an inner sanctum, a *sukhanasi* and a *navaranga*. The *linga* is honey coloured; hence the name Madhukeshwara. The main temple is dated to Kadamba period. In one of the niches of

the *mandapa* there is the statue of Adi-Madhava which many believe to be the original deity of the temple. Even today worship is done first to this deity and then to Madhukeshwara.

The temple has additions done in various intervals. A *navaranga* has been added which is dated to Kalyana Chalukya times. The lathe shaped polished pillars of these have a convex and concave finish which in those days added to the aura of dance performances. The *navaranga* is also significant for another reason. It is here that Allama Prabhu, the 12<sup>th</sup> century mystic defeated Maye, the daughter of King Mamakara Bhoopala and proved the supremacy of asceticism. The duet was between Maye's dance and Allama's mridangam.

There are many interesting things to note in this temple. If you look at the monolithic *basava* or the bull in the temple you will be surprised. One of its eye is turned towards Madhukeshwara and another towards Parvati who is enclosed in the adjacent Parvati shrine built during the Sonda period. Then there is the Triloka Mantapa – a structure installed by Sonda chieftain Sadashiva Nayaka (1674-1697). The *mantapa* depicts the three worlds – Devaloka (the land of gods), Bhuloka (the world of men) and Patala (the underworld). The sculptural details of the



*The monolithic bull inside the temple with its one eye turned towards Madhukeshwara and the other towards Parvati*





*The intricate carvings on the Madhukeshwara temple walls*

*mantapa* is beautiful. The bottom part of the *mantapa*

depicts a serpent – Mahashesha and elephants holding Patala – the underworld. Bhuloka or the Earth is at the centre and at the top of *mantapa* there is Devaloka with gods and *ashtadikpalakas* or the gods of eight directions. All around the structure are intricate carvings of Krishna, Shiva devotees, mythical figures etc.

The courtyard of the temple boasts of a stone cot donated by Sonda chieftain Raghunatha Nayaka in 1628. It is exquisitely carved with creepers, lions and various floral patterns on the ceiling. Other unique things to note in the temple are the half-Ganapati statue and the Narasimha carved out in *saligrama* stone. As you go around the temple there is a five hooded *naga* stone which has a second century inscription on it. The inscription is in Prakrit and talks about a princess Sivaskanda Nagashri who constructed a *vihara* and tank here. There is a small museum attached to the temple complex. There is a Chutu inscription here of second century AD.

Outside the temple complex is a sandalwood chariot dedicated to Madhukeshwara by Sonda chieftain Ramachandra Nayaka in 1530. Boasting of six wheels the wooden chariot is hollow inside. Until 1900, two elephants from Sringeri *mutt* were brought to pull the chariot. The



*The lathe-shaped polished pillars inside the navaranga*



practice however has stopped now.

The Kanchipete lane near Madhukeshwara boasts of a Jain temple. It has the image of Chandranatha. All around the temple are smaller shrines dedicated to Neelakanteshwara, Kadambeshwara etc. The River Varada nearby has a Shiva *linga*. Popularly known as Rudrapada it is the place where devotees perform the last rites of the dead.

## Banavasi Fort

In the Aihole inscription of Pulakeshi II, Badami Chalukya ruler there is a mention of Banavasi. Banavasi is termed as Jaldurga or water fort. The Banavasi town was protected by River Varada on one end while a brick fort covered it on the rest of three sides. Surprisingly the town has the remains of this fort and moat. A little distance away from the temple there is a rumpled down fort. It was said to be an oval fort. The burnt bricks found at the site date back to Satavahana period. There are also laterite blocks that are from the Kadamba period and were used to enlarge the fort further. During the later Kadamba period the north side of the fort was extended with laterite stones.

## The king and queen pineapples

Banavasi is famous for its pineapple plantations. Two varieties of pineapples are grown here – the king and queen variety. The king is bigger, slightly sour while the queen is smaller but sweeter. A drive or stroll around the town will give you a glimpse of these famed pineapples. The pineapples grown here are quite in demand in neighbouring states and as far as Delhi, Goa and Mumbai. Most of the produce gets sold, what doesn't, gets supplied to fruit factories for processing into jams and juices. Along with pineapple plantations you will also see paddy, areca and plantains thriving in Banavasi.

The famous Pineapple King of Banavasi – Dr Rauf Sheikh resides here. His plantations of pineapples, bananas, areca, pepper, paddy use innovative methods in farming and for his efforts he has been awarded an honorary doctorate by Dharwad Agriculture University. His family is quite happy to explain the farming methods and show the plantations to tourists around.

## Banavasi arts and crafts



*The remains of the Banavasi fort. The bricks found at the site date back to the Satvahana period*





*An exquisitely carved stonecote donated by Sonda chieftan Raghunatha Nayaka in 1628 in the temple courtyard*



*A pillar with 2<sup>nd</sup> century inscription at Gudnapur*

There is an art gallery called Varnaloka which houses various crafts – Yakshagana masks, sandal wood carvings, *basingas* (head gears used during weddings), baskets and sculptural work, etc. The traditional community of Gudikar also reside at Banavasi. From centuries they were associated with temple activities – creating garlands, basingas, flowers and bridal hair accessories like Moggina Jade. Some of the craftsmen can be seen at Santepete.

Sharada Gudigar one of the oldest community members talks to me about this heritage art and also shows me how to make a bunch of colorful flowers. The *basingas* and garlands that she prepares are made from the bark of an aquatic plant, strung together and coloured with various colours. It is a heritage craft and a dying one as not many youngsters pursue this. She however mentions that they still get around 2000 orders per month for *basingas* from Hubli, Dharwad and few other places in Karnataka during the wedding season.

## Gudnapur

Talagunda inscription is not the sole inscription of Kadambas. There is another stone inscription in Gudnapur. Locat-





***The Veerabhadra temple at Gudnapur constructed in Chalukyan style***

ed just five kilometers from Banavasi, Gudnapur boasts of a 20 feet tall Manastambha that talks about the Kadamba dynasty. Dated to 5<sup>th</sup> century it talks about the temple built here by Ravi Varma II. The temple for Manmatha was constructed by him and he is said to have inaugurated the spring festival called as

Manmathotsava or Vasantotsava. He also gave grants to the temple and constructed a tank called Guddatataka. The inscription is of 27 lines written in Brahmi script. Near the inscription pillar is also the temple of Veerabhadra of later Chalukyan style. It has the *garbagriha*, *ardha mantapa* and a *navaranga*. There are images of Rati, Kama, Mahavira and Veerabhadra here. All around the temple are structures of Kadamba period. The Gudnapur *kere* nearby has an old temple of Bangareshwara.

### **Tips for exploring Banavasi:**

- Banavasi is well connected to major towns like Shimoga, Sirsi, Hubli, Haveri etc. Public transport from these centers



***The 20 feet tall Manastambha that talks about the Kadamba dynasty***



*The serene lake at Gudnapur*

is easily available.

the sun sets.

- Banavasi does not boast of many luxurious lodging. There are tourist homes provided by Vanavasika which provide basic amenities and simple food. One of them is located opposite Pampa Vana.

- Try the juicy pineapples here. They are one of the best ways to beat the heat.

- Most of Banavasi can be explored by walk or by cycle. Ask for a map in the tourist home or office of Banavasi.

- The winter months are one of the best times to explore this area. It is warm during the day and turns chilly once



Usha Hariprasad is a freelancer who is fond of travelling, discovering new places and writing about travel related destinations around Bangalore at Citizen Matters. Currently, she works in a trekking organisation.

## Our Last Six Issues

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## ***“Unproven alternative remedies may be harmful”.***

**Dr. Avinash Ignatius** is a Senior Consultant Nephrologist with Noble Hospital and Ruby Hall Clinic, Pune and a transplant physician. An M.D., D.M. Nephrology (A.I.I.M.S), he is a much sought after popular doctor, friend and confidant with a smiling countenance, whose patients feel at ease interacting with him.

In conversation with **A. Radhakrishnan**, Dr. Ignatius stresses on the need for healthy lifestyle, kidney care and early detection by annual blood tests.



### **What is Nephrology and why did you choose it as a Specialty?**

Nephrology means the study of kidneys (nephrons are the functional units of kidneys). I had many reasons to choose Nephrology. Medical profession today has advanced to a phenomenal level, but medical care has become fragmented and compartmentalised. While the amount of knowledge has multiplied manifold, it is impossible for everyone to know everything, and the drawback is that human touch is lost.

Nephrology as a specialty provides some of the most complex decision making challenges in the field of medicine and incorporates almost all sub-specialties of medicine. When kidneys lose function we are able to relatively easily, artificially replace those functions or do a kidney transplant. This is still fairly difficult or not possible for other organs. Unlike most other fields in medicine, majority of patients remain in a nephrologist's care for life, making them almost an extended family.

### **Your education and experience?**

With father serving in the Air Force, I was privileged to experience the diversity of India, every few years. These experiences added to my formal schooling, which happened in Kendriya Vidyalayas.

I completed my M.B.B.S. from Govt. Medical College, Bellary (now Vijaynagar Institute of Medical Sciences) on merit; my M.D. in Internal Medicine from St. Johns' Medical College,

Bangalore and subsequently joined the Department of Nephrology at St. Johns' Medical College and Hospital, Bangalore. After a year, I was selected as Senior Resident at Sanjay Gandhi Post Graduate Institute of Medical Sciences, Lucknow. Selected through a national entrance test, I completed my D.M. in Nephrology from All India Institute of Medical Sciences (A.I.I.M.S.) New Delhi and before moving to Pune, I provided consultation at Fortis Hospital, Escorts Heart Institute and Holy Family Hospital in New Delhi.

In Pune, I was able to establish the Department of Nephrology at Noble Hospital, which now has one of the largest units providing world class dialysis facility with 31 stations including an ICU for critically ill patients. Managed by NephroPlus, it is also one of the few centres in India that provides maintenance dialysis to HIV positive patients and has performed renal transplant in HIV positive patients. I am also a senior consultant in Nephrology at Ruby Hall Clinic, Wanowarie, Pune which has a premium dialysis unit with 10 stations, also being managed by NephroPlus.

### **How important are good interpersonal skills, thorough attention to detail, patience, critical thinking skills, experience and strong problem-solving capabilities essential to a nephrologist?**

All these are crucial. Most kidney patients have multiple co morbidities; they usually are diabetic, hypertensive and/or have heart disease. In addition they may have many other health issues. Usually they are on multiple medications,

which may interact with each other or may need to be stopped or doses reduced due to reduced kidney function. It is even more complicated in critical care settings where fluid balance, electrolyte disturbances, acid-base abnormalities along with appropriate modification of medications become extremely crucial in managing patients. One needs to be extremely vigilant to not miss out anything.

Patients and their caregivers are already stressed once they are aware about kidney issues. In addition there may be a lot of myths, heresay or from online sources. It requires a lot of patience, counselling and tact to communicate well with not just the patients, but also their family and friends.

For critically ill patients who need emergency dialysis, there may be limited time for detailed counselling, and a delay can make the difference between life and death. Meanwhile there are situations where dialysis may be extremely risky and may not benefit. In these stressful situations good communication skills can help get the right message across.

### **Are there sufficient nephrologists in India?**

India has about one nephrologist per million population. This is further skewed due to disproportionate distribution of specialists in urban areas. Lack of appropriate facilities does limit the ability of a nephrologist to provide reasonable care to a renal patient in rural areas. This and lack of adequate civic amenities dissuades many in moving there. However there seems to be a positive shift and now we are seeing more than one nephrologist in even smaller towns with facilities of dialysis and even renal transplant.

### **How far has India progressed in kidney disease treatments?**

The number of people we see on dialysis and undergoing transplant is just the tip of the iceberg. There are patients many times over, who are suffering from lesser degrees of severity of kidney disease, majority of who aren't even aware. Data from limited studies done in India estimates a prevalence of Chronic Kidney Disease (CKD) in upto 17% of adult population. While the main contributors of CKD in the West is from diabetics and hypertensives and are older patients; in India a large section of CKD is seen in the young and middle aged, in whom the primary etiology is undetermined and affects a significant portion of our population in their prime. India is at par with the West in quality of services available at a fraction of the cost and is the second largest transplanting country after the USA. Even ABO incompatible transplants (mismatched blood group kidney transplant) are being routinely performed in India. Despite the relatively lower cost as compared to the West, treatment is beyond the reach for most.

### **What are the ways in which we can keep them healthy?**

Majority of metabolic waste generated in the body are excreted by the kidneys. They are the primary balancing organs of the body; whether one is fasting or binging, kidneys will retain or discard excess of fluid / salts / other electrolytes like potassium / calcium/ phosphorous and magnesium.

Kidneys are essential to maintain blood pressure and in kidney disease more than 90% will have high blood pressure and need multiple medicines to control it. They activate

Vitamin D which is essential for bone health. They also produce erythropoietin, a hormone essential for production of hemoglobin by bone marrow.

### **What are the signs of kidney/ renal failure?**

Unfortunately, kidney failure in majority is asymptomatic. Kidney disease may progress to advanced degree without significant symptoms. One of the earliest signs of kidney disease is increased frequency of urination, especially waking up 2 - 3 times at night to pass urine. Other reasons are uncontrolled sugars, enlarged prostate, urinary tract infection or just a habit of having excess fluids before sleep. In early kidney diseases, some may develop protein leak in urine. This will present as foamy urine due to reduced surface tension. Other symptoms are swelling on the feet and face, lack of appetite and nausea, unexplained itching, breathlessness. Some may be present first time after fractures from a trivial fall. Pain is a rare symptom of kidney disease and occurs when a stone blocks the passage of urine or in case of infection in the kidneys. Majority of renal failures are painless. Therefore it is imperative that one should test oneself at least once a year for kidney disease.

### **What type of dialysis would you recommend?**

There two forms of dialysis available. Hemodialysis - In centre or home and Peritoneal Dialysis - CAPD or APD. Hemodialysis process takes the blood from the patient and passes it through artificial membranes that filters and then returns the same purified blood back to the patient. In centre, Hemodialysis is the most common modality in India and there are about 1,30,000 patients on this. Some patients opt home hemodialysis which allows them the flexibility of time and more frequent dialysis. However, home hemodialysis is more expensive and is not covered under insurance.

Peritoneal dialysis utilises the peritoneal membrane (lining in the abdominal wall and around the bowels) to remove toxins from the blood and can be performed at home by patients themselves or their caregiver. It can be done manually through the day (CAPD) or by an automated machine at night (APD) while the patient sleeps.

Both forms of dialysis are equally effective. And choice is based on patient preference/ certain medical conditions/ logistics or availability of services.

### **What is the difference between AKI and CKD?**

Acute Kidney Injury (AKI) is a sudden deterioration of kidney function; it may be due to infection/ sepsis/ reaction to certain medications such as pain killers or certain alternative remedies etc. These are usually reversible even if requiring dialysis, once the primary cause has been treated. However, even those who appear to have had complete recovery from AKI, should keep a regular check on their kidneys as they have higher risk of developing CKD (Chronic Kidney Disease) in future.

CKD is generally a slow progressive decline in kidney function and by definition irreversible. Most common cause for this is uncontrolled diabetes, hypertension, and indiscriminate use of painkillers.



### How much would you recommend kidney transplant?

Kidney transplant is considered the best treatment for kidney failure, as the person can achieve near normal quality of life after transplant. However certain patients with multiple co-morbidities and poor long term survival may be unfit to undergo kidney transplant and may be better off on dialysis. Hence the decision needs to be individualised and not offered to unsuitable patients.

### How often should one undergo blood tests?

Healthy persons should undergo a urine routine /microscopy, serum creatinine and eGFR at least once a year. CKD patients will be required to follow up as per their nephrologists' instruction, depending on the severity of CKD.

### Are there support groups you can recommend?

Kidney Warriors Foundation is a patient and caregiver run foundation. Incidentally I had suggested the name to this group during its early days. There are local groups in most of the major Indian cities, through which patients interact and share their experiences. It also has its Facebook page <https://www.facebook.com/kidneydiseaseadvocacy/> with patients, caregivers sharing experiences information and nephrologists to clear doubts.

### Any other alternative therapies? Would you recommend Ayurveda? If not, why?

Any therapy that has scientifically proven role in treating kidney disease will be part of modern medicine and will not remain alternative. Unproven alternative remedies may be

harmful. There is no strong data to suggest benefit from Ayurveda. Many believe that being natural, there are no side effects. I would counter that with 'tobacco' is also natural. Many preparations are not standardised and contain certain alkaloids and heavy metals which are toxic to kidneys, and may cause more harm by accelerating decline of renal functions.

### Any awards?

I was felicitated with the Pune Healthcare Leadership award and Icons of Health, Pune award in 2018 by the Times of India Group. Although there is no better reward than the smile on a patient who has become better and their blessings, these recognitions do motivate one to serve patients interests in the best way possible.

### Your message to people?

Kidney disease is painless till last stages and can be detected only by tests in early stages. Hence test yourself every year. Keep a healthy lifestyle, avoid tobacco and do not self-medicate. Prevention and early detection is way more economical than having to undergo dialysis or kidney transplant.

**You can reach Dr. Avinash Ignatius on +91 98231 01982 or on facebook at [www.facebook.com/docavinashignatius](https://www.facebook.com/docavinashignatius)**



**A. Radhakrishnan is a Pune based freelance journalist, short story writer and poet.**

## WHO AM I?

*I am a proud Indian,  
citizen of the world community,  
inhabiting this lonely ...  
but lovely little ... ★  
planet ...*



*Earth...*



(continued from page 16...)

“Female bosses also face sexual harassment and sexually-coloured remarks even from their subordinates”, she says. The law is in place but often the organisation-level committees discourage complaints and dissuade actions as they are afraid of tarnishing the reputation of the organisation. “I am very happy that the #MeToo movement came as it has instilled some sort of fear of public shaming and has hopefully deterred such habitual perpetrators.”

The #MeToo movement came to India when Bollywood actress Tanushree Dutta accused some members of the film fraternity of sexual harassment. It triggered a ‘MeToo’ wave where women from all walks of life took to social media to share their experiences of harassment at workplace. Many repeat offenders were identified publicly, and many victims even got the courage to approach the police. The merits and demerits of the #MeToo movement are a topic of another debate as there were several instances when false allegations were also made. The fact remains that this movement encouraged millions of girls and women to be heard and come out of their guilt-ridden cocoons. And that’s the power of social media.

## Social perceptions, a hurdle

India has several laws that protect and uphold women rights and several policies and schemes that ensure affirmative action for the ‘weaker’ gender. However, societal perceptions and bias among law enforcing authorities often discourage delivery of justice. Cyber-space has, in such cases, empowered women to speak up about the abuse they are suffering at the hands of their husbands, authorities, or even their own families - without being ostracised from the community or even any direct or indirect shaming from their families. Shaming and the imposed guilt of bringing a bad name to the family is often the biggest reason why many women do not complain about their abuse.

Many families stop young girls and women from approaching the authorities in case of child abuse, rape, domestic violence, etc. But social media has helped women to reach out to authorities and para-legal services even without the support of their families. In fact, social media is also being wisely used by many to complain against the authorities who do not register complaints or align with perpetrators to harass victims. In the new Digital India, all government departments, ministries, police departments and other entities are present on social media. The fact that this information is public and not in closed quarters makes sure that prompt action is taken.

“My friend was being harassed by her parents to get married to a boy against her wish. She tweeted to women activists and government-authorised entities about her situation and prompt action was taken where her parents were summoned,” quips Delhi-based law student Shanaya Kapoor. She says social media has helped many women in getting access to the right authority without fearing for her life or limb and that is the potential of social

media to close this gap.

Several studies have found that in countries with larger gender inequality such as countries in South Asia, women are more likely to be present and active in the virtual space. Social media has also enabled ‘weaker’ women to look for opportunities and seek those opportunities that they may be traditionally denied. It is a strong medium to bring women together for professional networking and personal relationship building to support and strengthen each other.

## The dark side of social media

However, like all good things, there is a dark side to this phenomenon as well that severely risks the well-being, safety, mental health and self-esteem of women. Having an online presence makes women prone to cyber-bullying and cyber-stalking. The barriers that women face in public space are as real and prevalent in cyber space also. Trolling, targeted bullying, online harassment are examples of the risks that women face with their presence on social media. Even though there are an equal number of men and women on social networking sites, women are more likely to be subject to online abuse and online stalking.

There are new forms of crimes that are prevalent in the virtual space and create a sense of threat and fear in the mind of a woman, thereby affecting her well-being. Cyber-bullying can be done in myriad ways and over diverse social media platforms. The following acts comprise cyber-bullying:

- Hacking of accounts
- Cyber stalking
- Posting of vulgar messages
- Threatening with a violent act
- Posting embarrassing content

Although the Information Technology Act checks such offences, the trauma is already inflicted when a girl is exposed to such acts. Other prevalent forms of cyber crimes against women include identity theft, trolling, online abuse, etc. It was not long ago when a political spokesperson Priyanka Chaturvedi faced rape threats against her and her daughter on social media. Such instances are far too many and affect women from across industry.

Unlike the status of women’s rights in the ‘real’ world that are often affected by societal and cultural norms, it’s much easier and faster to ensure equitable women’s rights in the ‘virtual’ world.

**Vedika Jain is a legal researcher with [www.thewomansurvivor.com](http://www.thewomansurvivor.com) – an initiative of DraftCraft International to protect and empower women by bringing on one platform the latest on rights and issues, strategic case studies, state initiatives and informed legal opinions**

# Sindhutai Sapkal : The mother of orphans

**A.Radhakrishnan** tells us the inspiring story of Sindhutai Sapkal who has nurtured over 1,050 orphaned children in her 40 years of social work. Many of the orphaned children have grown up to be doctors, lawyers, etc. and have started their own orphanages.



**S**indhutai Sapkal (70) affectionately called the 'Mother of Orphans', or 'Mai' is a social worker and activist known particularly for her work in raising orphaned children in India.

Hers is an inspirational story of an illiterate woman, with indomitable spirit, extraordinary courage and high intelligence, combined with street smartness. Behind her strong personality, many hidden emotions lurk, but nevertheless her face is stoic and oozes unusual sense of confidence. Her life has traversed in unimaginable ways, but she never trivialises her tragic and humiliating experiences.

Based in Hadapsar, Pune, her six organisations are spread in different cities like Pune, Saswad, Amravati, Wardha etc. Sindhutai has a registered NGO, named Savitribai Phule Girls' Hostel under the Foundation, Vanvasi Gopalkrushna Shikshan Evam Kreedha Prasarak Mandal in

Chikaldhara in Amravati. Through poverty, abjection and homelessness Sindhutai came across multitudes of hapless orphans and women, blatantly ignored by the society. A deprived child to her meant a deprived nation. She recalls, "I know the pain of being alone, unwanted and being abandoned. So, I'm proud that I can be a mother to some needy child".

Life and hunger taught her courage, she admits in a matter-of-fact tone. Many of the children adopted are today well-educated lawyers and doctors, and some, including her biological daughter, are running their own independent orphanages. The children here are not given up for adoption. Interestingly, all boys in her orphanage use Sapkal as their surnames while girls use Sathe (her maiden surname) as their surnames. Abandoned women and senior citizens are also included. A cow shelter, Gopika Gai Rakshan Kendra saves old cows being sent to slaughter houses.

Born on 14<sup>th</sup> November 1948 in Maharashtra's Wardha district as an unwanted child, she was referred to as *chindhi* (Marathi for "torn piece of cloth"). However, her father Abhiman, sent her to school under the pretext of cattle grazing, where she would use the leaf of the bharadi tree as a slate, due to her family's limited financial resources.

Abject poverty, family responsibilities and an early marriage forced her to quit formal education after the 4<sup>th</sup> standard. At age 10, married to an illiterate cowherd Shrihari Sapkal, 20 years her senior, she faced a difficult life. He would beat her up if he ever caught her with a book or a newspaper. By the age of 20, she had borne three sons and when nine-months pregnant, was beaten badly and left to die by her husband on suspicion of infidelity.

Tormented and tortured, Sindhutai with her world falling apart, and in great pain, gave birth to a baby



girl Mamata, in a cowshed outside her house. Nudged awake by a cow standing over her, protecting them, she realised how strong the connection between a mother and child is. She recalls, she cut her umbilical cord with a sharp edged stone striking it 18 times before it got severed and then passed out.

With no hope left, she walked several kilometres to her mother's place who refused to shelter her. Returning she saw a dead body burning in a crematorium. The last rites over, the relatives of the departed had gone but had left some flour as a part of the last rituals.

Sindhu took it, kneaded it and prepared a bhakri (roti) and baked it on the fire which was still consuming the dead body. Fearing being picked up by men at night she generally spent the night at cemeteries and people started calling her a ghost! "My hunger taught me to sing bhajans", she says and she begged to feed herself and her baby in trains and temples, laughing and clapping one moment and wiping tears of anguish at another.

Her faith in God shattered, she attempted suicide several times. One such night, she had received a lot of rotis for her singing, and decided to eat a hearty meal and then end a life she was growing weary of. She heard an old beggar moaning in pain and mumbling about dying. She had fed him her simple meal and it gave her a sense of satisfaction and purpose and wiped off all thoughts of suicide from her mind. She realised that there were so many Adivasi children abandoned by their parents. Initially a source of livelihood, it became the mission of her life to adopt many, to help them live life with dignity and gradually and became a movement.

She even entrusted her biological child to the Shrimant Dagdu Sheth Halwai Trust, Pune, to eliminate the feeling of partiality between her daughter and the adopted ones. Forty years of continuous social work later, she has nurtured over 1,050 orphaned children, and

today, she has a grand family of 207 sons-in-law, 36 daughters-in-law, three sons and a daughter and over a thousand grandchildren!

Conferred a Doctorate in Literature by the D.Y Patil Institute of Technology and Research in 2016, she has received 273 awards from various national and international organisations. They include Nari Shakti Puraskar award 2017, Social Worker of the Year award from Wockhardt Foundation 2016, the Ahmadiyya Peace Prize 2014, first recipient of the prestigious national award for Iconic Mother Mother Teresa Award for Social Justice 2013, Real Heroes Awards, given by CNN-IBN and Reliance Foundation 2012, Ahilyabai Holkar Award, given by the Government of Maharashtra to social workers in the field of women and child welfare 2010, Women of the Year Award, given by daily Marathi newspaper Loksatta 2008, etc.

Her book, *Mi Vanvasi*, is incidentally being taught in the 10th standard classes in Karnataka schools.

A biopic in Marathi *Mee Sindhutai Sapkal* directed by actor-director-writer Anant Mahadevan inspired by her true story was selected for the 54<sup>th</sup> London Film Festival world premiere. The opening film of the Panorama section at IFFI, Goa, 2010; it also won 4 National Film Awards for special jury, best male playback and best screenplay.

Mahadevan recalls, "Her life seemed so unreal and shocked the wits out of me. Even for cinema, her life was so full of melodrama which I decided to tone down." He adds, "She has changed my life. Today she is *mai* (mother) to me and I am her bala (child). It is ironical that after making ten Hindi films, that one Marathi film you make gets you four national awards. Somewhere our lives were destined to meet".

For the children in all her six orphanages in Maharashtra, Sindhutai is the 'Mai' they never had. In each there is a lamp that the children keep lit all through the day, believing that

as long as the flame is flickering, their mother is well. She keeps her wards not only till they attain 18 years, but till they get married and settle in life.

Instead of taking financial help from anyone, she gives powerful and inspiring speeches, using her good communication skills and oratory and at the end of her speeches, loosens her sari *pallu* and asks for alms. She says, "*Bhashan hai to ration hai*." Her work is still not officially recognised, nor are her orphanages provided any grants by the government. Totally backed and funded by private donations, she remains undeterred. She says, "I used to beg earlier to fulfil the needs of my children and I will continue to do so."

Sindhutai never despised her husband, who caused her so much pain. Instead, she was grateful to him for his actions helped her become responsible in life. At the age of 80, when he apologised and came back to her, she made her peace, but accepted him only as her child and didn't give him the status of a spouse, stating she was only a mother now and proudly introduced him as her oldest child.

When he passed away at 92, she stated "With the demise of Shrihari, I feel that my most dangerous child has left us. Sadly, till his death, he refused to accept his daughter as his own."

"A mother can never be defeated. A woman can never be defeated. But she needs to keep her heart strong and learn to forgive," she says.



**A. Radhakrishnan is a Pune based freelance journalist, short story writer and poet.**

# An European classic at Ibsen fest

*It was a treat for theatre lovers in Mumbai to watch the Hindi adaptation of 'Hedda Gabler', a rare Ibsen classic at the annual festival hosted by Surnai, writes Prof. Avinash Kolhe.*



her husband and his family. Deven is a researcher of medieval history. Like any typical Indian life, the family members expect a baby from

taunts him for being a coward, incapable of even committing suicide. She boldly offers him her revolver. He takes it, goes out and shoots himself to death. There is utter confusion about Inder's death. But Baloo, a confirmed bachelor and their family friend and a magistrate by profession, suspects Hardit's hand in the crime. He logically explains to Hardit the sequence of events. Hardit realises that she is completely trapped, goes in the bedroom and shoots herself. A tragic end to the beautiful, ambitious lady!

Thanks to 'Surnai', a Mumbai-based theatre, theatre-lovers of Mumbai get to enjoy the plays of Norwegian playwright Henrik Ibsen (1828-1906). The world largely knows him for his immemorial plays like 'A Doll's House', 'An Enemy of the People' and 'Pillars of the Society'. His other plays like 'Ghosts' and 'Hedda Gabler' are brilliant, but rarely performed in our country. This year was the 5th edition of 'Ibsen Festival' organised by Surnai, which staged 'Hedda Gabler'.

Scholars the world over regard Ibsen as the most important dramatist after Shakespeare. He is often regarded as 'the father of realism'. The title character Hedda is considered one of the greatest roles in the world.

Ila Arun has adapted the play in Hindi to suit Indian conditions and society. The name of the play is 'Hardit Kaur Gill.' Hardit (Hedda) is the daughter of Lt Gen Gill and has just come back from six months of honeymoon. The play opens at Hardit's husband's home where nothing is according to her taste and priorities in life. For example, there is no shooting range where she can practice shooting! This sets the tone of her relationship with Deven Malhotra,

Hardit.

It becomes clear in the course of the play that Hardit does not love her husband. In their placid life comes their old friend Inderjeet, a talented writer/researcher, but for some years had become a drunkard. Now Inderjeet has pulled out and recently written a book that has become a bestseller. He is also ready with his next book. In between Inderjeet was cared for by Kanta, a young lady who had married a rich man twice her age. Inderjeet was at one time in love with Hardit but she was not sure of her emotions and gets married to Deven. Now she is quite jealous of Inder's success and also of Kanta, the new woman in his life.

Deven, a true friend of Inder is very happy with the Inder's success and is equally impressed with his new book, the manuscript of which is left with him. When Deven praises Inder's book, in a fit of jealousy, Hardit burns the manuscript. Deven is angry but when Hardit tells him that she wants him to be successful and not Inderjeet and she is now pregnant, there comes a marked change in his behaviour. And, he now sides Hardit.

In due course Inderjit and Hardit have a show-down and she

It is a complex play and scholars have been debating the character of Hedda since many years. Is she a destroyer? Is this play a tragedy of modern life? Is Hedda anti-hero? There are no easy answers to these questions, but what comes out clear is Hedda's lust for power.

Ila has adapted the play with so much finesse that one forgets that it is an adaption of a European classic. Her daughter Ira Dubey who plays Hardit Kaur Gill walked away with maximum applause for her brilliant performance. She had good support from rest of the cast – Sunil Palwal (Deven Malhotra), Rahul Bagga (Inder), Gaurav Amalani (Babloo), Dona Munshi (Kanta) and Ila Arun (Aunt). The play was directed by K K Raina, a veteran theatre personality.

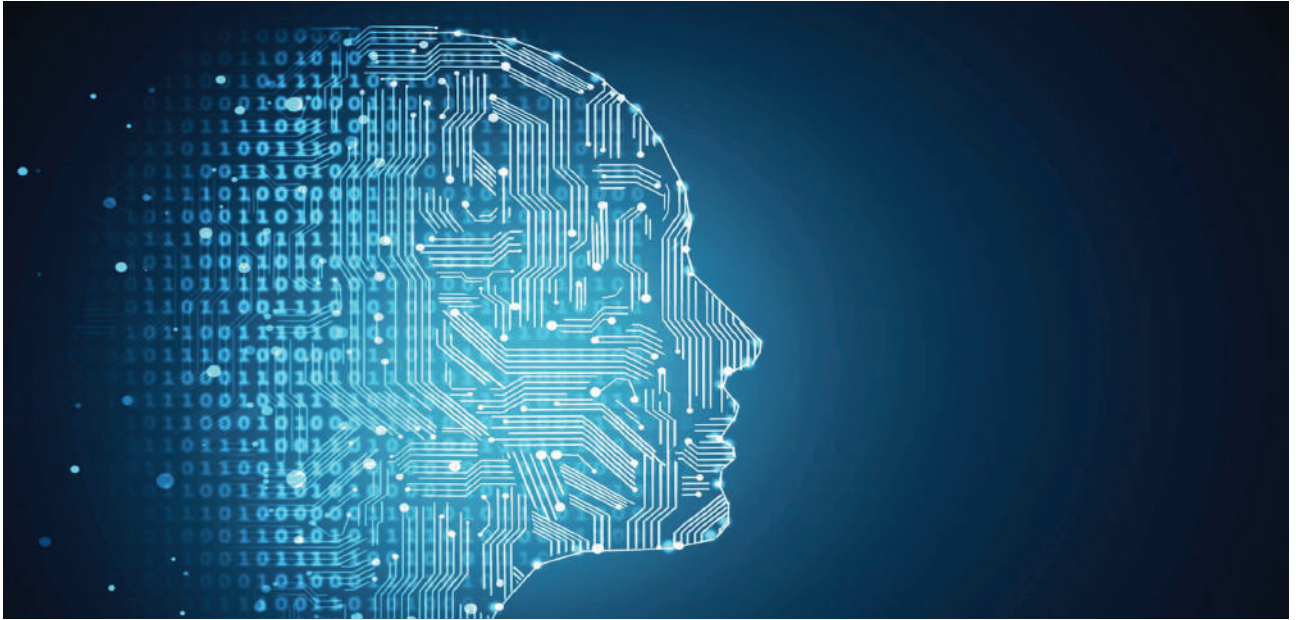


**Prof. Avinash Kolhe** retired as Associate Professor in Political Science from D.G. Ruparel College,

Mumbai.

# Has India woken up to Artificial Intelligence?

*Artificial Intelligence (AI) has incredible potential to address big social, humanitarian and environmental problems. Globally, its applications are being used in several sectors like marketing, banking, finance, agriculture, healthcare, space exploration, chatbots etc. Is India geared up to tap the huge potential of AI, asks **Hiren Bose**.*



**H**DFC Bank has developed an AI-based chatbot called EVA (Electronic Virtual Assistant) which has addressed over three million customer queries, interacted with over half a million unique users, and held over a million conversations. Eva can collect knowledge from thousands of sources and provide simple answers in less than 0.4 seconds.

- Berlin-based agricultural tech start-up called PEAT has developed an application called Plantix that identifies potential defects and nutrient deficiencies in the soil through images captured by the user's smartphone camera.

- An organisation called, Cambio Health Care has developed a clinical decision support system for stroke prevention that can give the physician a warning when there's a patient at risk of having a heart stroke.

- AI-based public ride-hailing service,

Waymo collects data from the vehicle's radar, cameras, GPS, and cloud services to produce control signals that operate the vehicle.

- Google Duplex not only responds to calls and book appointments, but also uses Natural Language Processing (NLP) and machine learning algorithms to process human language and perform tasks such as managing your schedule, controlling your smart home, making a reservation and so on.

All the above have one thing in common – the harnessing of Artificial Intelligence (AI).

## AI – all about future

AI can be broadly defined as a technology which replicates human behaviour and abilities conventionally seen as 'intelligent'. These are machines that perform a specific

function within strict parameters. Think of image recognition, information retrieval, language translation, reasoning based on logic or evidence, and planning and navigation. All are technologies that underpin services like route mappers, translation software and search engines. AI applications are being tried, tested and used in sectors like marketing, banking, finance, agriculture, healthcare, gaming, space exploration, autonomous vehicles, chatbots and artificial creativity.

Mobile assistants like Apple's Siri and Google's Now make use of all three categories of intelligence: sensing, reasoning and communicating. It begins by using speech recognition to capture what people are asking (sensing), then uses NLP to make sense of what the string of words mean and comes out with an answer (reasoning), and finally deploy



natural language generation (NLG) to convey the answer (communicating).

Whether you're asking about weather or directions to the nearest coffee shop it works for you. The physical machines imbued with AI capabilities add to the fourth category – that of movement. Like a self-driving car, it will sense its environment using a variety of detectors (e.g. spotting a pedestrian walking across the road), deploy reason to decide whether there are any risks (e.g. of hitting the pedestrian), and then implement a necessary movement (e.g. slowing down or altering direction).

Artificial Intelligence has incredible potential to address big social, humanitarian and environmental problems. For instance, in the past few years, Google has applied core Google AI research and engineering to projects with positive societal impact, including forecasting floods, protecting whales and predicting famines.

In October 2018, the Google AI Impact Challenge kicked off with an open call to organisations around the world to submit their ideas for how they could use AI to help address societal challenges. It received 2,602 applications from six continents and 119 countries, with projects addressing a wide range of issue areas, from education to environment. Twenty organisations received a total of \$25 million in grant funding from Google.org, coaching from Google's AI experts, credit and consulting from Google Cloud, and inclusion in a six-month Google Developers Launchpad Accelerator.

## The huge India potential

Since the early 90s, the IT and ITeS services sector in India has been of tremendous importance to its economy eventually growing to account for 7.7% of India's GDP in 2016. In February 2018, the government think-tank, National Institution for Transforming India (NITI) Aayog, announced that it will spearhead a national programme on AI focusing on research. This development comes on the heels of the launch of a Task Force on Artificial Intelligence for

India's Economic Transformation by the Commerce and Industry Department of the Government of India in 2017.

The current areas of focus for AI applications in India are majorly focused in precision agriculture (the government has initiated a proof of concept pilot in 15 districts in India to use AI-based real-time advisory based on satellite imagery, weather data, etc., to increase farm yields where the farm production levels are low), healthcare (augmenting the productivity of existing pathologists and radiologists, working on early diagnosis and detection of Diabetic Retinopathy and Cardiac Risk-based on the AI models);

**The Artificial Intelligence industry in India is currently estimated to be \$415 million annually in revenues, up from \$230 million a year ago. Presently, over 3,000 companies in India including TCS and Infosys claim to work on AI in some form or the other.**

and the Indian Languages Project (to build a complete natural language processing platform for Indian languages. This would aid in the development of several applications, like the conversational general and career counselling through chatbots and assistants, conversing in 22 Indian languages).

Analysing how they can make processes more efficient has led Indian businesses to increasingly adopt AI in the enterprise across different verticals. Products and services are being rebuilt with the integration of AI with the objective of creating a

better experience for end consumers. All this has driven the demand for professionals skilled in AI-based technologies.

"Growing by 80%, we see AI is no longer in a hype stage and has observably entered the period of real productivity," says a report titled The Hitchhiker's Guide to Artificial Intelligence 2019- 2020 made in collaboration with Great Learning and AIM.

The Artificial Intelligence industry in India is currently estimated to be \$415 million annually in revenues, up from \$230 million a year ago. Presently, over 3,000 companies in India including TCS and Infosys claim to work on AI in some form or the other which includes a small number of companies that are into products and a larger chunk offering either offshore, recruitment and training services. In fact, India accounts for just 12% of global analytics companies. In 2018, Indian companies accounted for 8% of the global share, which indicates a noteworthy growth.

"In India, the government push is towards AI applications that have social benefits like health care, education and agriculture. The direct financial impact of these sectors is massive, but the government seems to be focused first on improving the health and well-being of its citizens," writes Raghav Bharadwaj in the article, Artificial Intelligence in India – Opportunities, Risks, and Future Potential (<https://emerj.com/>). "India could become the hub for data cleaning around the world. The IT services industry could easily transition into human-trainers of AI, a need that already exists (as evidenced by Figure Eight, Clickworker, Gengo.ai, and other players in the human-assisted AI training market).



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issues.

## SQUADRON LEADER MAHINDER SINGH PUJJI, DFC

The daring fighter pilot of World War II (1918 - 2010)

**M**ahinder Singh Pujji was born in Simla on 14 August 1918. His father was a senior officer in the Health and Education Department. Mahinder was educated at Sir Harcourt Butler High School, Simla and later at Government College, Lahore and Hindu College, Lahore.

He had an interest in flying and learnt it as a hobby. He received "A" License in April 1937 and took up a job with Himalayan Airways flying passengers between Hardwar and Badrinath. After working for Burma Shell for a short while, he got a Volunteer Reserve Commission in the Indian Air Force. He was one of the first of the batch of 24 "A" license holders to join the Reserve Commission. He was one of the 18 qualified Indian pilots who joined the Royal Air Force (RAF) in 1940. He flew from the main RAF stations in UK to defend London and took part in the Allies first offensive operations in France. He also flew in Burma, China and India. In Burma, he had served with the well-known Air Commander "Baba" Mehar Singh.

Mahinder Singh carried out daring exploits as fighter pilot and was forced to land in North African desert in 1941. He was picked up by British troops. In a dog fight with a Messerschmitt plane over France, his dashboard was shattered by a bullet which pierced through his uniform. All the instruments were destroyed and oil was pouring out of the engine. He could see the white cliffs and as he put the landing gear down, the plane was on fire. Blood was pouring from his head. He was saved by the turban which acted like a helmet. The aircraft was a wreck and he was dragged out of the plane. He could hear voices that "he is still alive."

On another occasion, his turban was filled with blood when forced to land in France. He carried a spare turban. Due to insistence on wearing a turban, he could not wear an oxygen mask which cost him irreparable damage to lungs at high altitude. He was awarded Distinguished Flying Cross (DFC) for gallant actions in Burma. He loved flying and after a career as a commercial pilot in India, he retired to Gravesend in UK. He also published a book of his experience

es "For King and Another Country."

Pujji was treated as a hero during war time. He would be pushed to the front of the queue in cinema houses and he would not be charged in restaurants. He fell in love with UK. It changed after the war. The role of the Indian airmen was forgotten. After the war, films like the Dam Busters presented only a white view. He was pained at being ignored and not invited to the Remembrance Day ceremony. Recently, there has been an attempt to recognise the contribution of ethnic minorities in World War II.

Journalists, politicians and historians have begun to narrate the stories of the achievements of people from the colonies.

A few years before his death an exhibition was organised at RAF Museum Crossword in Shropshire that recognised the role of personnel from the colonies. Seventeen thousand Indians had offered to join the RAF and 25000 had joined the Indian Air Force. Pujji was the guest of honour at the exhibition.

In later years, he dedicated his life to helping people in need and he received a life time achievement award from Gravesham council.

In 2011, a short film 'The Volunteers' was dedicated to Pujji. He had contributed to making it but died before it was completed. A statue was built in his honour and was unveiled at St Andrews Gardens in November 2014.

Pujji died of a stroke at Darent Valley Hospital on 18 September 2010.

- Brigadier Suresh Chandra Sharma (retd.)



# AKBAR PADAMSEE

A genius of colour and craft (1928 - 2020)

**A**kbar Padamsee, one of the pioneers of modern Indian paintings, was best known for his radical paintings, but was also a sculptor, photographer, engraver, lithographer, art critic, film maker and one of India's biggest names on the art circuit. He was one of the eight children, which included the late Adman Alyque Padamsee, born in a traditional affluent Gujarati Khoja Muslim business family.

Akbar's first mentor was his teacher Shirsat, a watercolourist at St. Xavier's High School, Fort. This was followed by classes on nudes at Charni Road. He graduated with a diploma in painting and series of sculpture classes from the Sir J.J. School of Art. He joined the Progressive Artists Group (PAG) formed in 1947 by Francis Newton Souza, S.H. Raza and M.F. Husain that reacted against both Western classicism and folk-art revival to establish modern and personal styles.

Raza, awarded a French government scholarship, invited Padamsee to accompany him to Paris. In 1951, artist Krishna Reddy introduced him to the surrealist Stanley Hayter, who became his next mentor. He soon joined his studio, Atelier 17 and by the age of 21, had converted a small rented hotel room into a studio and in 1952, held his first exhibition in Paris. Akbar married Solange Gounelle, in Paris in 1954 and had one daughter, Raisa Padamsee.

He courted controversy with his very first solo show in India held at the Jehangir Art Gallery in 1954 with the Bombay police arresting him for obscenity as some viewers were upset by the content of a painting titled 'Lovers'. Subsequently he was an artist-in-residence at the University of Wisconsin - Stout, on a Rockefeller Foundation fellowship in 1965. Moving to Mumbai in 1968 with his second wife Bhanumati, in the last years of his life, he moved permanently to the Isha Yoga Centre, Coimbatore.

Taking to drawing at the age of four, in a prolific illustrious career he produced thousands of works in a variety of media. He curated major cultural events and developed

the collections of the Bharat Bhawan Museum of Bhopal, and created the VIEW (Vision Exchange Workshop), for artists and filmmakers to experiment across various disciplines and practices. Not averse to using latest e-technology, he stressed on the need for an artist to continuously reinvent himself.

Alternating between two major genres, luminous metascapes – his signature works, and the human figure since the seventies; though he was primarily interested in constructing form, he was well known for his metascapes (combining cityscapes and landscapes). He believed a lot in the Hindu philosophy and was deeply influenced by Vivekananda's commentary on the yogasutras of Patanjali, and studied Shilpa Shastra, the ancient text on the art of sculpting and confessed to spending hours perfecting the dimensions that the text specified.



Managing to remain fiercely experimental and individualistic, his oils have been characterised by a deep intensity and luminescence, while his drawings exude a serene grace. Padamsee remained relatively low-profile in the art market and it's only in the last decade of his life that prices for his work shot up. His painting 'Reclining Nude' was sold for US\$1,426,500 at Sotheby's in New York on 25 March 2011. He was bestowed the Padma Bhushan in 2010, the Lalit Kala Akademi Fellowship (Lalit Kala Ratna) and a gold medal in 1962, the JD Rockefeller Foundation fellowship in 1965, the Kalidas Samman from the Madhya Pradesh Government in 1997, Lalit Kala Ratna Puraskar in 2004, the Dayawati Modi Award in 2007, Roopdhara award by Bombay Art Society in 2008 and the Kailash Lalit Kala award in 2010.

Gentle and humane, Akbar Padamsee died aged 91 in Coimbatore. Generations to come shall relish and be inspired by his magic of colours.

- A.Radhakrishnan is a Pune-based freelance journalist, short story writer and poet.



# MEHRUNNISA DALWAI

The unsung social reformer (1930 - 2017)

**M**ehrunnisa Dalwai was a noted reformist, social activist and author, in the Muslim reformist movement. Born into a conservative Urdu speaking Marathi Muslim family, she completed her matriculation and then began working at the Khadi and Village Industries Commission (KVIC) in Mumbai. There she met Hamid Dalwai, who was active in social movements. Jobless, Hamid was well known for his condemnation of triple talaq, alimony, polygamy and other issues that riled Muslim society at large. A storm erupted when Mehrunnisa declared that she would get married to Hamid. How could such a fine girl get married to such a useless, loud mouth charlatan, howsoever good? But, Mehrunnisa was the persistent kind. In 1956, Hamid and Mehrunnisa got married first through traditional Muslim rituals and after the lapse of a month, through the Special Marriage Act 1954. Perhaps the first marriage of a Muslim couple to be registered this way.

Hamid, one of modern Maharashtra's most remarkable and formidable social reformer thinker, was the protagonist of the reformist movement, the Muslim Satyashodhak Mandal (MSSM). It focused on resolving problems faced by the Muslim community and charting its history and socio-cultural transformation. Author of the classic *Indhan* (published 1965), he took a courageous stand against Brahminical Hinduism and fanatical Islamism. In Mehrunnisa, he found the ideal soul mate and fellow crusader. While she worked and ran the house, her salary being their only reliable source of income, she yet managed to find time to play a pivotal role in movements of social protest and campaigns run by the organisation, attempting to implement scientific temper to eradicate the orthodox and blind beliefs existing in the Muslim community, where women had always been denied equal rights.

She adhered to the strong socialist beliefs of her husband, who was part of the Rashtra Seva Dal, the youth wing of the Socialist Party and had later associated himself with the eminent socialist, Ram Manohar Lohia. She was at her husband's side as the family battled threats to their lives while striving to modernise and pare away the backwardness

of the minority community. In April 1966, she had spearheaded a march, along with six other Muslim women to Mantralaya in Mumbai seeking abolition of triple talaq. The group of ladies then met Vasant Rao Naik, the then Maharashtra chief minister at that time and handed over their memorandum of demands.

Opposition and even death threats soon followed. Even their meetings were constantly interrupted. However, they strived on and the movement gathered support -- both physically and emotionally. After the death of her husband, due to progressive kidney failure in 1977, aged 44, she served the Muslim Satyashodhak Samaj, first as executive president and then as president and remained so for several decades. She also later founded the Hamid Dalwai Islamic Research Institute and Maharashtra Talaq Mukti Morcha.



When Rajiv Gandhi overturned the Supreme Court decision in the Shahbano case of 1985, it was the Muslim Satyashodhak Samaj, led by Mehrunnisa that openly opposed it and insisted it be implemented through rallies and agitations. Mehrunnisa spoke and wrote chaste Marathi, though educated in Urdu. Her autobiography, *Mi Bharoon Paavle Aahe*, filled with rich anecdotes of her life with her husband bears testament to that skill and is considered to be an inspirational piece for progressive movement.

Through the pre and post-independence period, Pune has always had a lot of social reformative activities and groups. Very few are still operational but a lot of them fizzled out due to political reasons. They have changed the city; with their consistent and dedicated efforts, and positively influenced Pune. Very little is spoken about Mehrunnisa and Hamid, courageous quiet heroes of reform, let alone making them an important part of Pune's history. Mehrunnisa passed away in Pune aged 87 years, survived by two daughters. As per her wish, her body was donated.

- A.Radhakrishnan is a Pune-based freelance journalist, short story writer and poet.



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Am I a Muslim first or an Indian first?

Am I a Christian first or an Indian first?

Am I a Buddhist first or an Indian first?

Am I a Brahmin first or an Indian first?

Am I a Dalit first or an Indian first?

Am I a South Indian first or an Indian first?

Am I a North Indian first or an Indian first?

Am I the President of India first or an Indian first?

Am I the Prime Minister of India first or an Indian first?

Am I the Commander-in-Chief first or an Indian first?

Am I a supporter of any 'ism' first or an Indian first?

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Sadanand A. Shetty, Founder Editor  
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