

ANNUAL REPORT ON THE ACTIVITIES OF MAJLIS

APRIL 2003 - MARCH 2004

Context

While the preceding year of 2002-2003 was the turbulent year of Gujarat Carnage, the year 2003-04 saw Majlis temporarily concluding its work at Gujarat and returning to its normal course of work only to be swept by the wave of the World Social Forum in the beginning of the year 2004.

If the carnage echoed the lack of will of the state it also mirrored the lack of foresight on the part of the civil society. *'We should have seen it coming'* was a feeling expressed by almost all. While the community did provide assistance instantaneously to the affected, part of the civil society seemed paralysed. It appeared that most of us, the opinion makers within civil society, are always picking up broken pieces and reacting to situations as and when they occurred rather than evolving a long term and comprehensive strategy to deal with communal violence. A lack of peacetime work was evident only in its absence and it was time that we picked up threads and work during 'normal' climates.

On the other hand the year 2003-04 has also been an year of hope, expansion, of forging broad alliances and of developing newer skills and methods to meet the resultant challenges. The year was special with the World Social Forum happening in Mumbai, the parliamentary election of India approaching and the forces against globalisation and communalism consolidating in an exemplary way. Majlis responded to the call of the time and modified, altered and fine tuned all its projects accordingly. Additionally, the year has brought much recognition, both at home and internationally, for Majlis and the kind of activism that Majlis has come to stand for.

Legal Centre

1. Fellowships To Women Lawyers From District Towns Of Maharashtra

The project, *Fellowship to women lawyers in districts towns of Maharashtra* started in January 2003. During the first three months of the last financial year, the project was at its initial phase. At the end of this financial year, we have completed one year of the fellowship programme.

Selection Procedure

The broad objective of the project is to spread legal awareness and the gains of the legal campaigns initiated in metropolitan centers to smaller towns. The immediate aim is to train a group of women lawyers who will be equipped to identify rights violations and carry out litigations and campaigns around these violations, particularly of the adolescent girls in smaller cities and district towns of Maharashtra. Although there are many women lawyers in smaller cities, they lack exposure, skills and confidence to initiate litigation around rights violations against the culture of mainstream commercial lawyering. The objective was to expose these lawyers through a very intensive orientation programme

and periodic trainings and by providing a support structure so that they become well equipped to deal with human rights / gender rights violations in their local area. The fellowship would also provide them opportunities of networking among them and aid them in evolving future linkages of support structures.

We started with inviting applications from women lawyers in the district towns through grass root level organisations, law colleges and associations of advocates in various district towns. One of the pre-requisite of the fellowship programme was a referral from a local community / human rights organisation or a women's group. In response to the circular, which was sent out, we received around forty applications along with the required referrals.

The first step upon receiving the applications was to conduct an orientation programme to provide the applicants an over view of legal campaigns and social movements. Attending the orientation programme was mandatory to all applicants in order to qualify for the selection process. The applicants were also required to give a brief description of their intended work in the area of women's rights, which they would carry out as part of the fellowship programme.

An expert panel was constituted to assess the applicants and evaluate their performance during the course of the orientation programme. The committee included legal experts on gender and law, retired judges, women's rights activists and dalit movement and health movement activists in Maharashtra. Even if a young lawyer did not make it to the final selection, we felt that the orientation programme would benefit the applicant and also expose them to a feminist / human rights ideology and provide an opportunity to meet other like minded women lawyers and develop linkages.

The five-day orientation and training workshop titled as *LAWS, RIGHTS AND LEGAL ADVOCACY* was held from 28th April to 2nd May 2003. Thirty participants attended the workshop. The workshop included various sessions and group exercises on tracing the history of social movements, women's rights within matrimonial law, women and children in the criminal justice system, sex workers and their struggles, gender concerns in conflict situations, public interest litigation, child sexual abuse and the law, and gender in the media. The structure provided ample scope for interaction through group exercises for developing strategies, a quiz on feminism and law, role-play exercises etc. The workshop provided several opportunities to raise questions, explain positions, clarify doubts and discuss strategies.

Ten participants were selected and were awarded fellowship for one year:

1. Asha Gore

The initial proposal submitted by Asha was to conduct awareness workshops at the village and Taluka levels regarding the rights of deserted women and their children. She had also proposed to carry out a campaign against dowry and child marriage as she felt that these are interlinked issues and concerns. During the fellowship period, she got married and moved to Chalisgaon, a taluka level place in the neighbouring Jalgaon district, which is around 50 km away from Aurangabad. She continued her work in the

new place and also expanded the scope to work with organizations working against superstitions. As part of the research component, Asha collected the data on cases filed under S.498A for Aurangabad.

2. Asim Sarode

Asim is our exception to the general framework of awarding fellowship to women lawyers. He hails from the under developed region of Yavatmal district. But prior to the orientation programme, he had moved to Pune with the intention of starting his practice there. In his proposal he had outlined a project to work on women's issues within the criminal legal system. During the orientation programme he fine tuned his proposal to working specifically with sex workers in Pune city.

Though he entered the area with the intention of starting a legal aid programme, he soon realised that the first step would be to create legal awareness among the sex workers. So he started conducting legal camps with sex workers regarding their rights, the provisions of the Immoral Traffic (Prevention) Act and the Bombay Police Act, and invited law students from ILS Law College in Pune to volunteer in these camps to expose them to the realities of sex workers. His work received wide press publicity. Later, along with other organisation working with sex workers, he was instrumental in preparing a charter of demands, which was presented to the candidates from various political parties during the recently concluded Parliamentary elections. This too received wide media publicity.

3. Babita Gajare

Babita's proposal was aimed at making the concept of women's rights and women oriented lawyering a familiar one in the district courts and to make the legal machinery accessible to women by creating a space within the court premises, both in civil and criminal cases. Her credibility with the local level community organisation helped her in this process.

She worked with the local NGOs in Solapur and was able to conduct a number of legal awareness camps in villages on rights of adolescent girls. She also addressed legal issues concerning widows and deserted women. Here the need was also to stress on the importance of educating the girl child. Besides that, she contacted the public prosecutors and worked as his assistant and gained first hand experience of criminal trials. She also succeeded in getting a conviction in a 498A case. During this period she also started her litigation work in Solapur Court.

4. Bharti Thakre

Bharti hails from Wardha district. Her interest was in legal provisions related to violence against women. Dowry, dowry deaths, domestic violence and child marriage are the primary issues, which were narrowed down by her for the work during the fellowship period. Apart from spreading awareness regarding these provisions, she was also keen to provide women access to state legal machinery to secure justice for women victims of violence.

5. Chhaya Haldankar

Chhaya is from Thane district. Her primary interest was in conducting pre-marriage counseling for adolescent girls in colleges and for young girls in unorganised sector and

in community based programmes. According to Chhaya, women tolerate violence because they are not aware of their legal rights and are also many times forced into marriages against their will.

Chhaya started a pre-marital counselling project in collaboration with Dnyanasadhana College, in Thane district. She conducted various sessions with students of this college on matrimonial laws, right of abortion, sexual harassment at workplace, access to legal machinery etc. Chhaya is also a panel lawyer for the counselling cell of the Bhartiya Mahila Federation at Thane and provides legal guidance and offers legal aid services to women who approach the counselling centre. As the research component of the project, Chhaya examined court records of cases registered under S.302 (murder), 304-B (dowry death) and 306 (abetment to suicide) of the Indian Penal Code. She plans to continue this work even after the conclusion of her fellowship with Majlis.

6. Kalpana Kute

Kalpana is also a fresh law graduate from Akola district. She had started her legal practice by working with women under-trials. As part of her work with women under trials, she provided legal assistance to women in a number of cases. She also assisted the public prosecutor in trials of domestic violence and dowry death cases.

One of the requirements of the fellowship programme was that the fellow should work with local level NGOs. But Kalpana faced a problem here as the local NGO started dictating terms to her and also wanted to claim from her a part of her fellowship award for being associated with the organisation. We made special provision for her to work independent of any organization.

Kalpana is examining court records of the Akola court regarding the status of cases filed under S.498 (A) of IPC (cruelty to wives).

7. Rujuta Kulkarni

Rujuta hails from Raigad which has a huge tribal belt. Though Raigad is situated within close proximity to Mumbai, the area has remained underdeveloped. Initially Rujuta set out to work on land rights of tribal women. In her proposal, describing the situation of tribal women, she stated that with the mounting pressure on tribal land and tribal culture from the outside world, the women's rights over land are fast eroding.

She proposes to conduct further research on the issue of tribal women and land rights as well as sexual violence on tribal women.

8. Sarika Borkar

Sarika is from Amravathi. She had worked with a local NGO - YUVA and was part of their project staff. She also had a law degree she was keen to start her practice. But since it was very difficult for a young woman to start practice on her own, four young lawyers had come together and started an organisation named ACWAW. (Action for women and children and agriculture welfare). She applied for the fellowship as part of this community based organisation, which was interested in working on legal rights of women.

After being awarded fellowship, Sarika, along with her group, started two counselling centres in Amravathi. She held talks with women prisoners and women and inmates of juvenile homes. Along with Jeevan Vikas (a grass root organisation) she conducted legal awareness programmes in Melghat, a tribal area. She also conducted a legal workshop Asaygoan Purna, which was attended by around 200 rural women and another workshop on Constitution and Women's rights in Amravathi in the urban area.

9. Sunita Kale

10. Vidyulata Dalbhanjan:

Sunita hails from Osmanabad, and she was the second person to be awarded a fellowship from this backward area, where women lawyers are rather rare. Sunita's husband is a lawyer and she, along with her husband, is the founder member of the Tulza Bhavani Trust. Since the organisation already had a base in the area, it was easy for the team in Osmanabad to conduct legal awareness programmes with students as well as to hold legal camps in villages in the area. She also conducted an AIDS awareness programme for adolescent girls in local colleges. A detailed report about this workshop appeared in a local newspaper. During the year, her major work was in organising workshops for college students to make them aware of their legal rights and to change their mindset regarding issues of dowry, rape and sexuality.

The work of Sunita and Vidyulata is overlapping as they hail from the same area and have worked as a team during the fellowship. As soon as Vidyulata was awarded fellowship, she met the village Panchayat members, taluka level judges and other state officials and informed them about her fellowship. This helped her in obtaining permissions to hold camps in villages. As part of her legal practice, Vidyulata assisted the state public prosecutor in seven cases. She also filed around twenty matrimonial cases on behalf of women. The shift she made during the fellowship was to venture into criminal practice.

We are very pleased to mention here that the three fellows from Osmanabad district were felicitated by the Osmanabad Bar Association.

Periodic Refresher Courses

After their selection, the lawyers were expected to work on issues, which had been highlighted by them. The fellows were expected to do a three pronged intervention in areas specified by them - litigation, spreading legal awareness and research. They were also expected to conduct campaigns through the media and work with local level NGOs.

To help them in this process, periodic refresher courses were held. The aim of the workshops was to assess their work and their growth as feminist / human rights lawyers, to understand their needs and to provide further practical training as well as academic inputs. to strengthen them in their work of litigation and campaign. One of the aims of these interactive sessions was to create a network between the fellows, which would help them in their future work. It was also decided to hold these meetings in district towns and also during the course of the workshop to hold a public meeting / interaction with local

activists and NGOs to generate greater awareness regarding our work with lawyers in district towns.

Preparation for Fellowship for 2004-05

During December-January the announcement regarding the fellowship for 2004-5 was made through women magazines and local newspapers. Intimation was also sent to various NGOs, academic institutions, bar associations of the district courts and individuals working on the social issues. The posters were also displayed in courts and law colleges. As the year is closing, we have so far received around 100 applications in response to our announcements.

A five-day workshop has been structured for the orientation programme and the work of fine-tuning it is going on. The programme is scheduled for May, 2004. Majlis team also held meetings with women lawyers in Alibag and Osmanabad, Sangli districts to spread the work regarding the fellowships. We expect the response to be far greater this year and we are hoping for a positive interaction between women lawyers. Although we would be awarding fellowship to only 10-12 lawyers, we are hoping to build a network of women lawyers in the state and also prepare a directory for use of NGOs in Maharashtra.

2. Litigation and Women's Rights Project

This project is one of Majlis' oldest activities and in a way provides direction to all other projects of the centre. The Legal centre of Majlis whose work till recently was concentrated in the Mumbai Family Court and High Court, has in the recent past expanded to Nagpur, Thane and the Supreme Court of India. The Supreme Court judgment in the Daniel Latiffi's case granting Muslim women the right to approach the Magistrates Court for fair and reasonable settlement under the Muslim Women (Protection of Right on Divorce) (1986), has led us to file cases before the Magistrate's court. At the local level with increased number of women approaching us in cases of violence other than in marriage, our work has also expanded to property litigation in the City Civil Court and High Court. With the Vishaka Judgements and subsequent guidelines of the Supreme Court, lawyers of Majlis are assisting women who are filing complaints before the committees at one level, and at the other, are members of various sexual harassment committees in Mumbai. So presently, within the realm of civil law, we work in the Family Court of Mumbai and Nagpur, District Court of Thane, City Civil Court Mumbai, Magistrates Court, High Court, the Supreme Court as well as in various sexual harassment committees. This has meant a tremendous growth in the number of women who approach Majlis as well as in the number of cases that are filed.

In order to deal with the increased work pressure this year we have recruited two new junior lawyers. Besides, a number of independent senior members of the legal faculty remain associated with the legal centre and contribute whenever the specific nature of some cases require their expertise. The fellowship programme with its ten selected

lawyers from small towns too helps in spreading the ideology of Majlis in various district towns of Maharashtra.

Legal Intervention

Legal Advocacy and litigation service in the trial court continues to form the spine of the legal center. The aim of the day-to-day litigation is two-fold a) To secure the rights of individual women and b) to create positive precedence and bring in a culture of women's rights within the precincts of courtrooms.

Statistics of Cases Handled In the Year 2003-04

WORK DONE	NUMBER
A) LEGAL COUNSELLING	550 – 600 WOMEN
B) CASES FILED	176
C) CASES DISPOSED OFF	96

A) Matrimonial Home

Majlis has over the years through its litigation, research, campaign and writing consistently worked on the issue of a woman's right to matrimonial home. The most common manifestation of violence that a married woman faces in Bombay today is her dispossession from the matrimonial home. In a context where very few women are economically independent, they are often shelterless on being thrown out of their matrimonial home as their natal homes too has over the years become the home of their brother and his family.

i) **Savita**, a graduate, middle class woman married Anand whose father had purchased two flats for his two sons and upon his death both the flats were in Anand's mother's name. Savita was to reside in one of them along with her husband and mother in law. Three years after marriage Anand filed a case for divorce in the Family Court while she was residing in the house. When Savita refused to agree for a divorce by mutual consent, Anand threw her out of the house and filed an application in the Family Court restraining her entry into the matrimonial home. Anand was well aware that if Savita continued to reside in the house no Court would give him an order directing her to vacate the premises.

This was when Savita approached Majlis for legal assistance. Practically once a woman has been thrown out of the house it is almost impossible to get a court order allowing her re-entry. Despite this norm, in an attempt to find a newer alternative in law we filed an application asking for her possession of the house to be restored on the principle that every litigant is bound to maintain status quo when the proceedings in court are pending.

As a final move, Anand's mother filed another case in the City Civil Court, against both Anand and Savita saying that neither had a right to reside in the house as the house stood in her name. Her contention was that being old and ill, Savita was causing her further trauma. In the arguments before the civil court, rights of two women were pitted against each other. We filed our reply in the City Civil court claiming Savita's right to matrimonial home. Realising that neither Savita nor her lawyers were ready to relent to the pressure put by him finally Anand approached us for an amicable settlement.

ii) Tanushree's case threw a newer challenge to the legal centre in the realm of matrimonial home. The concept of matrimonial home by its terminology itself assumes a relationship of 'matrimony' between the man and woman. Tanushree was the second wife of a Hindu man who was forcing her to leave the house wherein she had resided with him as his 'socially recognized' wife for the last thirteen years. The question for us was to see if it was possible to translate this social recognition into a legal recognition of her rights.

When Tanushree met Vivek he had filed a case for divorce against his first wife. He informed Tanushree that he would soon get his decree of divorce and the two of them could get married. On this assurance Tanushree began to live with Vivek. A few months later he wrongly informed her that he was divorced and they performed an informal ceremony of marriage in the house in the presence of their immediate family. Subsequently they had a son.

Thirteen years later Vivek lost interest in her and made several attempts at throwing her out of the house. He resorted to various dubious ways of making it impossible for her to live in the matrimonial home. But Tanushree fought back and stayed put. Then Vivek resorted to legal recourse and filed a petition in the City Civil Court seeking an order to evict her on the ground that there was no legal relationship between himself and Tanushree as he was previously married. The fact that he had failed to obtain a decree of divorce against his first wife, now became a weapon for him against Tanushree.

In a packed courtroom his lawyer would call her a 'keep', 'mistress', 'concubine' etc. only to hit home the fact that in law she had no right. Amidst jeering and laughter we argued the matter for three days finally to obtain an order in Tanushree's favour. The court considered our argument on the changing nature of relationships and how a second wife's right to shelter cannot be taken away by the man's reading the law to his favour.

iii) Priya Malwankar, was referred to us by the judge of the Family Court when she felt that her present lawyer was taking advantage of her naivety and ignorance of law. Priya had been married for more than twenty years and was living in her husband's joint family property with her two children. Her husband had deserted her for several years and she was living with her two children. Occasionally her husband and members of his family would send word that they wanted her to vacate the house.

Her earlier lawyer who filed a petition for divorce and asked for an order of injunction restraining her husband from throwing her out of the house. After five years of litigation

the matter finally came up for final hearing. In the process of 'examination in chief' the judge realised that the lawyer has filed for divorce without even properly informing her and she had no idea about the nature of the case which is filed in her name. That is when the Judge called the lawyers of Majlis and asked us to help Priya.

We withdrew the earlier petition and filed a fresh petition against the entire family restraining them from throwing her out of the house or from selling the same. Two days after the filing of the petition we obtained an ad-interim order of injunction and the entire family was served the proceedings. The husband appeared in court and gave an undertaking that he would not give a clearance for selling of his share of the house. Thereafter he made applications in court to state that she had no right to the house as it was his joint family property. The court passed an interim order restraining the entire family from disturbing status quo of the house. Finally, he came up for a settlement and after much negotiation agreed to pay her a sum of Rs. 8,00,000/-which was half the value of the house. The house was sold and Priya got the said amount and now lives in her own house with her daughter.

B) Prevention Of Terrorism Act And Gender (POTA)

On 20th July 2003 and on 25th August 2003 there were Bombay two bomb blasts in Bombay at Ghatkopar and Gateway of India where over 100 people died. A week later five people were arrested. Among them were one woman and one minor girl. When we read the newspaper we were shocked to see that the woman and the minor girl were charged under Prevention of Terrorism Act.

The newspaper reports stated that the persons concerned had committed the act as a revenge for the Gujarat carnage. Our concern was the description of this family as a pious, educated middle class family. Thus extending the image of militant Muslims to every common person in the community. We were also perturbed by the precedent in Maharashtra, of charging a minor with the draconian POTA. So in defense of the human rights of the woman and the minor girl, we decided to intervene.

Our first step was to talk to the girl and ensure that she was safe and not been tortured by the police. She was being kept in custody at the Juvenile home and her matter was being heard by the Juvenile Justice Court. Majlis along with another lawyer practicing in the Juvenile Court, filed their appearance on behalf of this minor girl. We thereafter, met the mother of the girl who was most worried for the child's safety. She only wanted to meet the child so that she could ensure for herself that she was safe.

We made an application before the Juvenile Court asking permission for the girl to meet her mother. The judge passed an order that he would allow the same if the Sessions Court judge dealing with POTA cases would permit the same. We then had to move the special POTA court for an order. The same was granted and the mother was allowed to meet the child once every fifteen days for about two hours. Our intention was also to let the police know that there were concerned citizens who were watching over this case so that they would treat the accused with restraint.

Three months after they were arrested the mother was brought to the Juvenile Court to see the child. The mother and the daughter were overjoyed that finally they were able to meet. The day of this meet happened to be the auspicious and celebrative occasion of Id. Finally, after a few months, the girl was discharged as the police did not find any evidence against her. But in the meanwhile media had projected her as the main culprit who had masterminded the whole scheme. Her release provided an opportunity to challenge the distorted image the media creates. Majlis, along with other groups, has taken up the task of building media consensus that in crimes where minors are the accused, their identity should not be revealed, so that their entire life is not marred by such projections, once they are released of the charges. Fearing for the girl's safety we also ensured that she was taken to the home of her relatives safely. We had to ensure that she was dropped to her home by one of us.

Once the girl was safely handed over to her relatives, we concentrated on the mother's case. Along with intervening in the child's case we also requested one of the top criminal lawyers of Mumbai to intervene on behalf of the mother. This for Majlis was one of the most important case of the year.

C) Sexual Harassment At Workplace

Since the judgment of the Supreme Court in Vishaka's case different government and private organizations have been setting up sexual harassment committees. The lawyers of Majlis have been invited by many organizations and agencies, both govt. and private, to be in the vigilance committees against sexual harassment at workplace.

Majlis has been serving for Customs and Excise Dept committee, Western Railway Zonal Level Committee, Taj Hotel employees committee, Committees of various NGOs etc.

D) K.G. Shah and Nanavati Commission

After the communal violence in Gujarat, Majlis initiated a project with the help of local funding sources to record testimonies of women who had been sexually abused. While this issue had hit the media headlines, there was hardly any legal evidence available of the gruesome sexual crimes that were unleashed upon Muslim women during the days of communal carnage. The project was initiated to meet the women who have themselves been sexually abused or who had witnessed other women's violations and to record their testimonies and file them before the enquiry commission. The initial project went on for about four months.

This year Majlis monitored the proceedings before the Shah and Nanavati enquiry commission set up by the state government. Sahrwaru, an Ahmedabad based women's organization, took the responsibility to maintain regular contact with the witnesses which is a very difficult task in a post carnage scenario. Majlis took the responsibility to prepare the witnesses for court appearances and produce them before the commission. At its least, this project aims to create an official record of these incidents in order to prevent the sexual crime getting obliterated from public memory.

Drafting Of the Sexual Harassment Bill

Following the guidelines laid down by the Supreme Court in Vishaka judgment in 1997, committees were set up in various work places to address the issue of sexual harassment of women employees. However the guidelines did not specify any procedures to be followed by the complaints cells, which were conducting the enquiry. As a result, in many instances, the validity of the findings of the committees was challenged on the ground of non-compliance of rules of natural justice. Also the guidelines addressed the only the concerns of workers in the organized sector and thus left out a vast number of women engaged in various other sectors.

Pursuant to this, the Government of India requested the National Commission of Women (NCW) to draft a legislation. In order to lay down a clear procedure for enquiry as well as to create a legislation whereby women in the organised and unorganised sector can access a mechanism to deal with sexual harassment at the work place, the National Commission for Women (NCW) drafted a bill and circulated it among various women's rights groups. Since this bill met with criticism from the activists, the NCW requested Majlis to prepare a working draft for circulation within the interested groups for discussion. Majlis worked throughout the year with several women's organisations and women lawyers associated with Trade Unions in Mumbai to prepare a comprehensive draft. The draft has been accepted by NCW and was presented at a national seminar held on 10th March, 2003, as part of the women's day programme.

3. Workshop at WSF: *Political Alternatives and Secular Concerns*

During the World Social Forum (WSF) which was hosted in Mumbai 16-21 January 2004, the legal centre of Majlis organized a workshop titled, *Political Alternatives to Secular Concerns*. The primary aim of the workshop was to assess the political alternatives open to secular movements, for effective interventions in the public sphere, to counter the sweeping wave of communalized politics. The aim was also to explore whether there have been successful strategies and movements among progressive groups within civil society that have addressed secular concerns outside the framework of party politics.

The workshop Panel and Proceedings:

To examine these concerns we constituted a panel of the following political / secular leaders / activists. Mr. Manishanker Aiyer - Congress M.P., Ms. Subhashini Ali - C.P.M. leader, Mr. Madhusudan Mistry - Congress MP and former NGO activist, Ms. Gauri Lankesh - Journalist active in the Bababuddangiri movement and Mr. Sreenivसान Jain of NDTV. The discussants were Dr. Rooprekha Verma, Head, Women's Studies Unit, Lucknow University, Ms./ Teesta Settlevad, editor Communalism Combat and Mr. Nikhil Dey of the Right to Information movement in Rajasthan.

Despite the fact that there 800 workshops being organized simultaneously, our workshop received an overwhelming response from the participants. This was a clear indication of the concern of the secular groups and NGOs with this issue. While Mr Aiyer talked about the secular politics of the Congress, Ms. Subhashini Ali in a fiery speech talked

about the need to build broad political alliances across differences. Ms. Gauri Lankesh talked about the communalism within Congress and stressed upon the need to build a third front. Mr. Mistry traced his journey from NGO politics to party based politics. Mr. Sreenivasan Jain in an incisive presentation talked about the politics of hate in which the country is gripped, using his experience as a reporter covering election rallies.

The discussants raised very pertinent questions as to the ways in which alliances could be built and the role of political parties in formulating a clear secular agenda and reaching out NGOs working with similar concerns. After a heated debate amongst the participants, it was decided to carry the debate further in subsequent meetings to sketch out the role NGOs can play in the forth coming elections to strengthen secular forces in the country.

Cultural Centre

The cultural centre has shifted this year to a new office. This office is located in a flat in the same neighbourhood as Majlis' main office. The office space is purchased with the money from Majlis' local account. This account has been developed over the last one decade by painstakingly accumulating money from sale of Majlis' books and films, various awards, and personal donations from beneficiaries and well wishers. It is very significant for us that we did not have to depend on any external agency for financial help to purchase this office.

This office comprises of a video editing suite, a designated space for the works of Godaam: the video footage archive, a space for film screenings, and other cultural activities and the administrative office of the cultural centre. We plan to organise film screenings and other pedagogical activities in regular intervals in this office. To start with, the office was used extensively for the works of the culture group for WSF 2004. Hopefully this space will take care of our constant and desperate search for space to hold public meetings. Though the space is not large enough to accommodate more than 20/25 people and hence will not be able to house some of our programme which are more public in nature and large in number.

1. Culture Fellowship

The current fellowship project ran from January-December 2003. In March 2004 the fellows submitted their annual reports. The annual reports are circulated among the committee members. In the month of May, Majlis will organise a public programme where the fellows will make informal presentations of their projects.

It is decided that in order to maintain the fluidity of the project and to fight any kind of stalemate, newer people will be invited to join the committee and replace some of the old members.

Abhilash Pillai, theatre director and faculty member of National school of drama, New Delhi

Gowri Ramnarayan, literary and art critic, senior correspondent of the daily The Hindu, Chennai

Mitra Parikh, head of the dept., English literature, SNDT University, Mumbai and the founder member and trustee of Majlis, Mumbai.

The members who will continue for another term are:

Gulammohammed Sheikh, visual artist, poet and art historian, Baroda

Suresh Chhabria, film historian, Professor of Cinema in FTII (Film & Television Institute of India), Pune

The outgoing members are

Anuradha Kapur, theatre director, culture study scholar, Professor of theatre in National school of drama, New Delhi

Jashodhara Bagchi, literary and women's study scholar; chair person, State commission for women, West Bengal

Shanta Gokhale, Playwright, media and theatre critic, Mumbai

While changing the composition of the selection committee, this time we paid more attention to include younger people in the committee.

Brief notes on the fellows' works:

Pushpamala N., Bangalore

Recipe books are a combination of traditional wisdom, form of history writing, personal memory, chronicle of wild desires and a symbol of ordered, contained, domestic world.

The artists' rediscovery of an inconspicuous notebook used simultaneously by a school going boy for his homework, a full term pregnant mother as a recipe book and a retired army officer to create war strategies formed the basis of a series of art works and a short silent film, *Rashtriy Kheer Desiy Salad*. Created by using and countering the formula of the recipe books the film is a humorous piece which looks at the *ideal* family in a newly independent India. Pushpamala will be organising a solo show based on her works in September in Bombay.

Vidya Kamat, Mumbai

A photo documentation of unauthorised shrines in urban spaces and the politics of religious shrines on the streets of Mumbai. Due to the vastness of her study Vidya categorised her findings into five parts – shrines around railway tracks and slums, shrines around business or financial districts, shrines around residential complexes, shrines around secular institutions and shrines around markets and bazaars. She visited over 100 shrines to gain an insight into the multi-layered overtly public culture of roadside shrines. Her study attempts to answer questions of how shrines are made, by whom, who worships at these shrines, where the shrines are built, which religion's shrines dominate, the transition from symbols of multi-culturalism to power bases of the neighbourhood mafia, the impact of the Bombay High Court order to demolish shrines etc. An in-depth study which can form the basis for further research and publications.

Vipin Vijay, Trivandrum

Seven-a-side football, an unauthorised sport in Kerala, is revered as a ritual. The filmmaker proposed to explore the symbolised aggression, territorial commitment, participatory supporters in the world of this crazed physical culture. Through his

research Vipin traces a journey of the evolution of sport and football – its ethos, social construction and relevance, and its reflection of societal development. A collection of interviews with footballers, football fanatics and journalists along with a collage of memories and anecdotes uses football as a method of tracing parallel historical development. Vipin has used the fellowship period to study and collect a small amount of footage on seven a side football which he will eventually use to make a film on the subject.

Vaidehi, Manipal

Kamladevi Chattopadhyay, a freedom fighter, patron of traditional art and culture and a stalwart in the field of women's education had led a very colourful life. Kusuma Saroba was one of the pioneers in the health movement. Centring on the multi-dimensional personalities of these two women, the project aimed to develop a script on their lives in stylized narrative mode and later produce them. Over the fellowship period the script has developed as a conversation between the two protagonists on issues close to their hearts individually but also discussions on equally mundane issues of saree blouse embroidery. Vaidehi has almost completed her script and hopes to produce it with the help of K V Akshara and the Ninasam, Theatre Institute.

Surabhi Sharma, Bangalore/Mumbai

Indian post offices: the largest postal system in the world, postman: the most adored and accessible of the public servants, postal stamps which bears the names of lost, forgotten or estranged destinations and a system which bears tale tell marks of the colonial past are some of the concerns this project aims to address. Her research for the film begins with postal stamps and philatelists – depicting everything from independence to five year plans to health campaigns to eminent personalities and institutions. Surabhi has filmed interviews with employees of the railway mail service, a Post master General and local postmen to map India's history through its postal geography.

2. Godaam: Video Footage Archive

Video footage archive project, after its initial teething problem has picked up momentum this year. We not only received enthusiastic responses from people from different walks of life, but also managed to develop a conceptual thrust to manage the wide and enormous concept that documenting political video footage is. Early this year, through various consultations, we decided to concentrate on working in the area of Bombay/Mumbai and Kashmir. We decided to explore the concept of political footage with all its possibilities and plurality while keeping the geographical scope focussed.

Bombay/Mumbai

We chose Bombay/Mumbai firstly for the obvious reason that we are located in this region. But we also wanted to document the realities, nuances and contradictions of this mega metropolis which simultaneously invite and eject out a huge populace from the whole subcontinent. To achieve our purpose we evolved a few strategies to gather material:

- a) by contacting filmmakers who have made films on Bombay, both alternative and commercial and requesting them to donate their footage to the archive.
- b) by sourcing material from the news channel
- c) by sourcing material shot on surveillance cameras placed in vantage points in the city
- d) by facilitating various sectors of local habitants to document their own lives
- e) by sending our own resources and units to record important/significant events such as political rallies etc
- f) by collecting existing material, such as corporate films, wedding videos, campaign videos, videos shot by fire brigade and documentaries and feature films on Bombay.

In the month of March we conducted a week long extensive teaching course on video making for the unemployed youth of the textile mill area. The students were all children of the retrenched workers of the textile industry who have grown up during the decline period of the industry. At the end of the course we provided them the required facilities and equipments and asked them to make films, take photographs about their own lives. They made two short films and shot numerous photographs on their neighbourhood. With the success of this project we are now planning to duplicate this process with other niche groups such as muslim women, hutment dwellers under the threat of being dislocated, women who dance in the bars, domestic helps etc.

Another way of collecting footage that we have devised is to employ a group of researcher and a film unit to chronicle a particular neighbourhood over a period of time. The neighbourhood should be documented in detail with its life style, job patterns, political and social inclinations, religious affiliations, demography, architecture, rate of migrancy, both inward and outward etc. Towards this goal we have already started working on Kalina, an old village, mainly populated by Muslim and Christian communities of different language groups, presently going through a transitional phase of super-urbanisation and where Majlis is situated.

We also plan to extensively shoot the city preparing for the upcoming parliament and assembly elections. We have collected 200 hours of video material of the World social forum which took place in Mumbai in January 2003. The material collected through our previous projects such as *I live in Behramapda* film, the research works on the history of the textile mill area, various workshops, have also now become a part of the archive. While some filmmakers are readily contributing their raw material for the archive, some are still being suspicious about our motives and about the issue of the filmmakers' rights over the copy. It is interesting to note that the suspicious group is comprised of the eminent people who are famous mainly for their crusade against censorship and state control over people's expressions and campaign for free access to information. We are learning the hard way that the people who fight for their own rights as artists, may not be the best allies to make a space which can actually challenge the capitalist notion of patent and intellectual copy rights.

Vidya Kamat, who was awarded Majlis fellowship for 2003, is working on mushrooming roadside shrines in Mumbai. She is exploring the issue in the multiple contexts of socio-economic realities, religious connotation, urban alienation, real estate farce, migration etc. We provided her with the facilities and documented large amount of footage around these issues. This material is a fine example of the space politics of the metropolitan city.

We are also in the process of getting into a contract with the mass communication depts. in various colleges in the city to conduct workshops on the theme of reading history through old visuals. We are also hoping to collect some footage from these colleges, which are shot by their students.

Kashmir

The process of zeroing down on Kashmir as a focus for the archive was a complex one. As we started working on the collection for the archive we realise that it needs a fine theoretical framework to evolve a method for collating and categorising the material. This made us face the question of ambivalence and duality of visual material as documentation. While the politics of representation and the hegemony driven media exposure prioritise certain visuals over the others, the issues of availability and access rendered some important images as invisible.

Kashmir, due to its unique position in the politics of the sub-continent, is represented in most fractured ways. We either 'see' Kashmir as a lost paradise (the beautiful tourist spot which is not accessible anymore) or 'regard' it as a region of seamless violence. In the best of cases (presented by the well meaning human rights activists) Kashmir is a victim of power politics between India and Pakistan. But where are the Kashmiris? What images of themselves do they produce? How do they live, entertain themselves, protect the spirit that is life, how do they conceive history, what documentation mean to them? Certainly the land of Kashmir and Kashmiris have more to it than the xenophobic propaganda and rights discourses. We decided to collect the day to day image of Kashmir as is seen and recorded by the Kashmiris and the images of Kashmir in mainstream films and documentaries.

Several trips to Kashmir befriended us to many image makers – photo journalists, amateur photo and video makers, local cable channel guys, popular culture people and other artists who are not known beyond Kashmir. It was a slow process, we were not trusted easily. And then the ice started breaking, stories behind the images begun to emerge. I would like to mention one experience which can sum up the whole expedition. One old man, an amateur photographer, who have taken photographs of protest rallies, funeral of young boys who were killed, weddings in the middle of political upheaval, markets on the *bandh* days etc called us home after a few meetings. He gave us a sackful (literally) of black & white photographs and urged us to take them out of Kashmir immediately. He is not a political activist but he photographed the life in Kashmir in last thirty years, may be just as a whim. But now his family is scared that the authority would find the photographs and persecuted them as anti-national. The photographs are kept in a sack. Now the author of the photographs wants us to take them to a safe place, which he thinks Mumbai is. We were overwhelmed with the burden of the trust and the responsibility of it.

Slowly more material started pouring in. Tapes of works of the students in local media institutions, Action aid / Saeed Mirza's rushes of the television programme on Kashmir, wedding videos, stolen footage from the mainstream news channels which they did not telecast out of fear of the authority, a commercial satire on the army exploitation in the grab of a story placed in first world war made by an anonymous production house, uncensored documentary films and so on. The works on Kashmir have been an emotionally draining experience. It has posed very serious questions on the issues of autonomy of images and the politics of seeing/reading documentary evidences. We have already started an informal discussion group to talk about these issues among the image makers of different kinds.

3. Educational Cdrom

This project remains a difficult proposition and still keeps us at the edge. Hence the dead line for this project had to be extended again and again. The reasons are of two kinds.

- a) conceptual: The project, from the very beginning aimed at producing a pedagogical programme on some new age format. But the process of actually deciding the format was not easy. We had to go through numerous trials, research and brain storming sessions before we could zero down on the format of interactive computer games on CD. Then depending on the format we had to develop the original idea of 'multi-culturalism' into a narrative. It was a completely new area of work for us and we had to learn, re-learn and de-learn many things. The concept of narrative as in literature or film is completely different from narrative in an inter-active game. In fact the genre of interactive game is developed as an opposition to substantial, well developed narratives.
- b) Technical: Once the format was decided and the narrative was developed then came the challenge of making the programme. Once we started working on that we faced multiple problems of contemporary children's culture. The visual of computer games which are popularly marketed are either based on war mania or racist Americanism. Our first major task was to develop visual aesthetics conducive to the narrative based in our reality and at the same time appealing to the children who are over exposed to Disney characters. This exercise took a long time and we had to negotiate with many visualisers before settling for the present group.

It is an enormous job, made more difficult by the fact that there has been no precedence for us to follow. This will be the first full length Game CD designed, developed and produced in India. All other projects are either pirated/copied from international programme or dubbed version of international projects or a mixture of both.

Present Status

The research and script got finalised by December 2003. Thereafter the project was taken over by the eminent visual artist Shilpa Gupta. Shilpa is working as the visual consultant of the project. In the month of March we have signed a contract with a visual art company *Thatz it*. According to the contract Majlis will pay in six instalments 70% of their profession fee. The instalments will be released in correspondence to a work schedule which is mutually agreed upon. The whole project is divided into six segments and upon finalising each segment one instalment of the payment will be made. The balance 30% will be recovered as 20% royalty on the sale of first 1000 CDs. In this process we hope to make the company an interested party in the post production sales activity.

We hope to release the CD by the end of this year. The visual team is planning for a catchy packaging with related toys, text and curios. We plan to have a series of promotional programme all over the country while releasing the CD in the market.

4. Culture@WSF

One of the biggest ventures ever undertaken by Majlis cultural centre was the task of co-ordinating the culture committee for the World Social Forum 2004. As Majlis was a member of the India governing committee of WSF and Madhusree was nominated as member of the core group of India organising committee and facilitator of the functional committee of culture, we were entrusted with the task of making the general scheme of the cultural events as well as centrally co-ordinating all the projects under it. In addition we also had the responsibility of mounting the opening and closing ceremonies. The task was enormous, to say the least, but was also very exciting, politically, culturally and organisationally. It was an ultimate test of our understanding of plurality, relationship with the contemporary cultural practices and debates, ability to forge broad alliances and organisational capacity. Though the venture has affected some of our regular projects in Majlis, we regard our contribution and works in this area as extremely enriching and rewarding. It not only widened our own horizon of cultural activism, but also brought tremendous good will for the organisation.

In a way our work for WSF is a culmination of many of our concerns and activities that we have been following for many years. The agenda of mobilising artists in a multi-disciplinary political forum that we have been persuading through Expression, the women's cultural festival in 1990; India Sabka youth festival in 2002 and various cultural appraisal courses through 1996 to 2000 reached a new height in WSF. It was heartening to see that the students whom we taught in our annual cultural workshops, the young people who participated in India Sabka and the artists who have been associated with us in projects like fellowship, film and theatre productions and urban study programme coming together to shoulder the workload of WSF.

Even the co-ordinators of various programme within the culture committee were mainly our associates. Groups such as Open circle, Point of view, Magic lantern foundation, comet media foundation, SNDT University English literature dept., Bhasha research & publication centre, visual artists of Baroda have been working in collaboration with Majlis for many years. Our long term relationship with various layers of cultural activists made the process of WSF smooth, dense and complimentary. On the other hand, our diverse activities in the arena of women's rights, secularism, multi-culturalism, cultural discourses etc. all over the country, enabled us to reach out to many more people and groups than were traditionally involved with WSF. In return this opportunity has consolidated our decade old works in the field of cultural pedagogy and political art productions and enhanced and honed our ability and experience in organising cultural events.

In terms of spectacle and multiplicity, mass mobilisation and political representations, integrated design and conducive ambience, innovative programme and challenging discourses, **Culture@WSF** had definitely reached a new height, which would be the benchmark for similar fora in future. *see detail report at www.majlisbombay.org/pdfs/wsf.pdf*

5. Culture Survey

In 2003 HIVOS head office requested us to conduct a survey of the art and cultural practices, organisations and institutions in the states of Jharkhand, Bihar, Rajasthan and Orissa. Depending on our network of artists and scholars we shortlisted some resource people in the region to conduct the basic survey. We provided them with a broad list of organisations and initiatives to study and requested them to expand the list as their works in the field progress. The project has, in a way strengthened/renewed some of our old contacts in those states and in some cases even brought forward new alliances.

Introduction to Culture Survey in Gujarat, Rajasthan, Orissa and Jharkhand

Cultural practices are always difficult to categorise. It is even more difficult to do so in the case of India. The diversity in the living style, various phases of development in each region and the multiple communities in each region make it an extremely complex task. However, in order to facilitate this survey we have broadly categorised it by the genesis of the productions. The method of this categorisation may not be able to stand a detailed scrutiny from the angle of cultural theory.

1. Culture related to social productions:
 - a) Indigenous: pre-agriculture
 - b) Folk: agriculture and related processes
 - c) Modernist: related to industry and post-industrial processes
2. Religion or other community oriented culture:
 - a) Art in shrines or around religious dates and events
 - b) Cultural productions towards linguistic or regional identities
3. Entertainment based or professional art:
 - a) Works of the traditional performers whose family profession is cultural practices
 - b) Post-feudal works: Professional singers, dancers, theatre artists, visual artists who are not trained by the family or the community
 - c) Market/industrialised art: Television, mainstream film, advertisements etc.
4. Political art:

This can be a synthesis of all the other three categories or completely autonomous. It could exist in any of the three time and social zones or can move freely from one zone to the other. The form of it is generally negotiated through all the three categories with the help of a socio-political understanding and a commitment to change the status quo. The search for the propagators of this form is to find the elements, systems, signs and tales in the other three forms that are conducive to the contemporary narratives and at the same time pose challenges to the regressive elements of those popular systems of cultural practices.

For obvious reasons these categories and interactions are not exclusive or linear. The overlapping, the multi-layers and instances of inherent contradictions are more norms than exception. Still for the sake of mapping a comparatively easy bird's eye view of the cultural practices in the states of Jharkhand, Orissa, Rajasthan and Gujarat, we decided to stick to these broad and simple categories.

In this survey we decided to concentrate more on section 4 of political art. The reasons being: a) it could transcend the restricting identity construction b) it always has a

possibility to re-invent itself and thus can remain fluid c) it is almost always the product of an ideology (however conscious or unconscious) and thus constructed and not inherited blindly d) any potential political art should represent the cultural heritage of the land too.

On the other hand the shortcomings of this school of cultural practices could be a) it may not enjoy patronage of the mass b) it may become condescending and didactic and thus become isolated and alien c) it may not represent the highest order in terms of quality.

Election campaign: lest we forget: The parliament election of India, which is scheduled for the month of April-May, would be very important for the history of the country. Given the background of having a violently xenophobic outfit (Shivsena) growing by the day in the city, the election would be an even more important an issue for us. As part of the preparation for the election we have already printed a specially designed campaign material *Lets we forget*. It is a continuation of the youth festival *India Sabka* and designed and launched in collaboration with Open Circle. The material is a folded paper with snippets and information on xenophobia and multi-culturalism juxtaposed against each other in order to expose the hollowness of the right wing propaganda. The paper is designed as a game in order to ensure individual's attention. A sample piece is enclosed. These papers are distributed at the college gates of the city.

Website www.majlisbombay.org

Due to the increasing need to be visible and accessible on the net the much over due Majlis website was launched this year. With detailed information on the conception of Majlis, its history spanning 15 years, and its various programmes – both cultural and legal, the website is a comprehensive view of Majlis.

Madhusree Dutta
Executive Director

