

# ANNUAL REPORT OF MAJLIS 2005-2006

## **Financial Profile**

In the previous financial year Majlis has received fund from the Macarthur foundation for the running of Fellowship and Training to Women Lawyers project. The project of the Litigation Unit has been supported by the Ford Foundation for last three years. But we have not received any fresh fund for this year as the contract period with the Ford Foundation ends on June 2006. Similarly HIVOS has been supporting most of the culture projects. But 2005-06 is also the last leg of the contract with HIVOS. Hence they had requested us to use the culminated bank interest that Majlis has earned from the HIVOS grants over the years to support the Cultural Centre activities for 2005-06. So no new fund has been received from HIVOS either in this financial year (except a small instalment which was actually a reimbursement of the previous year's account).

We have also received a small grant from ECCP (European Union Culture Fund) which again was a reimbursement for the project Import-Export which was held in the previous financial year. We have received a grant from Rajiv Gandhi foundation for the Jogeswari Muslim Girls' Education project. Christian Aid has remitted a grant in the month of March 2006 to support a project to develop text book on Law and Gender in the next financial year.

All funding from funding agencies end in this financial year and we will need to look for new funding possibilities for all of Majlis activities.

We have also collected donations from individuals and local agencies for the relief work in the devastating flood in July 2005.

Majlis has not purchased or sold any major asset or property in this financial year.

*Please see the enclosed audited statement*

## **Legal Centre**

### **i. Litigation Unit**

Legal advocacy and litigation in lower courts forms the spine of the legal center.

The activities can be broadly grouped together as follows:

- Legal advocacy and litigation support to women from diverse socio-economic background,
- Evolving innovative legal strategies to protect women's rights,
- Public campaigns against discriminatory laws and violence against women,
- Influencing policy level decisions on issues concerning gender and law

- Legal awareness and training programmes to lawyers, social workers, state officials, grass root level organizations, students and activists,
- Academic research and publications,
- Internships to students

The trial court litigation revolves around issues of divorce, annulment of marriage, maintenance to wives and children, child custody issues, right of residence in matrimonial home and rights of women in invalid / bigamous marriages. After the Supreme Court ruling in 2001, in the Daniel Latiffi case [*Danial Latiffi v Union of India* 2001 (7) SCC 740], which upheld a Muslim woman's right to a fair and reasonable settlement under the Muslim Women (Protection of Right on Divorce, 1986), the litigation in magistrate's courts on behalf of divorced Muslim women has also increased.

### **a. Integrating Litigation within Social Action**

While litigation is the core activity of the legal center, we feel that it is important to locate it beyond its immediate and obvious impact upon the lives of individual women and extend it within a wider framework social action. Hence it is integrally linked through concentric circles of legal training and publications to reach a wider section of change makers within civil society structures.

The interaction with some social action groups has been well integrated as part of our outreach project through a referral system at certain key entry points for women in crisis such as Special Cell for women and children based in Police Stations, Dilaasa a crisis intervention center for women which is based in a Municipal hospital, and Aawaaz-e-Niswan and Women's Research and Action Group (WRAG) which are community based grass roots organisations reaching out to Muslim women.

The Supreme Court guidelines in the *Vishaka* Judgment has led many public undertakings to setup sexual harassment committees and Majlis lawyers have been invited as representatives in some of these committees.

### **b. Public Campaign and Litigation Challenging the Maharashtra Dance Bar Ban**

One of the major campaigns undertaken by Majlis during the year has been on the issue of dance bar ban. Majlis was already involved with the bar dancers even prior to the controversy regarding the dance bar ban emerged.

There are an estimated 75,000 girls working in these bars across Maharashtra who had never been unionised. But sometime in 2004, there was an attempt to form an union which was registered in 2004 as Bharatiya Bar Girls Union. Sometime in August 2004, an association of Bar Owners had filed a Writ Petition against the arbitrary raids being conducted by the police. The police in their defense had stated that the raids were being conducted because the obscenity laws under the Indian Penal Code, was being violated. But if arrests were to be made on the ground of trafficking of minors for the purpose of prostitution, then the strict guidelines under the Immoral Traffic Prevention Act had to be

complied, which the police had failed to do. During arrests, the police had abused and molested the girls and they had been retained in police custody overnight, without the presence of a woman police officer. The police had also tried to get incriminatory evidence by forcing the bar girls to sit along with customers and taken photographs etc.

It is in this context, the bar dancers' union approached us to file intervenor application on their behalf. Majlis filed an intervenor application requesting the court to direct the state to frame rules which must be adhered to during the raids and also for setting up of a monitoring committee to ensure no sexual abuse of the dancers takes place during the raids.

While this case was pending, the government announced its intention to ban dance performances, sometime in the last week of March, 2005. Rather unfortunately, the demand to ban dance performances came from some women's groups and women activists of political parties. These groups campaigned actively and projected the dancers as evil and accused them of 'earning easy money by luring innocent men and causing moral depravity by ruining middle class homes'.

In view of the announcement to ban dance performances, the earlier case got adjourned. So we got involved in a campaign to oppose the ban. While the pro-ban lobby made several accusations against the bar dancers, no systematic studies had been conducted to understand the socio-economic background of the bar dancers and the demand to ban dancer performances was based on myths and prejudices.

To refute these prejudices, Majlis was involved with a study which was being conducted by S.N.D.T. University and several other women's organisations and mounted several public campaigns to oppose the ban. We also wrote several articles in women's journals and newspapers explaining the socio-economic situation of the whole issue. The study revealed that a large number of bar dancers are single women supporting large families and most of them are illiterate and belong to performer communities whose traditional occupation has been dancing and entertaining. The study also brought out the fact that the dancers have no other skills and that the effect of the ban would be devastating upon the dancers and their families and more particularly their children.

But since the demand for banning dance performances was being advanced as an issue of women's rights and as a move to protect the dignity of women, it met the approval of the government and in July 2005, the government enacted a statute prohibiting dance performances in beer bars. But hotels with three stars and above, private clubs and gymkhanas were exempted from the application of this statute. When the Act came into effect on 15<sup>th</sup> August, 2005, thousands of young women from the marginal sections of society lost the means of livelihood. There were several reports of women committing suicides or getting into sex work because they could not make ends meet.

Immediately after the ban the police conducted raids in several bars and arrested women who were working as waitresses as well as the owners, male staff and even the patrons who were present in bars. This created a panic among the girls. The bail amount was set

at a high level at Rs.15000/-, and as many girls did not have this amount they were languishing in jails. Majlis in coordination with a women's organisation, Forum Against Oppression of Women made visits to the prison cells, met the women, co-ordinated with their families, negotiated with the bar owners to secure the release of the girls. Finally in order to focus public attention on the issue of arbitrary arrests, Majlis organised a Commission of Enquiry and brought out a report titled 'Abuse of Authority' which was released at a Press Conference in October, 2005.

Soon after the ban was declared, we organised a public event to create awareness about the realities of bar dancers at K.C. College which was attended by around 500 bar dancers. We invited the media and also constituted a panel of ten distinguished citizens of Bombay including Filmmaker Sudhir Mishra, advertising professional Prahalad Kakkar, renowned writer Kiran Nagarkar, Poet Arundhati Subramanyam, theatre artist Dolly Thakore, journalist Naresh Fernandes, academicians Shirin Bhatnagar, Nandini Sardesai and Laxmi Lingam and human rights lawyer Sanjay Singhvi. The girls spoke about the implication of the ban on their lives. The panel gave a verdict against the ban and this event received a great deal of media publicity. We organised the event along with two other organisations Point of View and Gender and Space project of Pukar.

In August, soon after the ban came into effect, on behalf of the Bharatiya Bar Girls Union, Majlis filed a Writ Petition challenging the ban. Petitions were filed also by bar owners as well as women's groups. All the Petitions were combined and were heard together by the Division Bench of the Bombay High Court during the months of November and December, 2005.

Finally by mid April, 2006, the Bombay High Court struck down the statute banning dancer performance on the ground that it was unconstitutional and our stand was vindicated. The statute was struck down on two grounds i.e. that it is ultra vires Article 14 (the equality clause) of the Constitution as well as Article 19 (1) (g) (freedom to practice a trade of vocation).

We consider the judgement a major victory not only for the bar dancers but for women who live in the margins of society and due to attitudes of middle class morality are constantly stigmatised in society.

### **c. Fraudulent Marriage Registrations and Divorce Deeds**

At the end of the financial year March, 2005, the Writ Petition filed by Majlis against the State of Maharashtra and the Bar Council of Maharashtra and Goa was still pending and we had already obtained substantial relief due to the periodic directions issued by the Chief Justice of the Bombay High Court to the State of Maharashtra in general and to the Registrar of Births, Marriages and Deaths. The Sub-Registrar was constrained to take prompt action against the marriage shops and most shops had already closed down. The Writ Petition received wide media publicity and created social awareness regarding this issue.

Every registered marriage bureau was mandated to display the notice on their premises in English, Hindi and Marathi giving the legal procedure to register a marriage. The Bar Council of Maharashtra and Goa had also initiated action against several lawyers who have been engaged in these activities.

During the year we followed up the matter further and brought to the notice of the court the malpractices prevailing within the office of the marriage registrar itself and further directions were issued regarding the entry of touts within these premises. In the proceedings initiated by the Bar Council of Maharashtra and Goa against the errant lawyers, lawyers from Majlis were summoned as witnesses and evidence produced before the Bar Council ultimately helped the Bar Council to debar the lawyers who were proved guilty of such fraudulent practices.

#### **d. Rights Violations and Trial Court Litigation**

##### **Support Services to Individual Women**

<b>Category of Services</b>	<b>No. of Women</b>
Legal Consultancy	560
Litigation	144
Litigation – Cases Decided / Settled	102

Support services to individual women facing domestic violence or matrimonial dispute is the most visible and time consuming activity of Majlis. The cases are referred to us through social organisations, police stations, government functionaries, court officials, and client referrals. This activity is in the nature of a service provider and the underlying concern is to empower women through legal advocacy and litigation process. The primary aim is to help women to understand the dynamics of issues such as domestic violence, deprivation of economic rights and custody battles and at the same time to link individual women to broader social campaigns as a conscious strategy to empower them.

In as many cases as possible, we pursue our attempt at arriving at an amicable settlement rather than getting women entangled in years of contested litigation. But despite our unrelenting efforts to amicably settle matters, there are times, in order to defend women's rights; we have to proceed with contested litigation. Over the years, issues such as right of residence in the matrimonial home, right to matrimonial property etc. have become highly contested domains of matrimonial law in Mumbai.

##### **Significant Legal Developments and Illustrative Cases:**

##### **Challenging the Validity of a Muslim Divorce**

One of the substantial development in the Muslim Personal Law which has been of crucial importance to Muslim Women's Rights is the issue of validity of a Muslim divorce. When a Muslim woman files an application for maintenance, the usual ploy

adopted by the husband is to plead that he has divorced the wife. There were several contradictory and ambiguous rulings which made it difficult to a Muslim woman to challenge the validity of a divorce. But there were two leading cases in 2002 which held that mere declaration during court proceedings is not sufficient to prove divorce and that the husband has to prove that there has been arbitration prior to the pronouncement of divorce.

It is in this context that we are discussing three cases which are illustrative of the problems Muslim women face despite the positive legal precedents. For one thing, most women are unaware of these developments because the media has chosen to highlight the contentious and negative aspect of Muslim law which make a 'good story' rather than focus upon the positive gains which are beneficial to women. For the same reason, even when we convince women about their rights and the need to litigate to test these legal principles, the judges still seem confused and lack the confidence to adopt these principles in trial court litigation. Hence simple principles of law take on complex forms in cases concerning Muslim women and become lengthy and time consuming.

### **Two sample cases:**

#### **Wahida**

The facts of Wahida's case are as follows: Wahida was married as per Muslim rites and customs and she had no children. The main cause of matrimonial dispute was the demand for dowry. Since she did not concede to this demand, Wahida's husband harassed her by not giving food for two to three days continuously. As the harassment was intolerable she filed a criminal complaint. A case of dowry harassment under S. 498(A) of IPC was registered against the husband and his sister.

Simultaneously, Wahida also filed a Petition for maintenance under section 125 Cr.PC in the Family Court, Bandra, Mumbai. Her husband contested the case but despite this an order of maintenance was granted. Since Wahida was not satisfied with the amount she approached the High Court but the High Court remanded the matter back to the family court. At this point the issue of contention was only the quantum of maintenance.

The main issue was to ascertain the husband's income. At this point Wahida's husband pleaded before the Hon'ble court that she was divorced as he had given 'talaq' to her, and that the Family Court had no jurisdiction to grant her any maintenance. Wahida's husband who had earlier litigated in the family court for nearly four years and also was litigating in the magistrate court for more than five years had never before pleaded that he had divorced her by pronouncing 'talaq'. He raised the issue of 'talaq' only to deprive her of maintenance.

Relying upon the rulings of the Supreme Court and the Bombay High Court, we challenged the validity of the talaq. We were successful in ascertaining that the plea of

divorce was being adopted at this late stage falsely only to deprive her of her legitimate right of maintenance. The Family Court accepted her pleadings and dismissed the husband's application. In order to ascertain the facts about his earnings, we requested the court to issue witness summonses to the husband's employer. Our efforts resulted in an increase in the amount which had been granted by the Family Court earlier.

### **Shabana**

Shabana's is a case of pronouncement of *talaq* over the telephone. In recent times, Muslim husbands have been using the latest techniques in communication - email, SMS, fax and cell phones for a 'quickie' divorce. Shabana became a victim of these fraudulent practices.

Shabana comes from a very poor background and is illiterate. Her mother is a widow with meager means. She was married at a very young age. Her husband runs a small business. Earlier he had been working for sometime as a technician in the Middle East. Shabana lived along with her in-laws in a joint family set up and faced innumerable harassment. She was barely eighteen and pregnant with her second child when she was thrown out of the house along with her elder child. Thereafter, her husband started demanding that she should return the elder child to him. But the child, a daughter, was barely two years old and Shabana did not want to return the child as she would lose all contact with the child. But her husband started threatening her. So she approached the police to file a complaint.

The police officer telephoned the husband and called him to the police station so that issue could be amicably sorted out. The husband was enraged to receive this call from the police officer and he insisted that the police officer hand over the phone to Shabana so he can talk to her directly. When the Police Officer handed the phone to Shabana her husband started abusing her because she had the audacity to file a complaint against him and in this fit of rage, he uttered the word *talaq* three times and informed her that she is no longer his wife. Since Shabana is religious and also illiterate and her mother is extremely poor, Shabana felt she had no other choice than to accept the *talaq*.

But the news of *talaq* over telephone became sensational and received wide media publicity. Some local groups supported Shabana and were ready to challenge the divorce but Shabana felt that since she is a devout Muslim she would have to accept the *talaq*, though it was pronounced over the phone. Later she approached a Muslim lawyer practicing in the Family Court who charged her a huge sum to send a legal notice to the husband. But when the husband replied stating that he had divorced his wife, he told her there was nothing more one could do in the matter. Later some progressive Muslim organizations took up the matter and convinced Shabana and her mother that such a divorce was not valid as per Muslim law and she has a right to challenge it in a court of law and also to claim maintenance to herself, her daughter and the unborn child. The matter was referred to Majlis.

In the meanwhile Shabana gave birth to her second daughter. Thereafter, she approached our office with a three week old infant in her arms. It was indeed a pathetic sight. Our first task was to send a legal notice to the husband challenging the talaq pronounced over the telephone as such a procedure is not accepted under the Shariat. Thereafter we filed a case of maintenance for herself and her two children, in the Family Court. The husband pleaded that Shabana is not entitled to maintenance as he has already divorced her. The case is pending in the Family Court and the issue of validity of the talaq will be decided at the final stage. Meanwhile the case is now ripe for hearing the application for interim maintenance. But the husband is now pleading that he has no income and he has transferred his personal belongings like car etc. to his brother's name. Despite this we are hoping for a positive order of maintenance.

### **Securing the Right of Women in Informal Marriages**

Many Hindu women who approach Majlis are trapped in informal relationships. As per the Hindu Marriage Act of 1955 only women in valid marriages are entitled to maintenance and other collateral rights within marriage such as right to reside in the matrimonial home. But though the Act had rendered Hindu marriages monogamous in letter, Hindu marriages have continued to be bigamous in reality. There have been contradictory rulings in the past regarding this issue but more recently there was a clear verdict from the Supreme Court protecting the rights of women in bigamous marriages. On 13<sup>th</sup> December, 2004, Justices D.M. Dharmadhikari and H. K. Sema in *Rameshchandra Daga vs. Rameshwari Daga* [I (2005) DMC 1 SC], upheld the maintenance rights of women in informal relationships or invalid marriages. There was a tacit acceptance that the ground reality has not changed much since the enactment. So though such marriages are illegal as per the statutory provisions of the codified Hindu law, the Supreme Court ruled that they are not 'immoral' and hence a financially dependent woman cannot be denied maintenance.

This decision had positive impact on several cases that we had been handling. Illustrative of this trend is the case of Geeta, 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 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. In a packed courtroom the husband's lawyer would refer to Geeta as a 'keep', 'mistress', 'concubine' only to drive home the fact that in law she had no right. Amidst jeering and laughter we argued the matter for three days to obtain an order in her favour. The court considered our argument of the changing nature of relationships and recognized a second wife's right to shelter and granted us an order in her favour.

But soon thereafter, on 10<sup>th</sup> March, 2005, in another case, while upholding the judgement of the Gujarat High Court, denied Savitaben maintenance on the ground that her marriage was not valid. On behalf of Savitaben it was argued that such marriages are accepted by the custom governing the community.

The tragic tale of Savitaben is that after her marriage in 1994 according to customary rights, she was subjected to physical and mental torture. Later her husband developed a relationship with another woman and deserted her. By then she had conceived and later delivered a son. Since the husband did not support her and the new born child, in 1995, she filed for maintenance. During these proceedings, the husband denied marriage and paternity and claimed that the woman with whom she was now living was, in fact, his real wife whom he had married 22 years ago. He produced documents such as voters list, ration card and provident fund records in support of his contentious. Despite this, in 1999, the Magistrate's Court at Himmatnagar upheld Savitaben's and her child's claim to maintenance. The Criminal Revision Application filed by the husband against this order was dismissed by the Additional District Judge at Sabarkatha.

But in 2002, the Gujarat High Court, upheld the husband's claim that Savitaben is his second wife and hence not entitled to maintenance. Aggrieved by this judgement, Savitaben approached the Supreme Court. On her behalf it was argued that since S.125 of the Criminal Procedure Code is a social legislation intended to protect destitute and harassed women and rigid interpretation given to the word 'wife' defeats the legislative intent. Strict proof about a valid marriage is not essential under S.125 of the Code. Further, since the husband is guilty of fraud and misrepresentation, equity should not weigh in his favour.

But rejecting these arguments, the Supreme Court held: "There may be substance in the plea advanced on behalf of the wife that the law operates harshly against the woman who unwittingly enters into a relationship with a married man. But S.125 of the Code does not give protection to such a woman. This may be an inadequacy in law, which only the legislature can undo. But as the position in law stands presently there is no escape from the conclusion that the expression 'wife' as per S. 125 of the Code refers to only legally married wife." The only straw thrown at this drowning woman is the enhancement of maintenance granted to her child from Rs.500/- to Rs.850/- from the date of the judgement!

### **Defending Women's Right to Matrimonial Home**

The most significant legal development in this domain is the recent enactment titled, Domestic Violence Act of 2005 which provides for protective injunctions against violence, dispossession from the matrimonial home and alternate residence. Now a victim of domestic violence can seek protection under the provisions of this Act. The wide definition of domestic violence – physical, mental, economical and sexual - brings under its purview the invisible violence suffered by a large section of women and entitles them to claim protection from the courts.

The Act widens the scope of protection against violence beyond the category of 'wives' and extending it not only to mothers, daughters and sisters but even to women in informal relationships. An entire gamut of women, whose marriages are suspect due to some 'legal defect' on the ground that essential ceremonies were not performed or that the man or the woman has an earlier subsisting marriage will be able to seek relief under

this Act. The invalidity of a marriage can no longer be used as defense by the man to dispossess or deny maintenance to this vulnerable section of women.

Majlis has actively participated in the campaign for securing this enactment. Despite the enactment, in reality, the law has not yet come into force. But in the meantime, we have continued our work of securing the rights of women using existing legal provisions. As illustration we give a brief sketch of two of our recent cases:

The first is a case concerning an elderly couple - Pramila and Vinod Ghate. The couple is in their sixties with grown up children. But the husband has continued to be extremely violent towards the wife. Through her own earnings she had bought the matrimonial home but the husband had fraudulently transferred it in his name and hence he had the title to the premises. The matrimonial home was situated in a prime area and was a large three bed room apartment. Pramila Ghate approached us for a divorce and also for an injunction restraining the husband's entry into the matrimonial home.

We filed an interim application for an injunction restraining the husband's entry into the matrimonial home but we were extremely apprehensive that the court may dismiss our application on humanitarian grounds considering the age of the husband. The husband opposed the application on the ground that he holds the title as well as on the ground that he has no alternate residence. But despite strict opposition from the husband we were able to secure for the wife an interim injunction ousting the husband from the matrimonial home. The husband appealed against the Family Court order in the High Court. Meanwhile the case was ripe for final hearing in the Family court. In the High Court the matter was referred to mediation. After several meetings with the mediator a solution which was satisfactory was arrived that the husband would stay out of the premises, transfer the title to the wife's name and the premises will be sold and the proceedings would be divided between them equally.

The second case was referred to us by the Parish Priest of a Church in Malad, a suburb of Mumbai. It was the case of a Roman Catholic woman named Leena who was in her late forties. She was married for twenty years and had two children. Her husband was extremely violent. He assaulted her brutally on many occasions. He would also cast aspersions on her character. As he squandered away his earnings on alcohol and gambling, she was forced to start working as a domestic help. Since she was not educated, she had no other choice.

The matrimonial home was in the name of the husband and he wanted to sell it without her knowledge. Only when the prospective buyers started visiting the house she realised this and was petrified that she along with her two children would be on the street. Hence she approached the Parish Priest who in turn referred her to us. She did not want a divorce. All she wanted was to protect the right of residence in the matrimonial home so that she and her children are not dispossessed from the premises. So we filed a petition for permanent and interim injunction restraining the husband from dispossessing her and her children from the matrimonial home. We have now secured an Interim Order restraining the husband from dispossessing her and her two children

form the house and restraining the husband from selling or creating any third party rights in respect of the house. Once the interim order is secured, to obtain the final order will not be difficult, it will only be a matter of time. Leena is now able to live in peace in the house. The violence has also reduced as the husband has now realised that Leena has support and competent lawyers to defend her in court.

### **Securing Women's Rights to Child Custody**

The cases involving custody of children are the most taxing and emotionally draining ones in the family law. Contrary to popular belief that women routinely get custody of their children, the custody battles are increasingly becoming highly contested and extremely volatile where emotions become highly frayed and rights become extremely fragile. In addition apart from husband and wife, one also has to take into account the principle, 'the best interest of the child'. While it sounds extremely simplistic, to determine what is the best interest of the child becomes the most challenging task as much depends upon individual judges' sensitivity and exposure in dealing with such cases.

During the year we had to deal with a number of such cases. Below is the description of one such case:

Nargis' case has been the most taxing of all cases. Several factors are weighted against her in the legal battles. To begin with her husband is extremely vindictive and would go to any extent to humiliate her. To make matters complicated she has a job in Dubai and is residing there, while her husband is in Mumbai. Thirdly, the child she is seeking custody is a Muslim male child and there is a popular misconception that after the age of seven years, the custody of a Muslim child would automatically be with the father.

She has faced a long history of violence and secured a divorce under Muslim law in a court in Dubai. But meanwhile, the husband brought the child to India without her consent. So she came down, met the child in school and since the child was distraught, she took him away and kept him with her own parents. The husband was enraged. But she filed a case for custody in the family court. The husband also filed a counter case in the same court. But since the child was not residing within the jurisdiction of the court both the cases were dismissed. Meanwhile Nargis left the country as otherwise she would have lost her job.

The husband, in retaliation filed a criminal case of kidnapping the child against Nargis, her parents and relatives. Summons were issued and she had to come down from Dubai and appear in court. Meanwhile, he also filed a Habeas Corpus case in the High Court and sought for the confiscation of her passport. She was asked to surrender the passport and it appeared that she almost lost custody of the child. But just before passing the order, at our request, the case was referred to mediation. The husband refused to co-operate with the mediation and that turned the tide against him. His rude and uncooperative behavior was noticed by the court during all court hearings and

chamber meetings. Due to the delay in court proceedings, again Nargis was on the verge of losing her job. So she made an application in court for the return of her passport and for permission to leave the country. It was an extremely tense moment both for the child as well as for the mother, and we as lawyers were taking a big risk because we were afraid that if she left the country, she might lose custody of the child.

But fortunately, she was able to get her passport back and the child was allowed to reside with her parents. The several cases filed by the husband are still pending.

## **ii. Fellowships To Women Lawyers From District Towns Of Maharashtra**

### **Introduction to the Project**

This project started in 2003 with the aim to help women to access justice delivery systems and to spread legal awareness to women from marginalized sections and in rural and semi-rural areas.

The structuring of the fellowship project was as follows: An announcement regarding the fellowship was sent to community-based organizations and bar associations inviting applications from women lawyers based in district towns. The applicants were invited to Mumbai for a five-day intensive orientation programme. Even if a young lawyer did not make it to the final selection, we felt that the orientation programme would benefit the applicants by exposing to a women's rights / human rights ideology and provide an opportunity for applicants to meet other like minded women lawyers and develop linkages. Resource material as well as exhibitions were prepared on specific themes of women's history, contemporary struggles, important campaigns etc.

From this larger group, depending upon the aptitude, commitment and need of a particular region around 10-12 lawyers were selected for an annual fellowship. Each selected fellow had to submit a proposal of the work they would carry out during the year. Their work would have to include some or all of the following components - legal awareness programmes in slums, rural / tribal areas, legal advocacy and litigation to needy women, campaigns for adolescent girls regarding sexual abuse and violations of rights, legal research on issues of concern in the local area and publication of relevant articles in local newspapers. During the year, the fellows were to be provided further training in capacity building and skill development to help them to fulfil the goals they had set out and also to monitor and evaluate the activities conducted by them.

As part of the campaign and networking component, the fellows were also encouraged to hold workshops in their own areas, which could be attended by a large number of lawyers, as well as the entire group of selected fellows from other districts. These public meetings were held in co-ordination with local NGOs or the district level bar association. These workshops provided hands-on experience in organizing public events. They also

proved to be extremely useful in helping them to evolve local level resources and support structures and also in building networks among the fellows themselves.

At the end of the fellowship, the fellows were to be invited for an award ceremony and a certificate of successful completion of the fellowship would be awarded to them.

At the beginning of this term we received around 80 applications. The orientation and training programme for this fresh batch was held from 16<sup>th</sup> - 20<sup>th</sup> May 2005 and was titled as *Gender Perspectives in Legal Advocacy*. Along with the standard topics such as lawyering for social change, gender and law and violence against women, we also had organised sessions on popular perceptions of women's rights. We addressed contemporary concerns such as the declining sex ratio in Maharashtra for which we invited Mr. Sabu George who has been an ardent campaigner for this cause as well as Varsha Dehspande who has successfully initiated litigation against several medical practitioners. Both the speakers explained the strategies that need to be adopted and the technicalities that have to be followed for initiating proceedings against errant medical practitioners under the provisions of the *Pre Conception and Pre Natal Diagnostic Techniques (PCPNDT) Act* in order to stop the malpractices of the doctors who were engaged in sex determination test and abortion of female feticide.

#### **Fellows for the Third Year 2005-06**

<b>No.</b>	<b>Name</b>	<b>Organisation</b>	<b>District</b>
1	Alka Thite	District Court Bar Association	Pune
2	Bhagyashri Kadam	Terana Charitable Trust	Osmanabad
3	Mangal Hande	Mahila Gramin Bigarsheti Pat Sanstha	Ahmednagar
4	Manjusha Dudhate	Special Cell at Yavatmal Police Stn	Yavatmal
5	Rajshree Khandare	Vaishali Mahila Bal Vikas Mandal	Akola
6	Sampada Mhatre	Pratham.	Raigad - Alibag
7	Shailaja Jadhav	Dalit Mahila Vikas Mandal	Satara
8	Snehal Chavan	Phule Ambedkar Vichar Manch(Mahila)	Yavatmal
9	Sujata Navgire	Nari Samata Manch	Pune
10	Surekha Borkute	High Court Bar Association	Nagpur
11	Vaishali Dhavane	Terna Charitable Trust	Osmanabad
12	Vandana Jadhav	Dr. Baba Saheb Ambedkar Smarak Samiti	Akola
13	Vidya Parve	Shivaji Shikshan Sanstha	Osmanabad

In addition to these new fellows, we also decided to continue with the fellowship award for two fellows of the previous year as a very special case. While there were many fellows of the previous year whose work was very dynamic, we selected these two fellows for a further fellowship as one was a Dalit and the other was a Muslim and both had worked very successfully in their own areas which are rural and backward areas of Maharashtra. Pravarja is from a Taluka level place called Chandur Railway in Amravati

District and she is the only woman lawyer in her bar and had faced several set backs due to her caste position as well as her gender and despite she had continued with her legal practice. The fact that she was awarded a fellowship gave her a boost. Her work had received wide publicity. Hence we felt that a support extended to her for another year would go a long way in strengthening the work she had already initiated.

The second lawyer who was chosen for an extension was Mehrunnissa. She had worked at two levels – one was to reach out to backward districts and conduct workshops with tribal women and for this purpose she had initiated a local group of women lawyers and together they would travel to the distant areas as it was not possible for a lone woman to take on this long and hazardous journey by the local S.T. bus. Apart from this she had just started making in-roads among groups of Muslim women in her local area and was just reaching out to them for conducting legal awareness workshops. We felt that if given an opportunity, this work could be further strengthened and would translate into active litigation on behalf of poor Muslim women.

### **Capacity Building Workshops During the Year 2005-06**

Two capacity building workshops were held during the year for the newer fellows. In order to develop continuity and sustainability, we also invited the previous years' fellows to attend the orientation course along with the new batch. The aim was to explain the model of the fellowship through the process of sharing experience with fellows who have already gone through the process. In addition, when younger fellows were chosen from a particular district where a previous year's fellow was already working, we encouraged the newer and earlier fellows to form a group so that there is continuity in the work. This also helped to develop a mechanism of monitoring the work of the younger fellows as well providing them constant guidance at the local level.

#### **September, 2005**

During these meetings the fellows reported about their works. These meetings were very interactive and the fellows greatly benefited by sharing their experiences with their peers.

The theme chosen for this workshop was rights of women in the unorganised sector. We invited two experts to deliver lectures on this topic Ms. Sujata Ghotoskar and Ms. Sunita Bagal. Both of them are not lawyers but sociologists and feminist activists with many years' experience in this field. Ms. Sujata Gotoskar has done extensive work at the international and national level in this field and has done several projects for international agencies. Ms. Sunita Bagal works with Tata Institute of Social Sciences at Tuljapur in Osmanabad district. She had worked with women who sell the various ingredients which are essential for ritual worship in these temples and how these women form the lowest rung of the temple management scheme. After this meeting, the fellows from Osmanabad started to interact with Sunita regularly. When Vidya Parve had a consultation meeting on forming a committee of women lawyers she invited Sunita for the same. We were happy that the contacts that we had established could be further strengthened at the local level.

## **February, 2006**

The theme of this meeting was the recently enacted domestic violence and the campaign against domestic violence initiated by some agencies. Since this was an important issue we invited fellows of both the years for the interaction with the experts in this field.

Along with the reporting we also had a discussion about the continuity in future after completion of the fellowship term.

We invited from 'Campaign on domestic violence', Shipra Jha from Oxfam and Aarti, a Social worker from YUVA to speak about the campaign which was going on in Maharashtra and Gujarat. They spoke about the various devices which are being used to reach out to male leaders and the youth from the community along with the women's groups. The kit developed for the campaign with posters in different languages, power point presentations etc. were distributed to the participants so that the same can be used by them in their local level campaigns.

The meeting was also used to help the fellows to organise, plan, structure and budget local level and zonal level workshops. At the end of the meeting, those fellows who wanted to coordinate such workshops in their area were asked to send in their proposals so that the zonal workshops could be planned as part of the project for the next four months.

## **Interactive Workshops with Lawyers from Gujarat**

In December, we also had a two day interactive meeting with a group of lawyers who are part of a similar intervention by an agency in Ahmedabad, Centre for Social Justice (CSJ). The focus of their programme is to include to train grassroot level lawyers from four different segments - dallit, tribal, Muslim and women. A team of around 25 lawyers and paralegals came down for this interaction.

The aim of this workshop was to build an interstate network. We had sessions on sharing of experiences about the significant cases, campaigns initiated by these lawyers. They also shared the challenges which a lawyer working for social justice has to face at the local level and the pressure they are subjected to from the society, peer groups, judiciary and family. This was a good exercise for them as they could identify their problem areas and to have solution to it. The group actively participated in discussion.

## **Continuation of the Support to Previous Years' Fellows**

A significant development in our work during this year was to maintain contact with fellows of the previous year. The first year was the year of initiation of the project and hence keeping contact with the previous year was not an issue. During the second year, we did not actively plan to maintain contact with the fellows of the first year, as most of the fellows of the first year were very young women lawyers.

In course of the fellowship five young lawyers got married and this led to them leaving their home town and settling down in a neighbouring or a distant place. While they completed the tasks that were undertaken, the next year of a crucial year for them in their marriage as they dropped out of practice.

For the second year, we had gained more experience and while choosing the newer set of fellows we had a combination of new and mid-career lawyers. This made it easier for us to have continued contact with the more senior fellows. Some of them successfully formed groups with the newer fellows and the team work between them was an extremely positive feature of the third year of fellowship programme.

For instance, Anju Kadam from Akola had successfully carried out litigation on behalf of women. She guided the two new fellows chosen from this district – Rajashree Khandare and Vandana Jadhav and the three of them worked in coordination with each other and together formed a team of trained women rights lawyers in Akola district, which conducted both litigation and legal awareness programme. Similarly Leena Ade from Yavatmal, grew enough confidence as a lawyer through the fellowship period and had been providing legal advice to the Special Cell to Help Women and Children located in the police station at Yavatmal. During the current year, Leena became the guide and mentor of the two young lawyers chosen from Yavatmal District - Manjusha Dhudate and Snehal Chavan and the three of them formed an efficient team. It is important mention here that both Akola and Yavatmal are rural and backward districts of Maharashtra and there are very few women lawyers who have an independent practice. Even rarer are the women lawyers who are willing to work on issues of women's rights.

## **Curbing Sex Selective Abortions**

Another area where the fellowship has made a concrete intervention has been in the area of detecting medical malpractices of sex selective abortions and violations of the stipulations of the PCPNDT Act. In April, 2005, we had first invited Adv. Varsha Deshpande from Satara District who has been working consistently on this issue and had initiated proceedings in 17 cases. Her work is extremely valuable and after cases had been filed against some doctors, the results can be seen in a gradual change in the sex ratio in this district. Some of fellows got so inspired by her lecture that they have joined her team of investigation and collecting crucial evidence against the medical professionals.

As per the provisions of the Act, an advisory committee must be set up in each district by the Appropriate Authority which holds the powers of investigation and arrest. Cases cannot be detected because the Appropriate Authority and advisory committee comprises of medical professionals and there is active collusion between the doctors who are conducting the tests and the members of the Appropriate Authority and Advisory Committee. Hence there is urgent need to get other professionals including lawyers into this set up. When Adv. Varsha Deshpande explained the structure of these committees and the need to have lawyers into these committees, some of our fellows got interested in being part of the advisory committee set up under this Act.

During the year, Suchitra Ghogre, who was a fellow of last year from Pune, visited Varsha in Satara and joined her team of investigators and was later instrumental in collecting evidence against a doctor in Pune and due to her efforts, the doctor was arrested and this incident received wide media publicity.

### **The Outreach**

For Administrative purpose, the 35 districts in the State of Maharashtra have grouped into seven zones – Mumbai, Pune, Konkan, Nagpur, Marathwada, Nasik and Vidharba. In the course of the three years, we have been able to reach out to women lawyers in most of the districts and have awarded fellowships to lawyers in at least one district in each zone. The following is a zone wise listing of districts in which we have been able to award fellowship to women lawyers in the course of the three year legal advocacy programme in addition to the regular litigation work that goes in Mumbai and Nagpur.

<b>Mumbai:</b>	Thane
<b>Pune:</b>	Pune, Ahmednagar, Satara, Solapur
<b>Konkan:</b>	Raigad
<b>Nagpur:</b>	Nagpur, Gadchiroli
<b>Marathwada:</b>	Aurangabad, Osmanabad
<b>Vidharbha:</b>	Akola, Amravati, Yavatmal
<b>Nasik:</b>	None

The only zone we were not able to award a fellowship to a woman lawyer is Nasik. The only zone where we have not had much success despite awarding fellowships during each successive year is Konkan. This is yet another backward district and for three successive years, we have made it a point to select either one or two lawyers from this area. But some how, the work of these lawyers did not amount to much, and ultimately, a local network of women lawyers could not be formed. We were also not successful in holding local or zonal level workshops with women lawyers from this area.

But in all other zones, the work has reached far beyond the individual fellows to whom the fellowship was awarded through the periodic local level workshops that were held in

cities like Ahmednagar, Nagpur, Solapur, Aurangabad, Pune etc. Each of these workshops were attended by around 50 – 100 women lawyers who practice at district at Taluka level and who have little or no opportunity of getting an exposure to recent trends in women's rights. The series of lectures by eminent personalities and experts in the field and the resource material (both in English and Marathi) which had been distributed during these workshop on issues such as recent trends and land mark cases on women's rights, feminist jurisprudence, violence against women, child sexual abuse, sex selective abortions, child marriages, globalisation and impact on labour, secularism and communalism, human rights etc. have reached out to a much larger network of women lawyers.

## **Cultural Centre**

### **iii. Fellowship to Artists**

This is an ongoing project and in this current project period we have completed the fourth term of the fellowship. The 5 fellows are selected from an overwhelming number of applications of 107 from all over the India. This project is conceived as part of rendering support and collaboration among artists from different disciplines and geographical areas. We take immense care to reach out to wide number of artists located in diverse places through art groups, theatre groups, film societies, journals, culture institutions, academic institutions, community groups, civil society groups and websites. A deliberate pattern of a balance between metropolitan works and works from the fringes has emerged through the four terms. In the current term of the fellowship three fellows are from metropolises of Delhi and Bombay and two are from border areas of Kashmir and North-East.

#### **Brief note of the works of the fellows**

**Renee Colvom Lulam, Meghalaya: *A compilation and translation of folk tales from the North East collected through workshops with village elders***

Renee has collected oral folk tales from the indigenous people of the five states of North East: Meghalaya, Mizoram, Nagaland, Arunachal Pradesh and Sikkim. She has also translated some 15 of them into English as part of the fellowship project. We are presently helping her in securing a more substantial literary fellowship and in getting a publisher to publish the material. Since in the society of oral culture history is always hidden in the traditional stories, this project can be developed into a very important contribution in the sphere of indigenous people's history and cultural practices.

**Tushar Joag, Bombay: *Intervention in public spaces through art***

His work in the fellowship project falls under the category of public art and art for subversion. He had developed various art objects which are proposed devices for surviving in the city of Bombay. The objects are sharp sarcastic statements on the current development policy and an artistic take on people's resilience. The first show of this project was in an elaborate installation of replica of local train compartments, displayed objects within it, video installation and canvas drawing. The show has since traveled to Italy and Delhi.

**Pankaj Rishi Kumar, Bombay: *Documentary film on women boxers in Mumbai and Delhi***

Pankaj was done extensive video research on the culture of women boxing in India. He zeroed down on four women who represent four different aspects of struggle against gender stereotype in the area of sports. He has made a 30 minutes film based on the material. Adjudged by this project the Jan Vrijman Fund of Netherland has awarded him a grant to make a more elaborate film on the same theme.

**Goutam Majumdar, Delhi: *Research on use of lights all over India and application via production of Bisarjan (Rabindranath Tagore)***

As part of the fellowship project Goutam traveled extensively all over north India, specially in the settlements in Himalayan region and Eastern part of India. He compiled, both oral/written material and visuals of traditional use of lights and its characteristics. Using the research he produced a play on Rabindranath Tagore's famous novel Bisarjan. What is also an important point is that the play was produced with a group of amateur actors in the backward area of Patna.

**Abir Bazaz, Kashmir: *Research and documentation on the writings of resistance: Kashmiri narratives in the 1990s.***

Abir has prepared a dossier and a detail research paper on the contemporary Kashmiri writing and the context of violence in those writings. His dossier made separate reference to direct writing on violence and writings whose language and forms are influenced by the violence in the society. He has also documented the few and far away voices of women writers in Kashmir. This is an ongoing project and he plans to eventually prepare an anthology of Kashmiri writings since 1990s in English.

The evaluation of the current year took place in Mumbai on 8<sup>th</sup> April, 2006. But for the sake of convenience we are including it in this year's report itself.

They have also recommended to increase the fellowship amount from Rs.12,500/- to Rs.15,000/- per month and make greater provision to visit the sites of the projects for supervision in the case of site specific projects such as performance or art installation. It was also felt that there should be a greater mechanism of collaboration between the fellows and the members of the committee.

#### **iv. Godaam: Digital Video Archive**

This too is an ongoing project. But unlike the fellowship project digital archive is a project of slow growth and tangible substance. The material collection of the archive has been growing steadily and sometimes with unexpected surprises. This year's activities can be categorized as following:

## **Collection**

This year the footage collection on Bombay has grown in a big leap. We have managed to collect extremely rare footage of around 20 hours from the Fire Brigade. This collection happened after months of slow negotiation and persistent follow up. Secondly, we shot some valuable footage of cemeteries of different religious communities in Bombay. This resources can be effectively used to demonstrate the multi-cultural structure of the Bombay population since the inception of the society. Third segment of the collection was some old footage of the Bombay textile mills. With the textile industry dying under the onslaught of globalization this footage too has become rare and coveted. Following the agitation of the bar dancers who have been banned by the state govt. and the legal case and campaign initiated by the Majlis legal centre in the support of the dancers, we have documented and collected valuable footage. Our last source of footage was through a pedagogical course with a group of young girls who live in a Muslim ghetto. This process is explained in detail in the pedagogy and dissemination section. This footage comprise of images and sound bytes from a ghetto recorded by the young girls of the community. We have also acquired footage on the lives of the Koli (the traditional fishing community) community through a collaborative project with PSBT (Public Service Broadcast Trust)

But the growth in the collection of footage on Kashmir was not so spectacular for this year. Very understandably, the political unrest, the lack of trust and the physical distance are slowing down the growth. In terms of collection of material, it is interesting to study the different growth rate in different areas. For initial few years it was a slow process in Bombay whereas in Kashmir the active enthusiasm on part of the collaborators was very positive. But in last one year it has gone completely the other way round. We suspect that the initial response from Kashmir was more of novelty and need from the other side to connect with us than any concrete commitment. In order to achieve more consistent support we shall have to creatively initiate other niche activities there. Similarly in the case of North-East states (as we plan to expand the archive activities there in the next phase) we shall have to be more equipped from the beginning. Collection of images, of the kind that we are aiming for, is a matter of building complex network of artists, activists and academics. So far we could achieve that in Bombay but not in other places. That will definitely be an important task in next phase.

## **Pedagogy and dissemination**

In the sphere of the archive we use pedagogy for dual purposes. On one hand we conduct video making workshops with niche groups and encourage them to shoot their own lives. With our technical and marginal financial help they make short films about their own lives which enhance their self esteem a great deal and initiate them to an ICT skill. In return we receive a set of very specific and nuanced footage. On the other hand we conduct workshops with media students on the usage of found footage (technical term for collected old images as oppose to freshly shot images) and encourage them in re-reading images. Thus the whole project works in a circular motion of pedagogy-collection of material-pedagogy-dissemination of the collected material.

In the current year our main workshop for collection of footage was with a group of twenty young girls from a Muslim settlement in Jogeswari. Majlis has already been involved in a small project of informal education with a local community organization there. We conducted a 14 days workshop with them on video making, ways of seeing, self perception and self expression. At the end of the workshop they shot and edited two short films with the help of Majlis equipments and technicians. The films were shot extensively in their locality. They were screened publicly in the community. The whole material shot by them (some 12 hours of material) is now part of the Majlis archive.

There have also been smaller workshops with the students of Bombay university and with a group of youngsters in Pune in collaboration with another NGO. But these workshops did not yield in any substantial result. These were more to teach them the ways of using 'found footage' in making films. But the response of media colleges in initiating courses to teach use of 'found footage' is rather dampening.

While dealing with the images from Kashmir in the sphere of pedagogy we face some unique problems. The Kashmir issue through the years of vicious political campaigns and violent events has become a very vexed one in public memory. Hence it is extremely risky to open up the material from Kashmir to a group of uninitiated users. Hence we plan to hold a workshop on Kashmir with some selected senior artists and open up the Kashmir collection only to them, for the time being. Hopefully their works based on the collected material, which would be negotiated by their own mature understanding and by the resource people offered by us, will pave new ways of looking at Kashmir.

The lack of response from the media colleges has been very unfortunate. There have been positive responses from social science departments and urban study or culture study groups. But the constituencies of these groups are not equipped to handle film images in their works. Whereas the ordinary media colleges are only concerned about imparting commercial training. Though the recent upsurge of acclaimed films made on 'found footage' (many of the major documentary films which won awards in festivals in last one year were made on 'found footage') have just started attracting some young people to this genre. However, so far our main users are established filmmakers and visual artists. In order to expand its outreach we need to think more creatively.

## **Cataloguing**

Evolving an effective and non-hegemonic way of cataloguing this material is a very tough task. We have studied many other archives in the country and corresponded with some abroad, but yet to find out a comprehensive way to deal with our collection. The problem is that all archives; written, audio or visual, mainly collect finished works. But we collect the basic material – footage. Hence our system needs to be more complex and efficient than the others.

There have been many trials and errors but we still do not have the kind of staff that the project needs. At the moment it depends heavily on the contribution from the freelance people.

## **v. Children's Animation-Game CD**

The first animation game CD for children *Spice Adventures* was finally launched around the children's day in November '05.

We got into an extensive understanding with the Crossword Bookstores to launch it in 14 of their stores in Bombay, Delhi, Calcutta, Pune, Bangalore and Chennai. We have also got into minor contracts with smaller bookstores. We developed a special three hour programme as a launch offer and held it in bookstores every week end for three months. The project received unprecedented media attentions with all leading newspapers, magazines and childrens' magazines writing about it in glowing terms. The time Out magazine carried special issue of offering prizes around games concerning *Spice Adventures*.

But what took us for surprise that even after the exclusive understanding with the bookstores we had to work through distribution agencies. The children's education-entertainment industry is a highly controlled and guarded area. Multi-national production houses occupy the space through their networks of agents and smaller products are killed by way of volume and visibility. We too hired an agency who claim very high price for their services (60%). Since we were a small player in the field we did not have any bargaining power.

By the end of the year we could sale 200 copies through this channel. This sale and the surrounding visibility helped us in distributing another 220 copies through alternative channels. The distributors claim that maximum sale for a children's CD (even for popular Disney products) in India is 500 and by that account we have fared very well, specially for a producer without any market good will. But it was a far cry from our actual expectation of distributing of 2000 copies.

### **Reflection**

One of the main achievements of the product is in evolving a contemporary popular story telling format for the children without compromising the complexity and in supporting it with adequate technological inputs. Another important lesson learnt is about intervention in the mainstream. The existing law prevented a public trust into getting into any venture, which is not conventional social work. Hence mainstream intervention which also means entering the realm of the market cannot be carried out in any substantial and concrete manner while solely confined within this legal entity. Since we plan to develop this activity through the next few years and evolve more products of similar nature, we need to adopt and collaborate with other agencies such as art and design schools, toy making industry, public service advertisement programme of advertising agencies etc.

This project opens a new phase in Majlis' contribution in contemporary art practices and public art productions.

### **vi. Film on Bombay (7 Islands and a Metro)**

This project is a part of Majlis' engagement with issues of City and Development, with special reference to Bombay. The earlier projects under this were documentary **I Live in Behrampada** and research and publication **A Hundred Years, A Hundred Voices... Testimonies from the Textile Industry**. The film can also be considered as a by-product of the digital archive project.

This film is partially supported by Majlis. Almost half of its cost was covered through private contributions. The film is structured around two protagonist characters, who in real life were eminent writers living in Bombay. The characters are one male (Sadat Hasan Manto) and one female (Ismat Chughtai). Other than representing two parallel points of view they also provide two different gender characteristics in the film.

In this project period the film has just got ready. Its outreach and distribution will be part of the next year's activities. But considering its popular format and feature length duration we hope to reach out to wider section of audience both in academic/artists circle and in popular media.

Though the project was initially proposed as an independent one, eventually it became an integral part of the Digital Archive Project. All its research and shooting material of hundred hours are now a part of the Bombay section of the archive. While researching or shooting for the film we chanced upon new events/material and later followed it up for the archive collection. For example, we went to shoot the Jewish migrants in the city for the film and came to know about the existence of separate cemeteries for the Jews from different origin. We decided to document the cemeteries for the archive and then realize there are also existing Chinese cemetery, Armenian Cemetery, Japanese crematorium, Italian war memorial etc. This chapter enriched the archive collection immensely.

### **vii. Research and Publication: *A Hundred Years, A Hundred Voices... testimonies from the Textile Industry***

The book which was researched through Majlis and published by Seegull publication in 2004 has received wide acclaims. It has been nominated for the Crossword book award for the best non-fiction writing of the year. Presently the authors are working on the Marathi translation of the book which should be available by late next year. With the debate on workers' rights and fate of the industrial land in Bombay intensifying by the day, the book appears prophetic. It has been widely used by academicians and activists.

## Miscellaneous Project

### **viii. Community based educational programme for empowering Muslim Girls**

Since 2001, Majlis has been involved with a community based educational programme. The programme is structured on the principle of earner-learner, where older girls are involved with teaching the younger students and in the process are supported and persuaded to complete graduation and encouraged into skill development. The programme is located in the slums of Jogeshwari which is a predominantly Muslim area.

The project received a boost, when we received a small grant from the Rajiv Gandhi Foundation recently. The activities of the project involve educational and financial support for girls who are studying in colleges and coaching classes to prevent girl children from dropping out of schools and literacy classes for older women who have never been to school.

The programme now runs under the name of Darakht-E-Ilm (Tree of Knowledge). We have recently set up a community center and a library in the locality. Various community based programmes have been organized to build strong inter-community linkages and to facilitate interaction between the young girls studying in various colleges in and around Jogeshwari. A lawyer from Majlis visits the centre twice a month to meet women with legal problems especially in relation to domestic issues.

Apart from the regular coaching classes, recently, Majlis organized a crash course in documentary film making. 20 young women participated in the course conducted by the cultural center of Majlis. The course consisted of exposure to viewing documentary films, the politics of constructing images, script writing, and the techniques of film making such as scripting, shooting, editing, sound, music etc. Our initial apprehension was whether the young girls would be given permission to travel the distance to our office and whether there would be problems when they reached home late. We anticipated a huge drop out after the initial days. But the course proved to be a great success with absolutely no drop outs, despite the fact that the course extended beyond the scheduled 12 days. The aim was to produce two short documentary films around the themes selected by them. The course helped the girls to be more alert to their own surroundings and then to write a script on a subject that they are familiar with, in their own local area and to produce a short documentary film around it. Open air screenings of the films *yahan se wahan taq ...* (from Here to There) were held in the community and certificates were awarded to the participants. This event proved to be a great confident booster to the young women who had participated in the course.

## **ix. Relief for Flood Victims**

Though usually Majlis is not involved with relief work in cases of natural disasters, this year was an exception. After the unprecedented deluge on 26<sup>th</sup> July, 2005, the city experienced acute hardships. There was panic everywhere as public transport came to a stand still, electricity was cut off and telecommunication links were severed. Even worse, several low lying areas were totally submerged and could not access food or water for several days. There was fear of the epidemic spreading in the city. Food, medicines, clothing were the need of the hour.

One of the worst affected areas is the settlement of Kalina-Vakola-Kurla-Bandra (East), as the Mithi river which was flooded flows through this stretch. The entire area was totally inundated and remained under water for nearly a week. After the rains subsided, the floods have left behind a trail of human misery with loss of life, dwelling places and household articles. Though the government had promised some relief by way of free distribution of food grains and medical aid, most of it did not reach the needy in time.

Since our own office is located in this area, which was totally inundated, we could easily understand the plight of people in the nearby slums. We decided to provide a food hamper along with a few basic household articles for 5000 families.

For this venture we sent out appeals for donations and were able to raise Rs.3,45,000/-. In addition, we also helped victims to file compensation claims in respect of the damages and loss to life. After the immediate crisis of survival was overcome, we also distributed books and uniforms to school children in the nearby areas.

It was a great learning experience for us, both in terms of mobilising local resources as well as in co-ordination with local community based groups in the area.

## **External Assessment**

An external evaluation process was initiated in this project year. Social scientists and women's rights activists Prof. Jashodhara Bagchi and C. P. Sujaya spent a week in the month of June 2005 in Majlis and conducted a detail evaluation process. They had in detail interacted with the office staff and witnessed the office procedure, watched all the culture productions, checked the publications, met number of artists who have been working in various Majlis productions, met some of the users of the digital video archive, attended the general meeting with women litigants, attended a meeting of the board of trustees, met some of the culture fellows and a whole batch of the women lawyer fellows, attended a meeting of the WSF culture group and met some fellows feminist activists in informal get-together. After this exhaustive routine and after consulting our annual reports and statements of accounts they wrote their evaluation report. The report has already been submitted to HIVOS.

**Two of their main recommendations were:**

i) Majlis needs to strengthen their system of documentation of their activities. The evaluators believed a systematic documentation of Majlis' process of growth can be an important resource material for other such initiatives. We broadly agreed to that and realized that our internal documentation process has not been adequately developed. But the pressure of day-to-day work and lack of additional personnel kept delaying work in this area. While we were contemplating ways of facilitating this, a fellow organization, Point of View, came forward to document Majlis' process and activities as part of their own project. We had an initial discussion. The work will start sometime next year.

ii) The second recommendation was that the staff of Majlis should be offered sabbatical in rotation in order to save them from possible burn outs. Unfortunately we have not yet been able to execute this recommendation. Paucity of finance and skilled personnel coupled with increasing work pressure have hindered this process.