

ONE INDIA ONE PEOPLE

Patriotism Redefined

False complaint raise concern over misuse of law

**Spat of Cases
Shows Women
Raped
Scores**

NETWORK

by a man
crime
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Senior citizen's rape ruse

A 75-year-old woman in Vyara accused 37-year-old Manhar Gamit of rape in 2015. She later told court she had lodged an FIR following a dispute. The HC dropped the charges, observing "the entire case seems highly doubtful."

Broken promises a trigger

Breach of a marriage promise or love relationships gone awry or lack of acceptance by families are a common trigger for false rape complaints, say legal experts. Sarand's Dashrath Patel and Sarand's Kalnesh Malvi married

Court stance

When the courts come to know that serious charges are falsely levelled because of other disputes between the parties and the complainants are not going to support the case, the judges put an end to such proceedings," said a public prosecutor.

November 15, 2018

Delhi court's view

According to a report in ET earlier this year, in a case where a woman was accused about sexual harassment by her employer, a strict stance was taken by the police.

In a Jamnagar women's college, Jayesh Sureja, of police probe revealed that the allegations were "property matter" and "not a crime."

Increase in fake rape, dowry cases a concern, says court

Many Cases End in Acquittal Or Charges are Dropped. But Men Suffer, Remarks Judge

Misuse of laws in India

Anti-dowry law threatens families, marriages

Know India Better

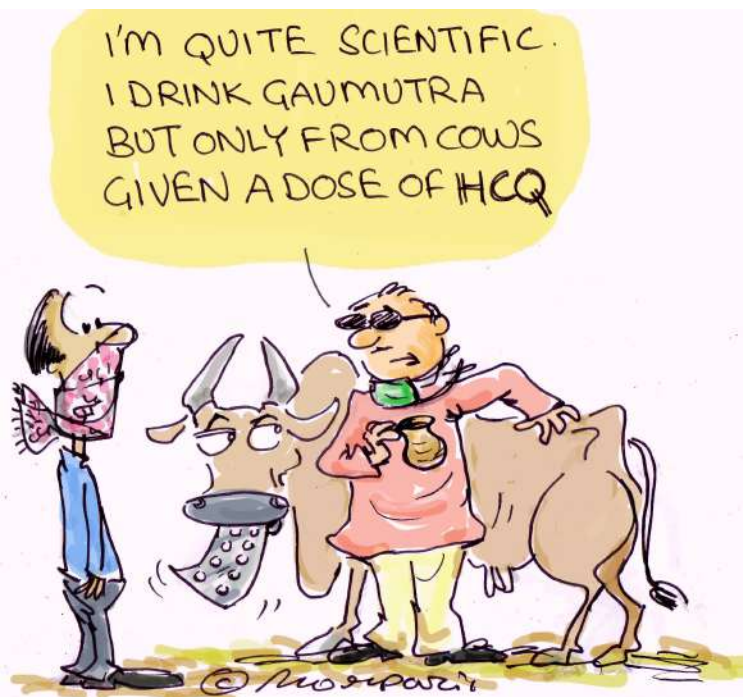
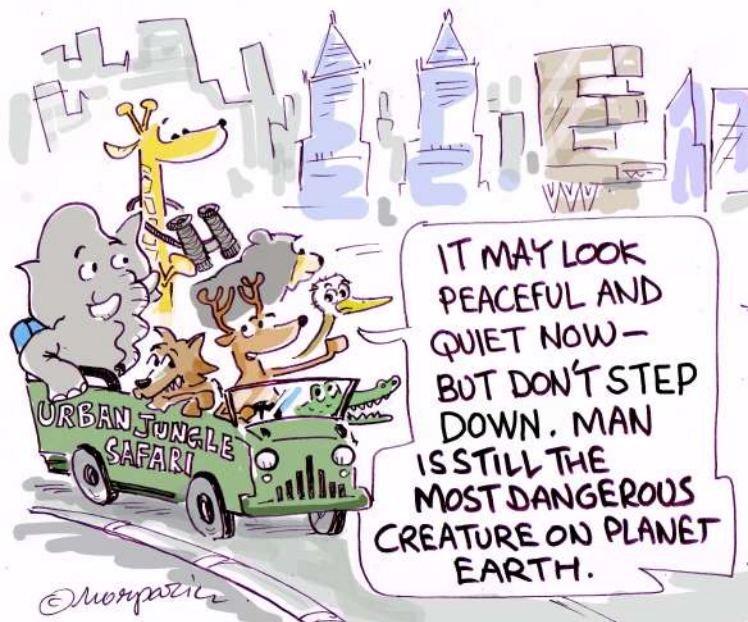
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False cases against men on

Ignorance of law is no defence!

**Face to Face
Ganesh R. Iyer**



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Managing Editor
Mrs. Sucharita R. Hegde

Editor
Anuradha Dhareshwar

Design
Resurgam Digital LLP

OIOP Clubs
Nagesh Bangera

Advisory Board
Sucharita Hegde
Justice S. Radhakrishnan
Venkat R. Chary

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22, Bhulabhai Desai Road,
Mumbai - 400 026
Tel: 022-2353 4400
Fax: 022-2351 7544
e-mail: oiopfoundation@gmail.com
oiopsub@fouressindia.com

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Anti-dowry law threatens families, marriages

*The Anti-Dowry Section 498A is the most abused law in India, which is routinely used by resentful women to harass the husband and in-laws even at the cost of ripping the family apart, writes **Sonal Aggarwal**.*



dismissed a suit filed by a woman finding her intention was to harass the husband and in-laws. The judge stated "The applicant (wife) could not succeed in her above proceedings (domestic violence), so she filed present false case application for an offence punishable under section 498A of IPC against the respondents, only with the intention to harass them and grab money."

Laws to protect the interest of women

India, a country of more than a billion people, is perceived to be 'dangerous' for women and known as the 'rape capital' of the world. The tag, the result of a craftily-weaved propaganda orchestrated by foreign media houses and entities

and supported by domestic elements who have conveniently manipulated data to suit their menacing needs, is a cheap trick that exposes the perpetrators over and over again.

After India won her Independence, there was a real need to bring about legislations that resolved problems of 'free' Indians and not suit the whims and fancies of British rulers. The Government of India (GOI) introduced the Dowry Prohibition Act, 1961 to prohibit the giving or taking of dowry. There are several state level amendments to the Act as well. According to the Act:

If any person who gives or takes or abets the giving or taking of dowry, he shall be punishable with imprisonment for a term which shall not be less than five years, and with the fine which shall not be less than fifteen thousand rupees or the amount of the value of such dowry, whichever is more. And, if any person demands directly or indirectly, from the parents or other relatives or guardian of a bride or bridegroom as the case may be, any dowry, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine which may extend to ten thousand rupees.

The Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985 were

If there is one law that has been abused the most in the country and is dreaded by family counsellors, it's the Anti-Dowry Section 498A of the Indian Penal Code. "A happy marriage is a harbour in the tempest of life, an unhappy marriage is a tempest in the harbour of life" suits aptly to the entangled mesh of socio-legal issues that surround modern-day marriages. And, dowry is the first thing that comes to mind when one thinks of offences related to marriage in India. While the country brought in timely legislation, with stringent clauses, to protect women against the evils of dowry, the reality is that the law has been widely misused by disgruntled wives and in-laws.

The cases speak for themselves

One of the most famous cases of dowry and related offences was when, in February 2020, Flipkart co-founder and billionaire Sachin Bansal's wife Priya Bansal filed a dowry harassment case against him and his family. Her complaint read "Given the position and status of Sachin Bansal and his violent and abusive behaviour towards me, I am fearful for the physical safety of my son, Aryaman, and myself." Details of 'hardships' endured from the start of her wedding negotiations 12 years ago in 2008 were also included.

In February 2020, a Family Court in Pune

introduced later that stated 'the list of presents which are given at the time of the marriage to the bride and bridegroom shall be maintained by respective individuals'.

However, the increasing incidents of dowry-related cruelty against women and 'dowry deaths' – new brides being burnt alive by in-laws and the incidents being dismissed as accidents -- meant the penal system had not adequately addressed the social menace. The Criminal Law (Amendment) Act, 1983 inserted Section 498A in the Indian Penal Code (45 of 1860) to safeguard interests of women. The section dealt with 'Matrimonial Cruelty' perpetrated on a woman and made it a Cognizable, Non-Bailable and a Non-Compoundable Offence.

Several other laws were introduced to protect women but Section 498A proved to be a milestone in the history of women empowerment in India. The strict provisions of the section read:

- Whoever, being the husband or the relative of the husband of a woman, subjects such woman to cruelty shall be punished with imprisonment for a term which may extend to three years and shall also be liable to fine.

Explanation - For the purpose of this section, "cruelty" means –

(a) any wilful conduct which is of such a nature as is likely to drive the woman to commit suicide or to cause grave injury or danger to life, limb or health (whether mental or physical) of the woman; or

(b) harassment of the woman where such harassment is with a view to coercing her or any person related to her to meet any unlawful demand for any property or valuable security or is on account of failure by her or any person related to her to meet such demand.

Law abused by those it set out to protect

However, like every other good law, Section 498A also fell prey to misuse by conniving women and greedy lawyers. The law "made to save lives, has taken many lives," concurs activist Deepika Narayan Bhardwaj whose documentary titled *Martyrs of Marriage* narrates first-person tales of various victims of the misuse of the anti-dowry Section 498A.

Deepika had personally experienced the tyranny of 498A when 'a cousin was falsely accused in a dowry case by his wife'. She was appalled at the helplessness of the family who were told the fight was against a system biased against men. Her experience made her empathise with other men and their families who have no support – legal or otherwise - in such situations. The suicide video of a Bengaluru-based techie Syed Ahmed Makhdoom, harassed by his estranged wife and her parents and prevented from seeing his five-year-old son, drove her to make the documentary.

Crime data gives the real picture

The low conviction rate in such cases is proof that anti-dowry laws have proved to be unsuccessful. According to the National Crime Records Bureau's (NCRB) data,

nearly 200,000 people were arrested over dowry offences in 2012, but only 14.4 per cent of the accused were convicted. The intent of legislature is not met, and the strict provisions of the law only meant that the chances of conciliation or settlement between the husband and the wife were bleak.

The NCRB data also revealed between 2006-2016, for every case that resulted in a conviction, five other cases resulted in an acquittal and one case was withdrawn with the net result being that only one out of every seven cases resulted in a conviction. At the end of 2006, 2,06,000 cases were pending, and this number increased to 5,15,000 cases by the end of 2016, an increase of more than 150 per cent in 11 years.

A complaint under Section 498A enabled immediate arrest and imprisonment of the accused – the husband and/or family members. Section 498A is the most abused law in the country. It is routinely 'used' by resentful women to harass the husband and in-laws even at the cost of ripping the family apart.

Lacunae in the legal system addressed

In July 2017, the Supreme Court passed an order preventing 'immediate arrests' of the husband and his family under Section 498A and asked the States to set up Family Welfare Committees to prevent 'misuse' of the law and probe the veracity of complaints filed under this section. The Court noted the law is being increasingly "misused by some disgruntled wives" to frame their husbands and his relatives.

Soon after, women groups and NGOs protested the order saying it has diluted the original intent of the law. In September 2018, the Supreme Court, reversing the previous order, restored the immediate arrest provision but inserted a rider that those arrested could approach the court for bail. "There should be gender justice for women as dowry has a chilling effect on marriage on the one hand, and on the other hand, there is right to life and personal liberty of the man," the bench had said.

It is important to have a law to protect the weak but the responsibility lies on the judiciary and the executive to ensure the spirit of the law is maintained and the law should not defeat the purpose for which it was made.

Sonal Aggarwal is a dedicated volunteer and rural activist with 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

Misuse of laws to target men

*The laws to protect women are in place, but unfortunately some of them are manipulating situations and filing false charges against men. The legal machinery needs to be updated to protect men too, writes **Manu Shrivastava***

MISUSE OF LAWS



If there is anyone who has harmed women empowerment, it's women themselves. India is one of the rare nations in the world that has the maximum number of legislations to protect women and provide socio-legal support for their development and empowerment. And sadly, also among the rarest where the same laws meant to protect women are highly misused by them to serve ulterior motives, take revenge or hurt men.

Even judiciary turned victim

In April 2019, when the Chief Justice of India Ranjan Gogoi was accused of sexual harassment by a former employee of the apex court, a Junior Court Assistant, the country was in shock. No one thought about the merits of the case or the possibility that this could be a false allegation and most were likely to believe that a man in 'position of power' exploited a woman. The in-house special panel of judges who looked into the allegations gave a clean chit to Justice Gogoi as it found "no substance in the sexual harassment allegations".

While the identity of the 'accused' is revealed, that of the 'victim' is never revealed, even after it is proved that

the allegations were false. Yet, if you google 'Ranjan Gogoi', the top results will be of the alleged sexual misconduct. And, if you are lazy enough to not read further, you are more than likely to believe that the Chief Justice of India had sexually harassed a woman. So, while the law provides a woman to protect her interests, it does not prevent that of a man who undergoes mental torture, public humiliation and even extortion in some cases.

False accusations maximum in Television industry

The 'false' rape accusation and arrest of renowned television actor and singer Karan Oberoi by a woman in May 2019 was one such prominent case, where Oberoi was the victim. In the FIR, the woman alleged Karan raped her in 2017 on the pretext of marriage, filmed the act and then extorted money by threatening to make the video go viral. Karan was granted bail a month later. The woman was arrested by Mumbai police for staging a fake attack on herself. It turned out later that Karan was, in fact, the victim of harassment, stalking and blackmailing. The woman, a self-proclaimed 'healer' and 'astrologer' even threatened Karan that she would damage his reputation and the

well-being of his family members if he didn't maintain contact.

Karan felt women are given the benefit of doubt and men are not even heard in most cases and something needed to be done to address this "imbalance in society". In Karan's case, his friends, known celebrities themselves, came to his rescue and campaigned with him against the 'injustice' meted out to him for being a man.

False cases soar despite stricter law

A study suggested false rape cases rose drastically after the amendment in the rape law in 2013 through the Criminal Law (Amendment), Act 2013 that provided for extremely strict penalties for the act of rape.

The amendment was a reaction to the brutal gang-rape of 'Nirbhaya' in Delhi in 2012 that caused an uproar in the nation and citizens urged the strictest punishment for rapists. The amendment also expanded the definition of 'rape' liberally. According to another 2014 report by the Delhi Commission for Women, 53 per cent of rape cases filed between April 2013 - July 2014 were false.

In January 2020, the Crime Branch in Pune arrested a woman for allegedly extorting money from an HR Professional by threatening to file a fabricated rape case against him. The woman had, by then, managed to extort Rs. 45,000 from the victim.

Rape allegations against men are levelled by avenging women, refuted girlfriends, manipulating colleagues, even families who want to avoid 'losing face' on acts of sexual activities being discovered.

The Indian legal system is burdened with thousands of cases every year where a woman accuses a man, she was in a relationship with, of rape. When the relationship ends, often on a sour note, the woman who had consensual sex with the man accuses him of rape under the promise of marriage to take revenge or just to hurt the man. "Sometimes, they even do it to blackmail the man and extort money," says Delhi-based family lawyer Sudhir Singh. The National Crime Records Bureau (NCRB) reported 38,947 rape cases in India in 2016, of which 10,068 cases were of women accusing the men of raping on the 'false promise' of marriage.

Consensual sex by minors also 'rape'

The other significant category of cases is that where a minor girl is 'raped' by a minor boy. The legal definition of rape qualifies a consensual act of sex between two minors as 'rape'. Mostly in such cases, the girl's family files a rape case against the boy.

When a 17-year-old youth of Chandoli village was caught in an act of physical intimacy with his 16-year-old girlfriend by her father, he never thought he would land in jail. The girlfriend's father filed a rape case against the

youth, whose family could never believe that a hard-working student, could commit such a heinous crime.

"It is sad that law is misused like this. Parents of such girls often file a rape case to cover up for their unmarried daughter and to save the family honour," says Udaipur-based social worker Manasi Parmar. "They would rather say their daughter was raped than accept she engaged in sex willingly. They spoil their daughter's life and that of the boy too."

Women hurt own cause

Needless to say, false accusations by women of domestic violence, stalking, sexual harassment, molestation and rape trivialise the seriousness associated with such acts. Such women do disservice to millions of other women who are 'real victims' and have to try much harder to convince the authorities and society about their situation.

Many may not be aware but International Men's Day is celebrated the world over on 19 November to raise awareness about men's issues, men's health, promoting gender equality, and to protect men from exploitation, gender-based discrimination, violence, injustice and oppression.

Men's rights activists believe it isn't fashionable to fight for the rights of men and the cause doesn't have too many takers. That said, there are millions of men in India and across the world living with the constant fear of being framed or implicated for serious offences such as domestic violence and rape spurred by trivial motives of manipulative women. It's good to have laws to protect women but there should also be provisions to protect men when spiteful women misuse the law to harm them and their families, sometimes even their own husbands and in laws. These acts risk destroying the foundation of society based on mutual trust and respect.

What Karan said after the incident sums up the situation: "Men will be running scared of women, scared to talk to them, marry them, date them. That's not the society we aspire for. We share moral and social responsibilities. More importantly, we have responsibilities as good human beings", he added emphasising on how a false case of such a serious offence could ruin life of the "accused" and his family, and, in just a jiffy.



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

Justice must be seen as done

*For the masses, as opposed to intelligentsia, it's imperative that justice must be done and also seen as done, writes **Gajanan Khergamker**.*



The gang-rape of a female physiotherapist in Delhi was the trigger for the row of disasters that occurred in the recent past. That it was followed by emotional outbursts in the Parliament with MPs 'demanding death penalty for rapists in feverish pitches' was expected; a rhetoric peppered with theatrics for the galleries was a given considering the occasion.

Erstwhile rape law was deliberated

What was conveniently ignored was that the law on rape, as on every other issue, was laid down following exhaustive legislative deliberation in Parliament by the MPs themselves. That, however, does not pre-empt the ministers from swiftly positioning themselves as torchbearers of public opinion at times of crisis and dramatically bay for 'much-needed change' at the drop of a hat. They, predictably, attributed little to Justice Verma panel while changing the law.

When a section of the youth, governed by the very laws they indirectly create, decided to 'Campaign for change' near Delhi's India Gate, the Delhi police clamped the all-too-familiar Section 144 of The Code of Criminal Procedure on them. The orders were plain and simple: The protests had to be silenced, at any cost. So, the police used teargas, water cannons and lathis on the protesting youth that comprised unarmed girls. As many as 143 people that included 78 police personnel were hurt in the lathi-charge that followed. The prohibition orders were swiftly lifted

following a colossal backlash from the media and irate public alike.

The media was banned from the site and nine metro stations were swiftly shut to prevent protests against the Delhi gang-rape at India Gate. Among the slew of banners that flayed the gang-rape and police protection, one said it all: Reduce VIP Security. Provide More Security For Us (Girls). This revealed just another instance of the violation of the Rule of Law that happens so very often in India.

"The King is subject to the law and the laws of Parliament to be void if in violation of common right and reason," said Lord Chief Justice Coke before being transferred and ultimately dismissed from the bench. He was then endorsing the 2,000-year-old view formulated first by Aristotle of the Rule of Law being "fundamental" to democratic order. In modern sense, the Rule of Law owes greatly to Professor AV Dicey who proposed the Supremacy of Law meaning all persons, individuals and government were subject to law; a concept of justice that emphasised interpersonal adjudication; absolute restrictions on discretionary power; doctrine of judicial precedent; common law theory; prospective legislation; restriction on exercise of arbitrary power by the executive and a moral basis for all law.

The shocking lack of safety of its citizenry when perceived against the backdrop of smugly secure politicians

is a flagrant violation of the very basics of the Rule of Law. The arbitrary clamping of a seemingly-archaic Section 144 of the CrPC to silence a peaceful protest, threatens the security of a nation's common and their democracy.

However, it may only seem fair to point out here that statistics indicating Delhi has the highest incidence of rapes as sections of the media often castigate it as the 'Rape Capital,' are but knee-jerk hyperboles. Delhi does have the highest per capital rapes but only of the nation's major metropolitan cities at 2.8 per 1,00,000 citizens.

Different rules for VIPs

Another source, The Wall Street Journal's Economic Journal maintains Durg, Bhulainagar, Chhatisgarh register almost twice as many rapes with 5.5 per 1,00,000 followed by Bhopal in Madhya Pradesh. It has been suggested that India's "administrative agencies do not perform well (ranking 79th) and the civil court system ranks poorly (ranking 78) mainly because of deficiencies in the areas of court congestion, enforcement, and delays in processing cases," according to a 'Rule of Law Index 2012' report then bought out by World Justice Project.

Although the parameters of the journals and reports cannot be taken too seriously, the string of recent occurrences challenging public confidence in the system only underline the need to uphold the Rule of Law. It may be pertinent to note that immediately following the terror attacks on Mumbai back in 2008, the city police placed barricades around 'sensitive structures' to control vehicular and public movement. The move, then seemed justified, considering a surge in public curiosity needed to be controlled for security reasons. That said, over the years, the barricades went on to become permanent fixtures around the zones, particularly the lanes adjoining Taj Mahal Hotel areas and Gateway of India creating immense inconvenience to locals and touring visitors alike.

Preventing passage for inordinate periods of time for the common man seemed out-rightly excessive. That the decision to barricade a populous Gateway of India zone could backfire in the face of an eventuality like a bomb blast or an act of violence in the closed space, as has been witnessed in the past and a public stampede was a real and imminent threat didn't matter.

The Rule of Law is regularly flouted when VIP visits are preceded by a swift removal of barricades, however temporary, to permit smooth vehicular movement. Once the visit's over, the barricades are put back in place irrespective of the inconvenience caused to the common

man. In the absence of a notification or an order permitting or detailing the placement of barricades, the move is outright excessive.

So, while on the one hand, hawkers in the zone are booked swiftly for occupying public space to sell their wares, the police get away with blocking one side of the road with barricades to provide 'security' while the Taj Mahal Hotel places permanent 'flowerpots' on a substantial section of the public road along the other side preventing passage again to provide 'security'.

The paradox of India

The common man, on his part, is literally forced to weave his way in and out of barricades and all at a public place earmarked for tourism – The Gateway of India. The National Commission to Review the Working of the Constitution in India rightly noted, "The paradox of India, however, is that in spite of a vigilant press and public opinion, the level of corruption is exceptionally high. This may be attributed to the utter insensitivity, lack of shame and the absence of any sense of public morality among the bribe-takers.

Indeed, they wear their badge of corruption and shamelessness with equal élan and brazenness."

According to the United Nations, the Rule of Law, "... refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards."

The State will need to mend most of its act to ensure that the Rule of Law percolates through social, political and economic layers of society.

It is imperative that the law holds good for one and all and does not, in any way, favour the rich and powerful. Now, that is something that the law-makers read legislature must ensure in letter and spirit. Justice must not only be done, it must be seen as done too, to be able to achieve its true objective. Now, that is a tall task, but one that is just right for an ideal democracy.

It is imperative that the law holds good for one and all and does not, in any way, favour the rich and powerful. Now, that is something that the law-makers read legislature must ensure in letter and spirit.



Gajanan Khergamker is an independent Editor, Solicitor and Film-maker. He is the founder of the International Think Tank DraftCraft.

Fake #MeToo claims defeat real cause

*The goodwill that the #MeToo movement generated was swiftly lost in the surge of fake complaints and failure to follow up legally, writes **Kriti Kalra**.*



film 'Horn Ok Please' in 2008.

Soon after, the social media was flooded with first-person accounts of women who shouted out 'Me Too' as they shared experiences of sexual harassment and misconduct by 'famous' men – film directors, writers, actors, artists, politicians, advertising professionals, editors, journalists, etc. Other women who levelled allegations include – Priya Ramani against M J Akbar, Vinta Nanda against Alok Nath, comedian Mahima Kukreja against Utsav Chakraborty, singer Chinmayi Sripada against Vairamuthu, among others.

The two words that remained a constant in the newspapers the last couple of years were #MeToo. In India, the movement, inspired by a similar global campaign, created a storm where allegations of sexual harassment or misconduct were levelled against several 'famous' men from the entertainment and media industries, some events dating back to more than two decades.

Soon after, social media platforms became the perfect breeding ground for more such allegations that were confined to Facebook posts and tweets that were never 'registered' as complaints in a police station or followed up as suit in a court of law. While most allegations turned out to be true, some were made to 'seek revenge' from or simply 'defame' men in positions of power. It was the investigation into the allegations of sexual misconduct of Hollywood mogul Harvey Weinstein in 2017 that laid the foundation of the #MeToo movement. Later, a tweet by American activist and actor Alyssa Milano in October 2017, "If you've been sexually harassed or assaulted write 'me too' as a reply to this tweet" unleashed a series of allegations by women and started the #MeToo movement that soon globally.

#MeToo in India

In India, the #MeToo movement gained momentum in October 2018 when Bollywood actor Tanushree Dutta accused actor Nana Patekar and a few others of sexual harassment and intimidation during the shoot of their

The allegations were primarily confined to sexual misconduct and obnoxious behaviour at 'workplace'. The allegations stirred up a massive storm in the country because of the names involved and the extent of sexual harassment at workplace. The media was spilling over with new names being 'outed' almost every day. The country was aghast!

The reactions that poured in, as evident from social media, were mixed. Most women supported the movement as it was an 'easier' way to call out to a 'predator' and name and shame him than going to a police station and getting shamed instead. These women received massive support from the media, civil society, women groups, etc.

At the same time, there were concerns about the implications of this trend that had taken over the country. Amid the storm, there were voices, meek but firm, pointing towards the direction the movement was going in. Why were the victims quiet for so long? Why did these women not register a complaint within their organisation before? Why did they not approach the police or the court? Why was the due process of law not followed? Will social media be the platform to 'register complaints' now? And, if so, who will decide whether the accusations hold any water?

The law to protect women

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, also known as POSH, was enacted in 2013 to protect women from sexual harassment at their place of work. Not to forget, the Act was

derived from the pre-existing Vishakha Guidelines - a set of procedural guidelines to be used in cases of sexual harassment at workplace – put together after the Supreme Court order in 1997.

The women who made allegations were primarily journalists and actors and while their tweets and posts did start a long overdue conversation on the safety and well-being of women at their workplace, they also raised questions about the ‘silence’ of these ‘powerful’ women all these years.

“I still cannot believe that these firebrand journalists were unable to register a complaint with the International Complaints Committee within their big organisations”, exclaims Mumbai-based law graduate Sujata Naik. “I agree the movement has started the discussion and has drawn attention to women survivors but it’s not that the law was not there... India had provisions in place since 1997,” Sujata continues.

#MeToo ruined lives

The repercussions of ‘social media allegations’ were far worse from what met the eye. While a few allegations did turn out to be true, many other died a natural death in the absence of the foundation of truth. But the damage they caused was never ‘outed’ on social media and no one could be held accountable in the absence of a law that hold ‘liars’ of such nature responsible for the offence.

The movement soon transformed into a platform for public humiliation with no checks, but more media trials, ostracisations, etc. Many men lost their jobs, several were slapped divorce notice by their wives, families were humiliated and shamed, children were harassed, faced name-calling and a lot more.

In law, punishment serves the following purposes – Deterrence, preventions, compensation, retribution and rehabilitation. There is no place for ‘public humiliation’ in the legal machinery of the world’s largest democracy. At least, not in formal settings.

Of the 87 women who had blamed Harvey Weinstein, more than 30 reached a USD 25 million settlement. While he and most other powerful men accused could afford the biggest of lawyers, media defence, etc., there were many more who did not have access to a platform to put out their version for public opinion.

However, one must concede that #MeToo movement has paved the way for women seeking justice in cases of actual harassment at workplace, as many organisations are now doing a lot more fearing loss of reputation. “Women also are now more confident in approaching the ICC as she

and the committee know she can always ‘post’ about her harassment on social media,” feels Bengaluru-based Media Professional R Geetha.

#MeToo takes a toll

In December 2018, 35-year-old Swaroop Raj, assistant vice president in Genpact was found hanging from the ceiling fan at his home. He was temporarily suspended following complaints of sexual harassment at workplace against him. The suicide note, left behind for his wife, read, “I would not be able to face the world as everyone will look

at me with that eye even if I come clean. I want to let you know how much I love you. I have an allegation by two of the employees on sexual harassment and trust me I didn’t do anything. I know the world will not understand it but you and our families should trust me. The allegations are baseless. But the entire Genpact will know about it. Hence, I don’t have the courage to face everyone. I want you to be strong and live your life with respect as your husband has not done anything.”

His wife registered an FIR against the female workers at Genpact and five other male workers stating her husband was “declared guilty without being given an opportunity to be heard”.

And suicides committed the world over by men who faced false #MeToo allegations included:

– Mexican rocker Armando Vega Gil who killed himself denying #MeToo accusations of an anonymous woman who tweeted that the rocker had sexually harassed her. He took the extreme step to protect his son from the effects of the false accusations.

In India, in some of the high-profile cases, the ‘accused’ succeeded in getting a clean chit while others continue fighting legal and personal battles. The #MeToo movement that started to help women ended up in breaking and humiliating families.

Meanwhile, although Vinta Nanda filed a rape case against actor Alok Nath, after months of investigation and lack of sufficient evidence, the police closed the case. Actor Tanushree Dutta and her lawyer Nitin Satpute filed a protest petition against the B-summary (closure) report filed by the police in her complaint against Nana Patekar.

Kriti Kalra is an activist and field researcher with www.thewomansurvivor.com – an initiative of Draft-Craft 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

Freedom of speech is a subjective issue

Freedom as a concept is discussed and debated by one and all. That said, the freedom with all its variations, extent of reach as a legal right is subjective, says Gajanan Khergamker.



Freedom is, arguably enough, the most cherished right of mankind. And, among them all guaranteed by the Indian Constitution under Article 19, it's the Freedom of Speech and Expression that fashionably affects all Indians at the onset. Why, even the exercise of dissent towards the violation of any freedom pivots upon the most basic of them all...speech and expression.

It is this very freedom that primarily guarantees the Press as the Media is popularly known, the right to express. Despite popularly misunderstood, the Press in India has no special rights to express as distinct from the others yet exercises it in myriad ways tempered with a typical boldness symbolic of the Fourth Estate.

It is this freedom that empowers the Fourth Estate to hold its own in face of opposition from a powerful Legislature; a hard-nosed Executive or a rigid Judiciary. If the Press as Media was popularly known in the yesteryears did not exercise the Freedom of Speech and Expression with such alacrity, millions of human interest stories speaking reams of oppression, exploitation even trysts with freedom struggles and unlawful regimes would not have seen the light of the day.

It isn't that the Press in India has the freedom to write about anything or report on any issue in any manner they like. Like all other freedoms, the one of Speech and

Expression isn't without fetters. Article 19, that guarantees the freedom, also lays down restrictions to the same. So, any act in the exercise of one's Freedom of Speech and Expression is restricted if it compromises the sovereignty and integrity of the State; Security of the State; Friendly Relations with Foreign Countries; Public Order; Decency and Morality; Contempt of Court; Defamation and Incitement to an Offence. Social Media and restrictions by law

And concurrently, the showdowns that members of the media have with the law and polity are triggered by the restrictions whose reasonableness too aren't open to generic interpretation but are to be examined by a judiciary which alone is qualified to do so. While the Press aka Media for all practical purposes had its role chalked out and demarcated for legal purposes, the emergence of the Social Media, the range of associated tools and its sporadic use across platforms has spawned an entirely new and rapidly burgeoning generation exercising the all-pervading Freedom of Speech and Expression, often even without realising the implications of it.

Oddly and not surprisingly, the restrictions to the Freedom of Speech and Expression mostly exercised by the traditional media were peppered with a sense of logic, equity and common sense more than the understanding of any lofty jurisprudence, was lost on the new entity – the Social Media.

Where public responses to films are concerned, they surely have little to do with the film-maker's Freedom of Speech and Expression. Look at the responses to *Kai Po Che* and *The Attacks of 26/11* in the last decade that were frightfully violent to say the least. The retorts associated with the films mostly veered towards acute criticism and disdain towards the movies' treatment of real issues. Most opinions are generated through hearsay reviews and conclude with the regular advisory on "how the film should simply not be watched," surely not if you were a "sensitive Indian" or "cared for those actually affected" and so on and forth. *Kai Po Che*, a story of three friends and their journey through Gujarat, at the time of the earthquake and the Godhra riots, found itself looking down a barrel of criticism from a sea of analysts flaying the movie for failing to put "things in perspective."

The charge being the plot revealed barely a slice of the story and didn't do justice to incidents which had been "selectively deprived of coverage". That the film touched upon a communal situation only worsened things particularly since it came at a time when the much-talked-about then Gujarat Chief Minister Narendra Modi was braced to lead the opposition and even plugged as "PM-in-waiting" by an enthused opposition.

Freedom to bay for blood

Cut to *The Attacks of 26/11* that dealt with Mumbai's infamous terror attack which exposed the lie of the city's security cover and "Second only to Scotland Yard" claim of the police. Ram Gopal Verma went ahead and made the film on the attack, despite making public his firm refusal of intent to do so immediately after having visited the Taj Mahal Hotel with Vilasrao Deshmukh and his son Ritesh soon after the attack. Verma's change of mind or intention isn't questionable by law, not by any stretch of imagination. His attempt to stir public ire by reviving the trauma of terror on celluloid met with predictable success. Each time, joint commissioner of police Nana Patekar matched terrorist Ajmal Kasab's abuses, viewers went into raptures of retributive delight.

While the prior had the issue of communal violence running parallel – also for a bit of time – to the main theme of the film – the intertwining lives of three friends, the other solely dealt with the single instance of terror itself. Issues of ethics on whether movies of this nature can be made and watched or should be made and watched are personal in nature. The Censor Board orders directors to remove anything that's offensive, including sex, nudity, violence or subjects considered politically subversive. That the board permitted the two to be screened *prima facie* vindicates their position.

Lobby fights for one, flays another

Much earlier, War and Peace that depicted visuals of nuclear testing and the September 11, 2001 attacks created by Anand Patwardhan was asked to make 21 cuts, a prerequisite to being allowed to have the certificate for

release. Patwardhan said, "The cuts that they asked for are so ridiculous that they won't hold up in court...but if these cuts do make it, it will be the end of freedom of expression in Indian media." The Bombay High Court decreed the cuts unconstitutional and the film was finally shown uncut.

Ironically, the same lobby that strives for freedom of opinion in social media and across platforms citing laws ensuring unbridled speech and expression has been flaying Chetan Bhagat for indulging in "political opportunism." Fact remains that neither Chetan Bhagat nor director Abhishek Kapoor claimed to document the reality of Godhra riots through the film and, by virtue of that, stand exonerated of charges of bias. In contrast, *The Attacks of 26/11* expressly maintains at the onset itself that "This is a true story of how those attacks happened." Capitalising on a public ire towards an attack that held the city at ransom for three days, *The Attacks of 26/11* oddly focused on the attacks at Chhatrapati Shivaji Terminus, Leopold Café, Cama Hospital and the Taj Mahal Hotel while ignoring the ones at Nariman House and Oberoi Trident Hotel completely.

Message as silent as the lifeless terrorist

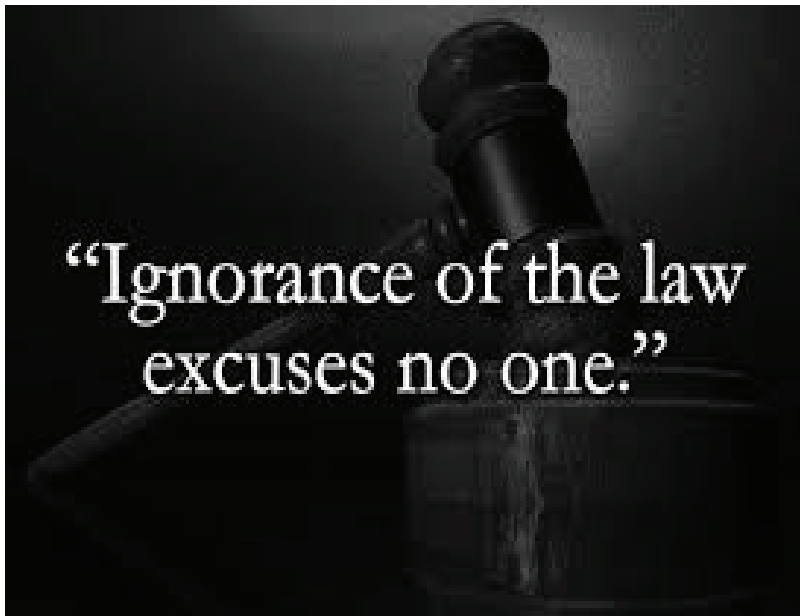
The bloodied violence and the senseless shooting apart, the story was almost a biographical version of Ajmal Kasab's killings, capture and his ultimate hanging. Frenzied dialogues on Islam and its virtues, between a hugely misled terrorist and a worldly-wise joint commissioner apart, the true story began with the joint commissioner refusing to get angry at Kasab saying, he was just a 'kuttha' and the real enemies were across the border – his handlers, but ended rather abruptly and oddly, with Kasab's death. The message, if any, was as silent as the lifeless terrorist. Freedom of Speech and Expression is guaranteed by the Indian Constitution. What the Indian Constitution does not guarantee is the 'quality' of speech and the 'intelligence' in expression. So, while we consider it a legal entitlement to comment on a film in social media and sit in judgment over it being screened in the neighbourhood hall, even freely flay the director for trying to capitalise on a public tragedy, we tend to overlook the fact that we're doing exactly the same. The only difference being that despite all freedom, films have to pass through the fine comb of a Censor Board in a democracy: On our part, we presume that our comments in print or in sections of social media are immune to checks of ethics and accountability.



Gajanan Khargamker is an independent Editor, Solicitor and Film-maker. He is the founder of the International Think Tank DraftCraft.

Ignorance of law is no defence!

*Religion, Equality and Gender Rights are serious issues. Yet, claiming ignorance after breaking any law to obtain justice is no defence, says **Gajanan Khergamker**.*



The Sabarimala imbroglio had been a populist bone of contention for political parties that have, surprisingly, aligned despite legendary differences for fear of upsetting a sizeable religious faction. The issues here are primarily dual in nature. The Right to Equality of women being compromised by an arguably ‘patriarchal’ custom barring those of menstrual age entry is in direct opposition to the religious freedom of the Sabarimala Temple Authorities in conducting their internal affairs. The September 2018 Supreme Court verdict upholding the rights of women of all ages to enter Sabarimala Temple has stirred a hornet’s nest.

Despite the inclusion of the term ‘Secularism’ in the Preamble of the Constitution, the State has, even within the Indian Constitution itself, permitted intervention and legislated on issues that could, if applied in the strictest of senses, be in violation of the ‘secular’ term. If followed strictly, the State would not be permitted to intervene in any religious situation that would include the reservation system, protection of the Muslim Personal Law and the directive principle to protect cows, all of which the Constitution ultimately went ahead with.

Laying down policy destroys democracy

For the State to follow the spirit of secularism while avoiding its inclusion in the Preamble, the Chairman of Drafting Committee of the Constitution B. R Ambedkar had, during the Constituent Assembly discus-

sions, said, “what should be the policy of the State, how the Society should be organised in its social and economic side are matters which must be decided by the people themselves according to time and circumstances. It cannot be laid down in the Constitution itself because that is destroying democracy altogether.”

When the preamble to the Constitution was discussed in the Constituent Assembly, there were huge debates over the incorporation of secularism on which all the members agreed yet through extensive debates in the Constituent Assembly revealed the ambiguity inherent in the terminology predominantly Western, when applied in the Indian context. Questions were raised regarding the nature of its application and to what extent it was even possible.

In the debate on 6 December 1948, Lokanath Misra had said, “Do we really believe that religion can be divorced from life, or is it our belief that in the midst of many religions we cannot decide which one to accept? If religion is beyond the ken of our State, let us clearly say so and delete all reference to rights relating to religion.” Even Vice President of the Drafting committee H C Mookherjee had stated “are we really honest when we say that we are seeking to establish a secular state? If your idea is to have a secular state it follows inevitably that we cannot afford to recognise minorities based upon religion.”

Secularism cannot be applied blindly

Secularism, in the truest meaning of the term, as was meant to be understood at its place of origin, could not be applied blindly to the Indian context. The term ‘secularism’ is known to have originated in late medieval Europe coined first by English secularist, co-operator and newspaper editor George Jacob Holyoake was modelled on the theory that governments ought to have no religious connection, nor indeed anything to do with matters of religious belief or ritual.

It was manifestly a Western intervention, specifically a product of the Protestant Reformation and the Enlightenment. It went on to be treated as the ideal theoretical basis of nation-states utilised in lands outside the European continent, such as the United States, even Turkey. It was only inevitable for the creators of free, modern India, shaped by European thoughts and practices,

to be ardent supporters of secularism.

Consequently, the Constituent Assembly adopted Articles 25, 26 and 27 of the Indian Constitution in order to further secularism that, despite not being formally inserted in the document, was definitely embedded in the constitutional philosophy.

Secularism, as a concept, was introduced through the 42nd amendment which gave unprecedented powers to the Parliament. Almost all parts of the Constitution, including the Preamble, was changed with this amendment. Thereafter the description of India in the Preamble was changed from “sovereign, democratic republic” to a ‘sovereign, socialist, secular, democratic republic.’

The State’s intervention on the Instant Triple Talaq issue and its swift concurrence with the Supreme Court view followed by an ordinance, despite loud opposition in Parliament, wasn’t perceived as being violative of Secularism or ‘interference with religious affairs,’ but instead positioned and lauded as a win for Women’s Rights.

Interestingly, it may be noted here that Congress MP Shashi Tharoor, in a written question in Parliament, had asked the government to clarify its position on Female Genital Mutilation – a practice among the Bohra Muslims in India. The government had replied that it wasn’t introducing any legislation to ban it and that, in case of any objections raised, the IPC and POCSO had provisions to tackle issues arising. An attempt in the future to legislate on the issue could be seen as an affront to the secular fabric of India and an interference in religious affairs.

Lobbies on women rights seem motivated

A host of issues pertaining to women have been thrown open for debate and have led to strong posturing by lobbies that are mostly motivated and politically driven rather than spurred by good intent. The Sabarimala issue being a case in point. That apart, issues of women being prevented from entering temples during their menstrual cycles and others find themselves in the news for all the wrong reasons. Now, whether the subject actually affects women and their rights or not isn’t important. What is important is that the issue has managed to gather eyeballs and, concurrently, snowball into a controversy, courtesy

educational institutions, political parties, civil society and other motivated lobbies.

The Freedom of Religion as guaranteed by the Constitution of India isn’t absolute, just as the Freedom of Equality. Also, one needs to realise that all Freedoms are made available and guaranteed to citizens only by public authority or the State. An individual cannot hold the State responsible for a freedom deprived from him or her by a private entity. For that s/he must have to move court in personal capacity and not avail the benefit of a Fundamental Right as provided by the Constitution of India.

A host of issues pertaining to women have been thrown open for debate and have led to strong posturing by lobbies that are mostly motivated and politically driven rather than spurred by good intent. The Sabarimala issue being a case in point. That apart, issues of women being prevented from entering temples during their menstrual cycles and others find themselves in the news for all the wrong reasons.

Fad to blame State, Government and PM

Now, with the surge in new-found Rights and their convoluted interpretations, this basic difference is not understood easily. Today, just about every second Woke person feels that any personal resistance or behavioural anomaly in private capacity is an opportunity to avail the law and book the State, the government in power if not the Prime Minister himself for a Constitutional violation. And, it is armed with this faux authority and (mis)understanding that private individuals spew venom on public platforms and across Social Media, thereby placing their own selves at risk legally.

The knowledge of whether an act is legal or not rests entirely upon oneself and ignorance of the law is no defence. In that situation, a member of a community, upset with the rest or another cannot break the law by spewing venom in social media in an exercise of one’s Right to Religion. The law does not permit it and an act of this nature is likely to receive not just censure, even imprisonment. Concurrently, under the Right to Equality, a woman’s view – if likely to trigger riots or upset one’s religious sentiments – if made across social media is likely to be perceived as a violation of the law, defamatory or pulled up for incitement to an offence. The onus lies on the perpetrator and ignorance is no defence.



Gajanan Khergamker is an independent Editor, Solicitor and Film-maker. He is the founder of the International Think Tank DraftCraft.

India's fight against the coronavirus

Since the last week of March 2020, India has remained under siege due to the corona pandemic. How have the central and state governments dealt with this unprecedented situation? Dr. Rina Mukherji analyses.

As far as the coronavirus pandemic in India is concerned--- we could well quote Charles Dickens' line from *A Tale of Two Cities*-- It was the best of times; it was the worst of times.

Indeed, ever since the coronavirus pandemic touched Indian shores, sometime around January, we have had a rollercoaster ride with infections multiplying in geometric progression by the day. Yet, it has also meant the coming together of industrialists, small-time entrepreneurs, NGOs, and individuals to strengthen the hand of the government in a full-scale fight against an unrelenting enemy, even as healthcare workers all over the country work tirelessly to heal the infected.

Chronology of a deadly spread

The very first time we heard of the Covid 19 virus was when we saw visions of people dropping off dead in the hitherto little-known city of Wuhan in China. This was sometime in late 2019. But the full-scale of the disease dawned when nation after nation in Southeast Asia succumbed to the virus. Korea and Japan were the worst affected in the region, following China.

Soon after, international travel saw it carried to Iran, and Italy, where the death toll rapidly mounted to a point of no return. Soon, Germany, Turkey, France and Spain had got affected.

India saw its first case of coronavirus on January 30, 2020. The victim was a medical student from Kerala who was studying in Wuhan, China. But following this, there was a long hiatus, even as the



student recovered and could return home. In early February, there were two more cases reported in Kerala--both of whom were students. Around the same time, a couple from Pune who had travelled to the Middle East on a package tour reported positive. Tracing those they had come in contact with revealed around 40 people from the same group were infected. Meanwhile, Delhi and Mumbai reported some cases too, all of whom had travelled abroad. Soon after, Punjab saw some cases come up. By February-end, there was a spurt of cases everywhere. By now, the situation worsened in Kerala too, with Kasargod emerging as a hot spot, with several returnees from the Gulf and other parts of the Middle East.

On March 10, India reported six new cases of COVID-19 from Maharashtra and Karnataka--two

states that had so far remained untouched by the coronavirus outbreak in India. With this, the overall number of COVID-19 cases in India touched 50. All these patients had a travel history to the US or Dubai--two locations where coronavirus cases had been on a rise. Yet, in spite of government advisories being issued regularly, religious congregations, parties, celebrations continued in many parts of the country, gradually contributing to a rise. Meanwhile, a religious meet by the Tablighi Jamaat, a fringe group of Islamic preachers sounded the death knell to India's fightback. The Jamaatis, unmindful of the fact that there was a pandemic raging, and that their invitees included several Malay and Indonesians who hailed from badly infected regions, went ahead with their meet.

(continued on page 30...)



FOOTLOOSE IN AMRITSAR

Amritsar is a historic city in every sense of the term. The Golden Temple is its heartbeat, a must visit no doubt, but a day or two in the city offers so much more. The Partition Museum is a new attraction in the heritage zone. Yes, there is much to do even without a visit to the Wagah-Attari border, about 35 kilometres away, in a footloose kind of way.

Text & Photographs : Manjira Majumdar



Exterior of the Partition Museum – A visual history

It is a lovely balmy day in Delhi and my family and I board the Shatabdi Express on a late February afternoon. The train journey prepares you for a somewhat laid back visit to a historic city; where the traffic can be chaotic in parts. Most of the time, however, the cab drivers assure you with, "*tension na lo ji*" (Please don't get stressed).

The city is an old one. It is one that houses the most revered place of worship for the Sikhs – the Harmandir Sahib. In other words: the resplendent Golden Temple. However, the birthplace of the founder of Sikhism Guru Nanak is across the border, the district of Nankana Sahib, near Lahore. Sikhism represents a culture of *seva* and of strong values in keeping with a martial community.

At dusk, a sense of calmness returns to the heritage complex. The whole complex comes into focus as it gets gradually illuminated and a hushed sense of serenity prevails. The dazzling golden domes of the day, lit by sunlight, now stand out as a glittering bejeweled pendant.

The twilight gradually disappears and merges with the twinkling lights of the quick halts along the way; namely, Ludhiana, Jalandhar and Beas, before finally stopping at Amritsar Junction. The city of Amritsar may lack the symmetrical modern architecture of Chandigarh or the aristocratic elegance of Patiala, but crumbling in parts, it stands as a strong bearer of a rich historic legacy. The temple complex sharing space with Jallianwallah Bagh on one side and the recently converted imposing Town Hall into Partition Museum on the other is joined by a paved area. This has been declared a heritage zone. No transport is allowed in here but shops in neat rows abound and spending a leisurely afternoon/evening here is an ideal thing to do in Amritsar.

The second thing to do and enjoy in Amritsar is taste its local cuisine. Roasted chicken which is tandoori chicken by another name, different types of bread -- *naan*, *kulcha*, *paratha*, *lassi*, *tarka dal* and fiery pickles are the lip smacking fare that are tasty, wholesome and robust. Green chillies, tomatoes and whole lentils dominate.

The Temple *halva*, prepared fully in ghee, is first offered as *prasad*, and then a bit of it partaken by visitors, is simply divine. The *langar* lunch, after the *darshan* of the inner sanctum sanctorum, comprises *roti*, *sabji*, *dal*, *kheer* and *lassi*. The city offers more gastronomical delights, of which later...

Heritage complex at dusk

If the mornings are best for a visit to the Golden Temple complex which houses the Akal Takth, which is one of the five seats of power of the Sikhs, and the holy water body, keep up the continuity with an evening visit as well. Morning is the best time to visit the inner chamber for a view of the Guru Granth Sahib followed by *langar* (open 24x7), but the evening is mesmerising. After our

morning visit and lunch, it is time for us to go back to the hotel for a quick rest, especially for those tired feet after walking around and standing in queues.

But before returning, during the day, do try to squeeze in a visit to the adjacent Jallianwala Bagh memorial as well. It brings a slice of our oppressive history alive. The massacre that occurred at the behest of General Dyer, a temporary general of the British Army, led to country wide protests. Ultimately, it all culminated in the call of "Swaraj is my birthright and I shall have it" from Bal Gangadhar Tilak.

At dusk, a sense of calmness returns to the heritage complex. The whole complex comes into focus as it gets gradually illuminated and a hushed sense of serenity prevails. It is still February and though it is not so cold as was expected, a gentle breeze blows to create a magical spell of happiness. The dazzling golden domes of the day, lit by sunlight, now stand out as a glittering bejeweled pendant. The background of soft lights is strung together like a necklace. It is as if the area has gone through a transformation in just few hours.



Another view of Heritage Enclave with its shopping arcade



(Left) Colourful bags for sale at the Heritage Arcade ; (Right) Archway of the erstwhile Town Hall

The paved heritage arcade takes a life of its own. The religious centres reverberate with sounds of *kirtan* and strains of *aarti* from a nearby temple. There is a buzz of human voices matched with sounds of footfall but the morning frenzy has evaporated. Bargain hunters can now trawl the market not for scarves to tie around the head as a mark of respect, but for those beautifully embroidered phulkari *dupatta* in a range of quality, bangles and *jhumka* on round hoops. These are displayed at the sidewalk kiosks and bigger shops. So is the typical footwear or embroidered *jutti*. Modern shops and boutiques with mannequins displayed at the entrance beckon passers by.

This is the time to observe life and people of the city. Though crowded with tourists, one can notice the young local men and women. The young men who do not don turbans, sport a variety of hairstyles – punk, Mohawk. Tik Tok videos are being shot at street corners and like scenes in many of our cities, modernity and tradition collide. McDonald's co-exist with Pappi di Hatti! Traditional wedding collections edge out the modern silhouettes modelled by mannequins.

The other typical shops have on offer little candy sized *aam papad*, chicken and *chole masala* and little knick-knacks to carry back home as souvenirs. But it is time to explore the gastronomical delights.

Chaat, tea and roasted chicken

An evening snack of *papdi chaat*, the *dahi* and mint chutney sweetened with jaggery at Brijwasi's, followed by sweetened but invigorating cup of masala tea at Giani's, both joints located near INA Colony, has us craving for more food. We are directed to Beera Chicken House on Basant Road for an array of kebabs. Giani's also acts as a stop for those hungry looking for a quick snack. The omelette and toast are good accompaniments to the tea.

For dinner, we know we are somewhere near Beera's, by the aroma of grilled meats. The roasted chicken here is the piece de resistance, though the *sheekh kebab*, *keema naan* and fish *tikka* are to die for.

Now the roast chicken is somewhat like tandoori

chicken in that it is grilled but with some secret marinade that makes it smoky, juicy; the big succulent pieces so soft that they fall off the bone as it were. We are so full enjoying this chicken that we give the *chaap* and other delicacies a miss this time. In fact we take the e-rickshaw back to the hotel to enjoy some fresh breeze. A very satisfying first day indeed!

Partition Museum

Day two is earmarked for the Partition Museum. The sun beats down gently but the weather is turning; it is getting warmer. We just move around the city, soaking in its ambience. Like in most cities, old structures are giving way to newer ones.

Though some parts are dilapidated, with diesel smoke emanating from old vehicles, there are enough sites of history to remind you of the heritage of the city. The statue of Maharaja Ranjit Singh atop a horse is the most impressive. One can make a quick trip to the Durgiana Mandir of the Hindus modeled along the lines of the Golden Temple. But the overriding images in Amritsar are of Sikhs and Sikhism.

After the hotel breakfast, we hail a cab and go to the area which is again very close to the temple complex. The imposing Town Hall which some said was a public library once while others that it was a court for lower cases stands grandly with its imposing gates. We decide to spend a good part of the morning at the museum,

which is open on all days, except on Mondays.

Open to the public since August 2017, the museum is still evolving and open to donations, arte-facts such as personal belongings, letters and other materials as much as personal narratives. Housed in the stately brick coloured building that was once the historic Town Hall (designed by John Gordon) of Amritsar. Impressive flooring, stained glass windows and large halls, it was here that TAACT (The Centre of Arts and Cultural Heritage Trust, an NGO, was founded in the United Kingdom). With co-operation of the Punjab government, it was decided this as the most appropriate spot to house the Partition Museum.

It is spread over 17,000 square feet covering 15 rooms on two floors, it documents the saga of Partition that affected mostly Punjabis, Sindhis and Bengalis. At a rough count, nearly 18 million people lost their homes and about two million, their lives. Therefore, the Partition Museum, the first anywhere in the world, documents history as much as it is about personal stories, many of these still remain unheard and unsung.

Stark images of the Punjabi community affected by Partition abound inside the museum. Belonging to a region (Bengal) that also suffered partition, I develop a deep sense of empathy with the place immediately.

Galleries from one to four, explore the history of Punjab in the nineteenth century and the rising resistance



Entrance to the Partition Museum



Jallianwala Bagh Memorial

to British imperialism in the early twentieth century. Galleries 5 to 8 cover the uncertainties of 1946 which carried over to the year after and for a few more years after of rehabilitation. Galleries nine to 14 show the fallout of the migration on both sides of the borders as well as in the west and east. It is said to be the largest migration that happened anywhere in history.

India has declared August 17 as Partition Remembrance Day. Painstakingly curated and mounted, the collection in the museum include photographs, digital prints of paintings and personal objects of use donated by refugees who came across the two borders. Some of these include a wooden chest, a nose ring or a part of fabric – shawl or sari – that they managed to salvage.

Testimonials from survivors who came in packed buses, trains, are the most painful to hear, drawing a tear or two. Many of them now old can be heard as saying how they lost members of their families in front of their eyes.

Newspaper headlines recording the period, numerous photographs, recording of speeches by politicians and freedom songs in addition to archival material

are integrated. So are the events leading to the Partition, all of which are well documented. It has tried to include a number of voices – rich, poor, Dalits, and of course, Sindhis who too came across the western borders in droves to start anew in India. The last Gallery is named ‘Gallery of Hope’ wherein stories of co-operation and harmony between religious communities are urged as it pays a tribute to the resilience of the past generation and people’s hopes. The eastern side of the Partition is included and therefore, Bengali is included in the plaque though one feels more matter could have been added.

With a heavy heart but glad that such a memorial exists now for reminding us of the pain and suffering our previous generation went through, we look for a place to lunch. Not to forget the sacrifice the members of that generation made.

Breaking bread

Again we are looking for some more typical fare. Kesar da Dhaba turned out the best choice, not too far from the Heritage area but only after negotiating some serpentine alleys. Considered almost the oldest *dhaba*,



(almost a hundred years!), the heaped plates of *paratha* roll off the waiters' hands as quickly as they roll off your tongue. Punjab is, after all, known for a variety of breads – *tandoori roti*, *naan*, *kulcha*, *bhatura* and more.

Served with *kali dal*, simmered over 12 hours on a low flame, and spicy *sabzi*, the *parathas* come in various flavours: *alu*, *paneer*, *methi* or plain. There are other types of bread as well. You can even try a *thali* complete with *dal*, *sabzi*, pickles and *raita*. The *matka kulfi* – *kulfi* served in a small *matka* (earthen pot) - is the perfect way to round off a meal at this *dhaba*.

After lunch, it is pack up time. There are many other sights of Amritsar, namely the Gobindgarh Fort and Maharaja Ranjit Singh Museum but we have a train to catch. There are modern amusement parks too. But our two-day trip captured the very essence of Amritsar full of polite and friendly people. On our way to the station, we pick up the typical sweet of the region – the *dodhi*, a sort of milk cake garnished with almonds. The *pinni* or the rich *laddoo* of the region is another delicacy, best had in cold winters. Made of *desi ghee*, wheat flour, *jaggery* or

sugar, raisins and almonds, sometimes even *urad dal* is used. Most of the food we had at the small but very well-known eating joints had dishes that were mostly modestly priced, but not the sweets, which is sold by the weight.

As the train chugs out of Amritsar and makes its rhythmic journey back to Delhi, Rabindranath Tagore's famous poem resonates in my ears. On the banks of the five rivers/ Uprise the Sikhs spontaneous/With hair coiled above their head/Inspired by the mantra their Guru spread/Fearless and unyielding.

(An excerpt from Rabindranath Tagore's poem: *Bandi Bir* or *Captive Warrior*. The electrifying lines bring back the days of Sikh uprising when Banda Singh Bahadur, a warrior and Guru Gobind Singh's disciple and fellow Sikhs were tortured and ruthlessly killed by the Mughal rulers because they refused to convert to Islam.

Tales of a strong faith, heroism, bravery, fertile land and rich culture, I feel so happy and blessed to be born in this diverse country!



Facade of Partition Museum (photographs not allowed inside)

How to reach Amritsar

One can travel to Amritsar by air, road or railway from Delhi; and of course by a train or a flight from anywhere in India. The Shatabdi Express, of which there are several during the days of the week is by far the best way. Best time to visit is between November and March.



Having worked as a full-time journalist, Manjira Majumdar today is an independent journalist combining writing with part-time college teaching and media advocacy. She is also the author of 3 children's books: *Ten of Us*, *The Story of Anjana* and *Ghost Stories from Bengal & Beyond*.

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“Cricket umpiring is today like living your passion.”

Ganesh R Iyer (63), a Management Consultant in Sports and Operational Efficiencies, was CEO for 17 years with W H Brady & Co Ltd; Managing Committee member of Mumbai Cricket Association for seven years; Convenor of the Infrastructure Committee of MCA responsible for setting up the Indoor Cricket Academy in 2007-08 and revamping the Wankhede Stadium, from 2009-2011 and General Manager with MCA for World Cup 2011.

He retired on superannuation as National Panel Umpire of the BCCI in February 2012. Moving away from competitive matches of MCS from March 2020, two years in advance to promote younger talent, he is currently an Umpires Educator with the BCCI.

He speaks to **A.Radhakrishnan** on a hobby which became an ardour.



prompted me to take up cricket umpiring to be in tune with them.

How much did you enjoy umpiring?

What started as a hobby, became a passion and I enjoyed my umpiring, improved my concentration, upgraded my knowledge frequently, applied the laws fairly and in the process met and made many new friends and retained my reference with old ones. The journey from 1991 till date was truly enjoyable.

Is it mandatory that to be an umpire, you need to have at least played first-class cricket?

No, it's not mandatory but it helps if you have played the game at a decent level. In 1991, I appeared for the exams conducted by M.C.A. and was tutored for this by the late A M. Mamsa, a doyen of Indian Umpiring.

I was fortunate to be asked to officiate in games by the Cricket Club of India for six years along with matches of MCA. In 1997, when the Board of Control of Cricket in India (BCCI) held an examination for national level qualification, we were coached by M V Gothoskar, another doyen and a strict taskmaster. I became a National Panel Umpire and travelled all over India, officiating in matches under different climatic conditions, worked with innumerable partners, referees and different cultures.

What are the skills required of a good cricket umpire?

Being level headed, impartial, cool, focused, physically well

What is umpiring?

Umpiring is a job to ensure that a sports match or contest is played fairly without rules being broken. The umpire's decision is final.

How did you end up in such an offbeat, unconventional career?

Well, there's nothing offbeat about this career. As a keen sportsman, interested in outdoor games I represented school, college, and office in football, hockey and cricket. The urge to understand the rules and principles of the games I played was always paramount. It was but natural, therefore, that when professional commitments and age intervened, it

maintained, reading and observation are the skills required with a touch of sense of humour too.

Is a good umpire born or made? Can he afford to have an ego?

Good umpires are not born but evolve.

Yes, it's paramount to be a good and impartial person.

As for ego, I would say an emphatic No. Conflicts emerge with a clash of egos. An arbitrator of disputes must be seen as a level headed person.

Your umpiring icons. Why?

Rudy Koertzen was knowledgeable, cool and non-fluttered who did his job and went away unseen, unheard as an umpire should be.

Is umpiring more taxing mentally than physically?

Well, you can say that it's both mental and physical. It gets taxing only if you probably don't enjoy it. I took the pains as gains for my personal life.

Who were the people who helped you in your development?

I am indebted to late A M Mamsa for my initiation into umpiring. I cannot recall any other person who could teach and interpret the laws without referring to the Law book. His classes remain the foundation on which my umpiring career was built. M V Gothoskar who guided me to the higher plane, Major V D Gupte, late Dara Dotiwala, P D Reporter and the late G K Raman are others to whom I shall dedicate my complete umpiring career.

Is there a healthy understanding and respect for how difficult an umpire's job is.

The game has evolved from an amateur level to a professional career and by and large, the understanding and respect have been maintained over the years, with checks and balances nowadays to ensure this.

As an umpire, did you consciously build relationships with players?

As it happens in life, the more you see each other a relationship develops; but it should not cloud your decision making.

Can you talk about your regimen for mind and body? How would you rate your eyesight?

It was simple to look for positives, ignore the negatives and keep smiling at Nature. Simple and least complicated. We were medically checked each year especially the eye and ear and my ophthalmologist would rate me 6/6.

Your thoughts about woman umpires in our testosterone-heavy maidans.

A welcome addition. I firmly believe that they are equal to

men, and I have had the pleasure of initiating about 7/8 girls into umpiring in Mumbai. One has gone on to become a Match Referee with BCCI and another is now on the ICC developmental panel of Umpires. No mean achievement in the last nine years.

Your views on BCCI? Should it be nationalised?

A vehement no. This is the only sports body in India which does not take any subsidy or grant from the government to run its activities. In order of spectator preference in India, compared to yesteryears, today cricket leads by miles, only because there is no government involvement. The state of hockey and football in India need not be elaborated.

How much did it hurt when you got decisions wrong? Did it affect you?

Well, I had to ensure that I forgot what had happened and look out and get right what was going to happen. I am a human and may err... so just carry on.

Don't you think the concept of neutral umpires is outdated, with the technology available to assist officials?

No, it's going to last a while, as even technology is not foolproof. The allegation of bias, however wrong it was, is also eliminated.

Do you feel comfortable having all that power over 22 players on a cricket field?

No, it's not a case of power, but a case of great responsibility. You must acknowledge that those 22 men/women trust you for your wisdom in applying the laws.

What notebook does an umpire generally keep in a one day match? What information does it contain?

Notebook or Card, contain details of teams, the number of overs being bowled by a bowler, time losses markings, fielder being off the field timings and any other special trivia that he wishes to record.

How many umpires are there in different formats of cricket?

At international level, it is four per game; at the domestic level, it is three per game and at the local level it is two per game.

How many rules are there in cricket? How important was it for you to have a grasp of all?

There are 42 laws and playing conditions related to those laws that have not changed since 1980. You need to know all because you could be confounded with a situation in the game which was unexpected or unusual.

Is the Umpire Decision Review System (DRS) a friend or a foe?

Technology is always an aid. Treat it as a friend.



What is 'mankading'?

Mankading is a method of running out where a bowler dismisses a non-striker by hitting the bails before bowling when the latter is outside the crease. Though this is a legally permissible dismissal, it is considered against the spirit of the game. It got its name from Vinoo Mankad who indulged in it for the first time on an English tour.

What is the switch hit?

It's a stroke played by the batsman by reversing his stance. In the case of a right-handed batsman, the right hand is below the left hand in the grip of the handle. However, when the batsman switches his left hand below his right hand it becomes a switch hit.

What is Net Run Rate and Target Run Rate?

NRR is runs scored divided by overs faced. Target run rate is one run over the opponents' total.

How would you have umpired the World Cup match which New Zealand morally should have won?

There are no morals etc., in a game; it's the rule which needs to be applied and I think one must get on with it. I feel the umpires did the best under the circumstances.

How would you tolerate a screaming inconsiderate fan?

Ignore him. Nobody disturbs me from over 60 yards.

Is cricket still a gentleman's game?

I believe yes, but then values are changing.

Any new initiatives after retirement for improving umpiring?

At a time when the country is under a 40-day lockdown period, along with nine of my colleagues who have retired from BCCI umpiring, I have started a new concept to encourage the development of umpires in the city through a sort of e-learning process to help the next group of umpires upgrade themselves, through two WhatsApp groups one for the BCCI umpires from Mumbai, and the other for all local umpires. For one hour per day, there will be a topic, law, or a playing condition, on which there will be a discussion, moderated by one of our senior umpires.

Another outreach is a group, Lending a Hand to help umpires and scorers whose livelihood depends on cricket. A voluntary fund has been set up to ensure that they are provided some assistance at a time when not just cricket, but all sport has come to a grinding halt.

Till now we have been successful in raising ₹2.5 lakh and the process of raising funds will continue. Each of them would be given ₹5,000 individually.



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

India's fight against the coronavirus

(continued from page 16...)

By the time the Delhi administration woke up to the fact that there were 3000 people holed up in the Tablighi premises in Delhi's Nizamuddin, the nation had a Janata curfew declared on March 25, followed by a total nationwide lockdown from March 26 to April 14. The Jamaat invitees from abroad could not leave due to India's self-quarantine, which meant the cancellation of all international to and fro flights. However, by then, several had moved out by rail and air to other parts of the country. Some, in fact, ended up infecting many others, and spreading the infection to hitherto unaffected states such as Andhra Pradesh, Chhatisgarh, Telangana, Tamil Nadu and Bengal. A nationwide search to trace them proved infructuous, since most refused to come forth. It is in the aftermath of the Jamaat Meet that secondary infections have risen perceptibly all over India, resulting in the number of positive cases to rise above 1000.

Failings of the Indian strategy

A sad fallout of the curfew and lockdown has been the plight of daily wagers. Employers were quick to throw out all daily wagers and ask them to leave; notwithstanding the fact that many businesses rely heavily on their labour. By the time the government appeal was backed with the assurance of paying and providing food to these labourers, most had started on foot to reach their hometowns. Most states erred in not addressing the plight of these labourers, though Uddhav Thackeray and Arvind Kejriwal did try their level best to stem this by providing shelters and food to all daily wagers and migrant labourers. Here, one must commend the Pinarayi Vijayan government of Kerala in planning it out well ahead of all. Kerala prevented its "guest" labourers leaving by arranging for food and essentials in every district. This not only prevented a mad exodus, but

maintained the social distancing so necessary in controlling the pandemic. The results of this are showing now, with no new cases being reported any more in the state, and the curve getting flattened for the present.

Although the government made it clear that the food sector, and the delivery of basic essentials and services would remain exempt from the lockdown and curfew, there were several cases of overzealous policemen attacking food delivery personnel, and preventing the movement of food, as in Bengal and Karnataka. Some state governments also failed to ensure movement of basic essentials, such as in Goa, leaving urban consumers high and dry. However, in Maharashtra, barring the first few days, care was taken for everything to be made available everywhere.

Communication, or the lack of it, played a huge part in all this. The failure of the state to convey the seriousness of the situation was perhaps to blame in the defiance and callousness expressed by many people in responding to the appeal for social distancing, and taking adequate measures to test themselves. It saw doctors and health workers being beaten up and attacked in Bhopal, Indore and Moradabad. In Punjab, the police had to be deployed to trace out the sick. Worse, a police party trying to break up a congregation of Nihangs in Punjab was brutally attacked, with a police officer having his arm severed. In many parts of north India, people thought nothing about playing football or cricket in the open, even as the pandemic raged through their towns and cities. The same was true of daily wagers who set out for home on foot, even while the Delhi government made arrangements for distributing food and arranging shelter for them. When questioned, they admitted that they had not known of it. One also noticed that there were no arrangements for public announcements on the matter at the Inter-State Bus Terminus (ISBT) bus stand in

Delhi where daily wagers gathered in the thousands to return home.

The uneven handling of the situation by the respective state governments was appalling too. While Rajasthan arranged for free transport for its people, the UP government charged over Rs 600 per seat on its buses, with even people sitting on rooftops having to pay a small amount for being moved.

In Mumbai, too, in spite of the initiatives taken by the state government, there was a rush for trains by migrant workers on April 15, anticipating resumption of rail services.

Although the workers ultimately dispersed, the role of trouble-makers who wanted to fan the discontent was unfortunate.

The government also failed to stem the wave of communalisation and Islamophobia that emerged following the Jamaat episode; a lot of it fanned by the whataboutery indulged in by the left-wing secular media. Thankfully, saner elements from among the Muslim community put paid to this, through appeals to the Jamaatis calling on them to willingly come out and get themselves tested.

Citizens to the rescue

Notwithstanding the failings of the central and state governments, several Indians rose to the rescue. While industrialist Ratan Tata, and actors Akshay Kumar contributed huge sums to the PM Cares Fund, with Sonu Sood, Siddharth Malhotra and Sharukh Khan coming forth to feed thousands of daily wagers who had lost their livelihoods, one had many ordinary individuals taking the initiative to feed people. The shortage of PPE kits, and especially quality surgical gloves saw many small and medium enterprises (SMEs) stepping up to manufacture kits using their

unused capacities to donate these to hospitals in need.

The shortage of ventilators saw industrialist Keshub Mahindra offer to manufacture them to meet the demand. Harmandir Sahib in Amritsar came forth to open its coffers for the nation; so did many others who donated substantial amounts. Many informal groups took it upon themselves to feed needy daily wagers and their families all over the country. In Kolkata, Mumbai and Pune, many came forth to serve elderly persons living on their own, to deliver essentials as the lockdown made it difficult for many to access food and necessities.

But what was most remarkable was the way innovative technology ruled the roost in such difficult times. A virus-free sanitization box that sanitizes all foodstuff in a few minutes, ventilators that are self-cleaning, and hence prevent

infecting health workers when they clean up the device, improved door handles that prevent infection were some of the many innovations that emerged.

Forging ahead

As I write this, India has moved into the second phase of its lockdown period, with another two weeks extension, until May 3. The agricultural sector has been fully opened up in view of the pending rabi harvest. The IT and IT-enabled industries, government departments and food-processing industries are now functioning normally. However, transport, schools and educational institutions remain shut. So do parks, gyms, malls and entertainment. Districts are now classified as red, orange and green zones, in keeping with the extent and numbers of infected (with red marking the worst, and green the least infected areas.)

India remains under siege; but even as the numbers continue to rise nationwide, there are many who have recovered/ continue to recover. The example set forth by Kerala proves - 100 per cent literacy is as yet, our best bet to fight back unitedly against a deadly virus that spares none.



A senior journalist, Dr. Rina Mukherji specialises in all aspects of sustainable development, with special focus on the environment and climate change. She has been a UGC doctoral fellow, and holds a doctorate in African Studies, with specialisation in Third World conflict and developmental issues. She is currently an independent journalist based in Pune.

WHO AM I?

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



Earth...



How Indian Railways has stood up to a global crisis

*For the first time in its history, Indian Railways did not run passenger trains on its birthday and train services across the country have come to a grinding halt since March 22. However, the railway workshops are manufacturing medical equipment and churning out few other innovations in the battle against Covid-19 pandemic, says **Rajendra B. Aklekar**.*

In 2020, as Indian Railways completed 167 years after its first run on April 16, 1853, it was for the first time that no passenger trains ran on it due to the lockdown following the Corona pandemic.

Every year, April 16 is marked as a special day across Indian Railways. In fact, the Ministry of Railways commemorates the entire week as Railway Week, with a host of programmes at national and zonal levels. Though experiments with railways in India had begun since late 1830s, officially the first passenger train in India (and in Asia) was flagged off on April 16, 1853, a Saturday, at 3:35 pm between Boree Bunder (Mumbai) and Thane, a distance of 34 kms. The importance of the day can be gauged from the fact the Bombay government declared the day as a public holiday. Since that day, the day has been a special one for Indian Railways.

1974 Railway Strike

Things, however, have been different this year due to the Covid-19 pandemic. India is in the middle of a never-before lockdown and since March 22, passenger movement of trains across the country has been halted. Only essential freight and parcel trains have been running to maintain the supply chains. So far over 20,400 tonnes of consignments have been loaded since the lockdown began, transporting over 1,150 tonnes medical items in various parts of the country till April 18.

"Never ever in its history,



there has been such a long interruption of services. Not during the World Wars, not during the 1974 railway strike or any other national calamity or natural disaster. Even in Mumbai, services have never been halted for such a long period during the terror strike, bomb blasts or the monsoon. This is a complete shut down of passenger services and is unprecedented in history," a railway spokesperson said.

"We can say that the 1974 railway strike was a bit of exception since no manpower was available to run trains and employees were angry and trade unions were negotiating, but then too during the end days, essential freights ended up running. It was from May 8 to 27, 1974," he added.

The 20-day railway strike led by veteran leader and later Railway Minister George Fernandes was held to demand an eight-hour working day for locomotive staff by All India Railway-

mens' Federation (AIRF) and a raise in pay scale, which had remained stagnant over many years, in spite of the fact that pay scales of other government owned entities had risen over the years.

Mumbai and its Lifeline

This has been unprecedented and rare even for Mumbai, the city where it all started and where trains are its lifeline. There have been wars, bomb blasts, terror attacks, strikes, bandhs and even the monsoon that have punctuated rail service occasionally for a few hours, but never ever such a long and complete shut-down.

The terror attack on Mumbai CSMT in 2008 was another such incident which led to panic and suspension of services for a few hours. "Around 50 people were killed and over 100 injured at the station premises in one of the deadliest attacks on the city, but services were restored



early in the morning," a CR official recalled.

"But with the extended complete lockdown now, passenger railway trains in India will now remain closed for over a month and that will remain a milestone in the 167-year-old history of the monolith.

In war and pandemic

But Indian Railways has not given up its spirit and always lived up during such occasions. During the First and Second World Wars ammunition was produced in railway workshops, particularly hand grenades. Workshop administrative office itself was used as an armoury. The Railway workshops produced 4.5-inch howitzer and 25-pounder shell forgings. War-time activities at rail workshops did not just mean churning more rail coaches for troops. It also meant building of other vehicular bodies, and hundreds of ambulances, water-cars, tanks and rugged lorries. Other minor jobs of major wartime importance were heavy orders for tent pegs and accessories of

all kinds. Wagons had to be modified to carry guns, machines and ammunition to withstand war fury. During the Indo-Pak war, Indian Railways had worked 24x7 to keep the supply chains running. The cycle has turned over again and now during the times of Covid 2019 pandemic, Indian Railway workshops are churning out medical equipment, isolation coaches, masks, sanitisers, Personal Protective Equipment (PPE) at the same pace and its buildings turning into quarantine centres, standing up to the crisis. For the numbers, Indian Railways production units, workshops and field units are producing over 30,000 PPE coveralls in April 2020 and plan to manufacture 1,00,000 in May 2020. These will be of the highest grade as prescribed by the authorised Defence Research & Development Organisation (DRDO) laboratory at Gwalior so that front-line medical staff can use them. Utilities like face-shields, intubation boxes, diagnosis cubicles and remote-controlled medicine trolleys for operation inside Covid-wards are a few innovations from railway workshops. Indian Railways, with its catering arm,

the Indian Railways Catering and Tourism Corporation (IRCTC) has offered to supply 2.6 lakh meals daily from various railway kitchens wherever the district administration is willing and able to pick up cooked meals and distribute among the needy. So, it is just the passenger trains that are locked down during these days of pandemic and crisis and not the spirit of battle that Indian Railways has historically and forever shown at such times of national crisis and may it win, as always!



Rajendra B. Aklekar is a journalist and author of best-selling books on India's railway history, heritage

and trains, including one short-listed as Best Non-Fiction at Bengaluru Literary Festival, 2015. He is also the biographer of India's legendary railway engineer Dr E Sreedharan. Complete bio here: <https://rajendra-baklekar.com/>

Good in life and afterlife

G. Venkatesh pays a unique tribute to his late wife Varshita, a global Indian who he says was an epitome of generosity, compassion and devotion, true grit and resourcefulness. He has set up charitable funds under the aegis of different international non-governmental organisations and hospitals to keep her legacy alive.



I feel honoured penning this piece about my dear departed wife, Varshita. She would have fought shy of publicity when alive, but ‘con su permiso’, which I hope I have now, I have to do this. She died fighting metastatic cancer a little after midnight on the 10 January 2020. She packed a lot into the 4400-odd days we spent together as man and wife...and a lot more into the last months of her life, when whatever she did, she had the happiness of everyone she knew – relatives and friends and even mere acquaintances – in mind.

Varshita became a Norwegian citizen in 2017. She put the real India out there for foreigners to see through her goodness and sublime humaneness. She compelled one and all to question the misconceptions they harboured in their mind about India and Indians. She went on to teach immigrants from different countries in the world who came to Trondheim (PhD students many of them), the Norwegian language at

home, sometimes gratis and at other times, for a pittance. She was like a godmother to many young wives who came over to Norway just as she had in 2008. Yes, Indian she was, and spoke fluent English, Hindi and Bengali, and also a little Tamil, but she earned the epithet – Global Indian, thanks to the dedication she showed in blending in, and understanding and respecting the Norwegian culture and language, while honouring and educating foreigners about India and Indianness. Life lessons for all Indians, who wish to make the world their home in the future.

Every morning when the Sun would rise and we would have coffee together, watching the fjord from the living room window, I wanted to sense some epiphany, some blessing which would convince me that magic which would stun the doctors and script a new course in the field of oncology, was about to happen. I told her, a few minutes before she passed away that she would always live in my heart. That whatever I do in the future would be in her honour and memory – and thereby only good and virtuous deeds, to make the world a better place.

An effort to keep Varshita's legacy alive

The third sustainable development goal (SDG) unveiled by the United Nations focuses on health (SDG 3), while SDG 4 focuses on education. SDG 5 emphasises gender equality and women's empowerment. In order to ensure that the world marches towards SDG 5, SDGs 3 and 4 are of paramount importance. India, which will soon become the most-populated country in the world, and thereby will also account for the largest share of womenfolk on Terra

Firma, needs to gin up, on all the 17 sustainable development goals in general, but more so, on SDGs 3, 4 and 5. It is here that the role of Varshita played in her ‘48-year-short’ life and now continues to play in her afterlife, needs to be written about. The focus of this will be on the good being done in the after-life, posthumously.

EDUCATION

Plan USA – Varshita Venkatesh Girls' Education Fund

The author was mulling over the best way to honour Varshita's memory, and quite like an answer from God, the path shone bright and clear. His prior association with Plan USA made him think of a Varshita Venkatesh Girls' Education Fund, which would enable girls from all over the world to find the right opportunities to get educated. This two-pronged bequest set up aptly on Valentine's Day 2020, as a gift to her soul residing up there in the astral plane, includes the Plan International USA Sponsorship Endowment Account, and the Girls' Education Fund. The former provides sponsorship within India, for one child and family at a time, community to community, and generation to generation, in perpetuity. The latter will support educational opportunities for girls and young women all around the world and not just India. There is indeed a strong possibility that some of the girls benefited by the Fund may become entrepreneurs or world leaders or award-winning scientists in the future, contributing to socio-economic development in the world, and keeping Varshita's legacy alive. Readers are more than welcome to consider contributing to this Fund. Details and links are available on the webpage the

hyperlink¹ will take you to.

Gharkul – Varshita Venkatesh Children's Fund²

The Varshita Venkatesh Children's Fund, was instituted with Gharkul (www.gharkul.org), a special school for special children with the support of its founder, the self-effacing Sunil Satpute. Those keen on contributing just need to follow the hyperlink² for the requisite details. Here, one sees a stark overlap between SDGs 3 and 4, as the beneficiaries are mentally-challenged children who are being educated at Gharkul's school in western Mumbai.

Varshita Venkatesh Scholarship Fund for Excellence in Languages

This Scholarship has been instituted to reward excellence in languages – English, Hindi and Marathi – at my alma mater, Our Lady of Perpetual Succour High School, in Mumbai. Varshita was a polyglot – Norwegian, Spanish, English, Hindi, Bengali and a smattering of other Indian languages. There is a fond hope that the awardees will treasure the certificates they receive in Varshita's name, and go forth to use their command over languages to communicate love, hope, joy and courage to the world, as Varshita did.

HEALTH

St Jude's Children's Research Centre

Now, this is offbeat. It is indirectly a fund, channelled through a book of poems³ on Varshita titled – Varshita – a tribute to my soulmate – and published by Lulu Inc., North Carolina, USA. The royalties will be directed to the St Jude's Children's Research Centre in Memphis (Tennessee, USA), and will benefit children who are suffering from cancer in the USA. Varshita downplayed her condition by saying that God after all let her live for 48.5 years; but takes away so many children at very young ages. Her last days were spent in styling 'eyes' for owl toys which were to be gifted to children suffering from cancer (or children of parents suffering from

cancer) at the hospital for Christmas. We did not want to have children of our own as we thought it unconscionable to bring children into a world where millions were starving and suffering but considered the children of the world, our own.

Imran Khan Cancer Appeal, Inc. – Shaukat Khanum Memorial Cancer Hospital

The Varshita Venkatesh Memorial Fund⁴, set up within the Imran Khan Cancer Appeal Inc., with the support of Mariam Ibrahim Khan, has, using the crowdfunding approach, garnered funds to support breast cancer research and treatment in Pakistan. Varshita was a secular, global Indian and it is apt that the cool showers (her name means 'rain', in Sanskrit) of her goodness bless people the world over.

Sightsavers Norway⁵

She became a Norwegian citizen in 2017 and philanthropy would be incomplete if it did not encompass Norway. The crowdfunding approach helped me to set up the Varshita Venkatesh Vision Fund for Sightsavers Norway, with the help of Øystein Samnoen. Poor children in Africa will be the beneficiaries in this case. Thanks to her, several African boys and girls will be able to watch movies, read books, admire paintings and be out in Nature, staring at mountains, marvelling at trees in the forests, and silently watching the rivers flow. Her memory will be honoured by the opening of the eyes of blind people, to hope in the future.

BIODIVERSITY

Health of animals – why just humans?⁶

As far as sustainable development goals go, this falls under the 'Life on Land' targets (SDG 15) associated with conservation of biodiversity (fauna in this case). An e-book of poems titled *We came before you and other poems*⁷, published when Varshita was boldly battling cancer in 2019, is for a charitable purpose in her honour – the royalties are directed to the noble work

done by In Defence of Animals (India) in Mumbai. Varshita had a soft corner for animals and birds, and I am sure that the canines and the felines, using their sensitivity to those wavelengths which we do not hear, will communicate with her soul and say thanks.

Carrying the torch forward

Varshita's concern and burning desire to make the world a better place to live in, which she shared with me, as true soulmates are often said to do, needs to be fulfilled by me. It is a job she has entrusted to me, without saying so explicitly. May God give me the courage and the ability, the thoughts and the gift of the gab, like-minded friends and the wherewithal, to continue doing more and more, in her honour and memory. If I need to leave footprints on the sands of time, may they also be accompanied by smaller ones belonging to Varshita – there used to be so many when we used to take our walks on seashores and beaches!

I am hopeful that friends and well-wishers will help me in these endeavours and keep the light shining, and the torch burning, as Varshita continues to shower her love from the welkin above, true to her name...

¹ <https://www.planusa.org/in-memory-of-an-ambassador-for-the-real-india>

² <http://www.gharkul.org/impact/international/varshita-a-modern-day-mother-teresa-norway>

³ <https://www.justgiving.com/fundraising/varshita-venkatesh-memorial-fund>

⁴ <https://bidra.no/prosjekt/varshita-venkatesh-vision-fund-sightsavers/130ad1ad-4f97-419c-9784-1a8076fea052>

⁵ <http://www.lulu.com/shop/venkatesh-govindarajan/we-came-before-you-and-other-poems/ebook/product-24311842.html>

⁶ <https://www.theintegrativepost.com/they-came-first/>



G. Venkatesh is Associate Professor, Department of Engineering and Chemical Sciences, Faculty of Health, Science and Technology, Karlstad University, Sweden. He is also a freelance writer for several magazines around the world.

Healing through Arts Based Therapy

*Arts Based Therapy (ABT) is an effective method that can be used to heal children and adults with developmental defects or mental health issues, so that they can live in a more balanced and mindful way, writes **Nisha Kopikar**.*

This is Geeta. She has two children – Jigar and Shaurya. Jigar is a 14-year-old boy with multiple developmental defects – poor physical tone and impaired cognitive development. This means he can never live an independent life. Her younger son Shaurya who is 'normal', attends a regular school but also has to attend tuitions post-school because both parents are uneducated and cannot guide him. Geeta's husband works as a security guard in a high rise. Geeta herself supports the family by working as a domestic staff in a high income house-hold. She is fatigued all the time. She balances the demands of an insensitive and demanding employer and caring for her two boys. She cannot afford autorickshaws or even buses, so she walks the distance between the two schools, tuitions and home often slowing down to keep pace with Jigar. The only solace in her life is the unconditional love she gets from her children.

This is Shivam. Shivam's father drives an autorickshaw for a living. Shivam was born with a cleft palate and very weak eyesight. He also exhibits signs of being on the Autism spectrum. Hyperactive and disruptive, Shivam is often rejected by his peer group and punished constantly by his teachers. Yet he is happiest when he gets an entire hour to paint, create, visualise and express himself. Shivam is a visual and kinaesthetic learner, but presents as ADHD (Attention Deficit Hyperactivity Disorder) because he has to fit into the small box created for children like him.

Geeta and Shivam are people from the marginalised sections of society. I am an arts based therapist and they are part of the ABT group therapy sessions, conducted by me.

What is Arts Based Therapy (ABT)?

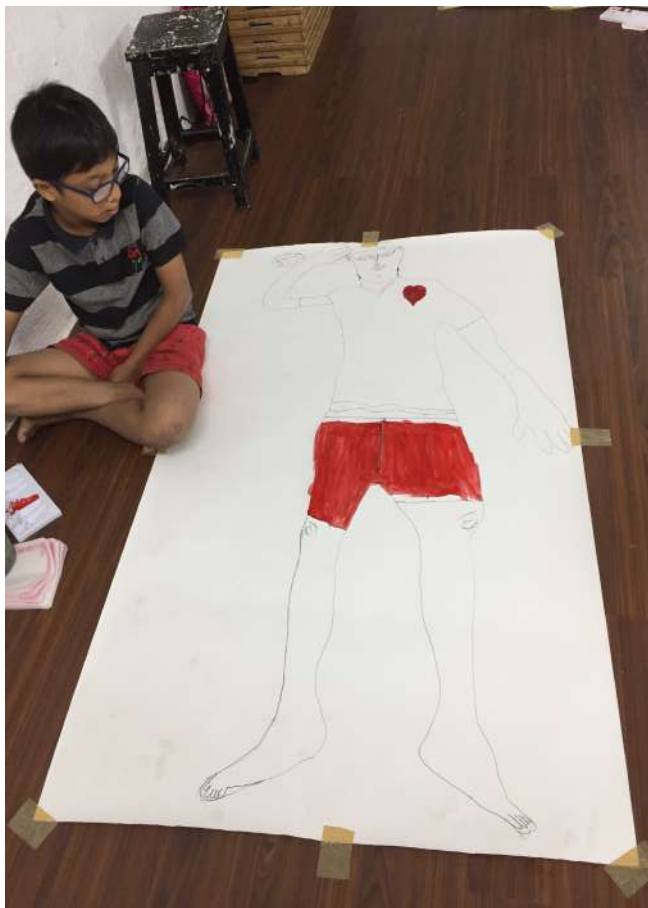
Arts Based Therapy is a non-evidence-based methodology where different art forms are used as modalities to heal an individual or a group, based on their therapeutic goals. ABT encompasses all art forms – visual artforms like painting, drawing, clay modelling; rhythm and music; movement and dance, story-telling and drama. The beauty of ABT is that it is not language dependent and so accessible to anyone. The philosophy of ABT is deeply based in the Buddhist school of thought. It believes that all human life is suffering. But by shifting our thought patterns, it is possible to live a more positive life.

A great schism exists in our world. Capitalisation and globalisation have impacted all of us but not everyone has been affected positively. The differences between the haves and have-nots are getting increasingly wider. The intensive spread of social media and technology means we can

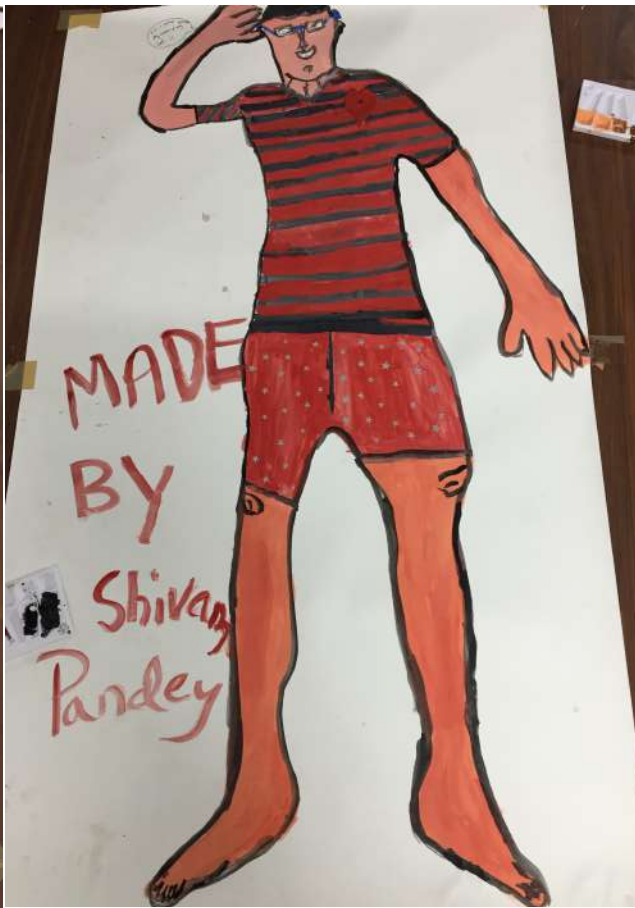


Geeta at the ABT session

all see the same things. Yet access to resources is limited to only those who have the capability to afford it. The rest of the world is gazing with their noses stuck to the glass... when the needs and desires that arise from such exposure cannot be met, there is inevitable anger, frustration and misery. When nearly 60% of the city's population lives in slum situations, it is inevitable that there will be mental health issues created by these external circumstances. But there is nobody to listen to the poor, the underprivileged, the monthly wage earners – the domestics, the auto drivers, the street vendors. They live with a sense of resignation, an awareness that life will not get better for them. Their silent screams will always



Shivam along with his artwork



go unheard.

When we contemplate that the majority of Indians live in these circumstances and we simply take this for granted, we do not realise that as a country we are dealing with a festering mental health crisis. They may not even be aware that they are struggling with mental health issues because human nature is to resort to substance abuse (alcohol, tobacco, ghutka, junk food) for stress relief. Dealing with the consequences of the somatic results of mental sickness therefore places a huge drain on our heavily burdened and understaffed public health systems.

ABT for the underprivileged

Art Based Therapy is a form of therapy where clients explore their inner emotions, patterns and behaviours through artistic mediums. Body maps, mandalas and zentangles are some of the commonly used tools to bring about a greater self-aware-

ness and mindfulness to the stressed individuals. There is no rigidity and it is a safe space for improvisation and creative self-expression. ABT sessions encourage music and movement to create positive energy.

As an ABT practitioner, my key area of focus is adolescent underprivileged children. The global need for all adolescents is to develop strong minds and bodies, impulse control, balanced peer group interactions and a core set of values and moral framework to keep them on a steady path towards adulthood. It is especially challenging for under-privileged children because the education they can access is often inadequate. Also, all of us are born with multiple intelligences – but we may not be able to develop the very intelligences that help us stand out and be an individual, not a drone. Children who cannot learn the traditional way are labelled slow learners, hyperactive, etc.

Through music, drumming,

drama and movement, a very positive space is developed for the group in need. By exposing them to different ways of learning through ABT, we can help them create a sense of inner balance. Healing and restoration to our original integrated self in a joyous manner is the goal of ABT.



Nisha Kopikar is a Montessori teacher (teaching kids between age 2.5-6years) and an Arts based therapist. She is

working with adolescent children, caregivers under stress and children with special needs. She is open to collaborate with NGOs and serve clients in need. You can follow her blog : Ekamtherapy.com and her instagram @ekamarts-basedtherapy

SATISH GUJRAL

The Renaissance man (1925-2020)

Celebrated artist and sculptor Satish Gujral was born in Jhelum in the undivided Punjab state now a part of Pakistan on 25 December 1925. A penchant for the fine arts that he developed pretty early in life saw him pursue his education at the Mayo College of Arts, Lahore and thereafter at the prestigious Sir J J School of Arts in Bombay (now Mumbai). But he got an opportunity to hone his talent further after he landed a scholarship that enabled him to study at the Palacio de Bellas Artes in Mexico City. Apart from painting, the young Gujral also took a keen interest in mastering the nuances of other disciplines like sculpture, architecture, ceramics etc., and to his credit achieved great proficiency in all of them.

A Punjab migrant who preferred to cast his lot with India, Satish Gujral was based in Delhi for most of his life. He first attracted the attention of connoisseurs of art with his 'Partition Series' which was based on the painful Partition riots that left a deep and abiding impact on his life. The agony of the riots was etched vividly on canvas and left an indelible imprint on all those who viewed the series. The painter was at his peak between the years 1952 to 1974 when he was invited to display his oeuvres at prestigious galleries across the world including inter alia New York, Montreal, Berlin and Tokyo apart from Delhi and Bombay where his paintings were featured in all major retrospectives and biennales. His paintings like 'Days of Glory' and 'Mourning en mass' provided a distinct fillip to his career. The reputed painter also had an abiding interest in collages and murals and he excelled in both these areas as well.

Gujral won his spurs as an architect as well and many of his creations have won acclaim. Significant among the buildings that bore his stamp of class was the Belgian Embassy in Delhi which stood out for its labyrinthine design and structure that spoke volumes for its originality and creativity as well. The construction was selected by the International Forum of Architects as one of the 1000 finest buildings built in the 20th century. The architect was conferred the Order of the Crown by the Belgian government

for the stellar work. The other structures that were designed by him included the UNESCO building in New Delhi, Goa University and the Ambedkar memorial that was commissioned by the then UP Chief Minister Mayawati. Satish Gujral's architect son Mohit Gujral too contributed handsomely to the construction. One of Gujral's creations that won accolades and was hailed as a high watermark in architectural brilliance was the summer palace of the Saudi Royal Family in Riyadh.

A tragic swimming accident at the age of eight deprived Satish Gujral of his hearing and this resulted in an impermeable silence enveloping the young lad and his disability left a lasting impression on his life and his artistic practices as well.

Incidentally Gujral regained his hearing at the age of seventy three after sixty two years in the year 1998. His autobiography aptly titled 'A Brush with life' which was published in 1997 was not only a best seller that afforded glimpses of the painter's eventful life but was also the subject of a documentary. BBC too came out with a documentary titled 'Partition – The day India burned' which featured Gujral's work the 'Partition series'.

Satish Gujral earned plenty of laurels from far and near for his all round contribution to the fine arts and the popular news channel, NDTV conferred on him the 'Indian of the Year' award in April 2014. Gujral was also the recipient of the Padma Vibhushan awarded by the Government of India, the second highest civilian honour next only to the Bharat Ratna. His elder brother Inder Kumar Gujral served as India's Prime Minister between the years 1997-98. Satish Gujral passed away in Delhi on the 26 March 2020 at the ripe old age of 94.

In a tribute to the late polymath, Prime Minister Narendra Modi observed, 'Satish Gujralji was versatile and multifaceted. He was admired for his creativity as well as the determination with which he overcame adversity.'

- C.V. Aravind is a Bangalore-based freelance journalist.



SHAUKAT KAIFI AZMI

Actor, writer and social activist (1928 -2019)

Shaukat Kaifi, nee Shaukat Azmi was a veteran Indian theatre, film actor, writer and comrade and also a voice artiste for All India Radio (AIR).

Shaukat, born into an upper class Shia family saw the celebrated progressive Urdu poet and later film lyricist, Kaifi Azmi for the first time at a mushaira in Hyderabad in 1947. Fascinated with his looks, voice and the beautiful poem, Aurat that he had recited, love blossomed and at a young age she married him.

Passionate activists for social change and nation-building, they were leading lights of the Indian People's Theatre Association (IPTA) and the Progressive Writers Association (IWA), cultural platforms of the Communist Party of India.

Being with communists involved with theatre or cinema, Shaukat was also bitten by the theatre bug. Her husband's film industry association helped get film roles too. Her initial inclination towards theatre and cinema was both a passion and also a necessity, a mode to augment the limited family income.

After Kaifi Azmi died in 2002, Shaukat wrote a compelling memoir, Yaad Ki Rahguzar, published in 2004, and later translated in 2010 into English by Nasreen Rahman as Kaifi & I: A Memoir.

An engaging, often moving account of her childhood, and courtship with Kaifi, it was unapologetic and giddy and nothing passive or wilting and her young self came through as flirtatious and assertive, charmingly aware of her own striking attributes.

With self-deprecating wit, it also touched on her years on the floorboards and movie sets, and the challenges she faced as the wife of a brilliant, but often penurious writer who was also a card-carrying Communist --- a personal history filled with drama and circumstance, and also an account of a nation in flux.

A theatrical rendition Kaifi aur Main for IPTA was

premiered in Mumbai in 2006 on the 4th death anniversary of Kaifi Azmi.

In her sporadic roles on celluloid, Shaukat Kaifi brought more than just a regal bearing and moral composure. She debuted in films with Chetan Anand's Haqeeqat in 1964, playing a soldier's wife, and later in M.S. Sathya's Garam Hava, a parallel-cinema film depicting the most compelling human aftermath of Partition. However many of her later film outings were walk-on parts that utilised little more than her sheer presence and deadpan gravitas.



But soon significant roles came in major films like Sagar Sarhadi's Bazaar, which explored the tragedy of young Indian girls sold into marriage to rich Gulf Arabs; Muzaffar Ali's Umrao Jaan where she played the key role of the Lucknow brothel owner Khanum Jaan under whose tutelage the shy and unsure Amiran transforms into a resplendent Umrao; ; Mira Nair's Oscar nominated film Salaam Bombay; Vijay Talwar's Lorie, Anjuman, and finally her last film, Shaad Ali's Saathiya.

It was on stage that Shaukat had etched her name in history, long before she stepped in front of a camera. Her plays with IPTA include Bhisham Sahni's Dhani Bankein and Bhootgaadi. Her other plays include Aazar ka Khwab (a version of Pygmalion), Tanhai, and Africa Jawan Pareshan.

Later, with Alyque Padamsee, she worked on Urdu adaptations of American plays like Tennessee Williams The Glass Menagerie (staged as Sheeshon Ke Khilone) and Arthur Miller's All My Sons (staged as Sara Sansar Apna Parivar). The mother of actress Shabana Azmi and cinematographer Baba Azmi Shaukat Azmi passed away aged 92. Her legacy and contribution to art will always be remembered.

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

CAPTAIN PANNIKOT VISHWANATH VIKRAM SM

Supreme sacrifice of a soldier (1973 – 1999)

Vikram was born on 24 October 1973 in a military family to Lt. Col. PKPV Panicker and Kalyani Panicker at Panniyankara, Kallai in Kozhikode district, Kerala. His early education was at the various Kendriya Vidyalaya schools where his father was posted.

Vikram passed his XII class from KV, Faridkot in Punjab. He graduated in computer science in 1994 from NSS College, Ottapalam in Kerala. He was keen to join the Army right from his childhood and had joined the NCC in the college. He passed the “C” certificate examination of the NCC and joined the Indian Military Academy. He was commissioned into Madhya Pradesh-based 141 Field Regiment of Artillery on 8 June 1996. His father had also served in this regiment.

The boundary between India and Pakistan held Kashmir is defined by the Line of Control (LOC). Posts have been established across the line by both the armies to ensure security. There had been occasional cross firing and shelling but no large scale intrusions after the 1971 Indo-Pak war. Some of the posts are at high altitude and are subject to extreme cold and heavy snow fall. In Kargil sector the Indian Army used to vacate some such posts during winter and re-occupy them after winter.

In February 1999, the Pakistan Army occupied some of these posts on the Indian side. Troops from the northern Light Infantry and Special Services Group were used for this operation. Pakistan established bases on 132 vantage points in lower Mushkoh Valley, Batalik, Dras, Kaskar, Turtok and Kargil sectors.

The intrusion was not detected by the Indian Army as no patrols had been sent to this area. The first report of occupation of the posts by Pakistan was given to the Indian Army by local shepherds. The Indian Army initially presumed the intruders to be militants. On discovering the extent of infiltration, it was realized that a major operation was required for evicting the intruders. The aim of Pakistan was to internationalise the Kashmir issue and support the militants. India inducted troops from outside Kashmir and employed the Air

Force as well with instructions not to hit targets beyond the LOC. The Navy also prepared to block the Pakistani ports.

The first priority for the Indian Army was to regain the posts close to the highway. It was a tough task as it was a broken terrain. The enemy had well dug in with artillery and mortar support. The Indian Army gradually drove the enemy from the posts close to the highway and suffered high casualties.

Captain Vikram's unit, 141 Field Regiment was rushed in and deployed in Kaskar sector of Kargil region. Captain Vikram was the Forward Observation Officer with 4 JAT unit tasked to capture Bajrang Post at a height of 17,500 feet. He went through artillery barrage and displayed exceptional courage directing accurate fire on enemy bunker in spite of domination by enemy post. A mortar bomb fell close to Vikram as he was directing fire. He was injured severely and succumbed to the injuries on 2 June 1999. He was awarded Sena Medal on 15 August 1999 for his courage and leadership.

His father who worked in Bangalore rushed to Kozhikode on learning about the supreme sacrifice made by his son. His comment was “My son has accomplished what I could not and I am proud of him. I fought in two wars but I could not sacrifice my life for the country. He has sacrificed his life for the nation. I have no regrets.”

Hundreds had gathered at their house to pay Vikram their last respects when the body arrived and later at the funeral.

Vikram is survived by his father, veteran Lt Col PKPV Panicker, mother Kalyani Panicker, who is a school principal and brother PV Keshav who is a dentist. His parents instituted a trophy in memory of Vikram. .

- Brigadier Suresh Chandra Sharma (retd.)





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