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New Age Youth Connect

Navigating growing up challenges for a healthy adulthood.



me@kshing



→ LETTER FROM THE EDITION EDITOR

EMPOWERMENT BEGINS WITH EDUCATION



AS we step into the Pride Month, it is encouraging to see how far the LGBTQIA+ movement has come. The election season in India served up many new reasons to hope for a fairer, more inclusive future for the LGBTQIA+ community, with political parties promising steps to recognise and safeguard its rights and interests in their manifestos.


BJP's Sankalp Patra, for example, promised to extend the Ayushman Bharat medical insurance scheme to transgenders and expand the network of Garima Grahas to cater to their needs. Similarly, the Indian National Congress party's Nyaya Patra spoke of recognising civil unions of the LGBTQIA+ communities and the CPI (M) pledged laws to recognise and protect same-sex marriages.

The very presence of LGBTQIA+ issues on election manifestos represented a shift in the tectonics of India's political discourse. Sure, no one expected these issues to set off electoral landslides, not yet any way. But their very appearance is perhaps a sign of a society stirring out of denial and beginning to recognise the LGBTQIA+ communities, and the fact that their issues aren't embarrassing realities to be swept under the carpet.

The need to ensure legislative representation of the community stands accentuated particularly in the light of the recent Supreme Court ruling on same-sex marriages, which upholds the primacy of Parliament, for enacting and amending laws. Clearly, affirmative steps are an imperative to secure legislative presence for the community because, given its dispersed geographical presence, the community may never be able to mark much presence in Parliament. In fact, an online petition by Telangana Chief Minister Revanth Reddy in his earlier avatar as an MP, making a plea to the government to give transgenders reservation in Parliament deserves serious attention.

Hopefully, moving forward the favourable winds for this large but socially scorned community will only pick up, stirred if not by conscience, then by economic self-interest. The estimated purchasing power of the pink or the rainbow economy is an estimated at \$168 billion in India (in nominal GDP terms). However, the stigma and discrimination hounding the community hinders its entry into the labour force, which in turn, diminishes productivity and extracts an economic cost estimated to be in the region of 0.1 per cent to 1.7 per cent of the nation's GDP. Also, it affects the socio-economic conditions of this community, which is estimated at 10% of India's 1.4 billion population, thereby impeding inclusive development.

For change to be meaningful, reforms need to be inclusive and pervasive, top down and bottom up, born of widespread social realisation and acceptance that our world is made up of genders of varied hues and all of them have equal rights and entitlements.

The need of the hour, therefore, is a holistic strategy anchored in basics like ensuring comprehensive sex education in schools and enacting and enabling policies and laws that safeguard the reproductive rights and quality healthcare for all. A combination of education, cultural reforms and supportive policies can help India foster a healthy society, which celebrates diversity and liberates individuals to achieve their dreams regardless of their sexual moorings. 

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Consulting Editor, Sustainability,
Outlook Group

EXPLORERS WANTED
SydKnee





Outlook

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The aura of India's LGBTQIA+ influencers extends beyond their community and the country

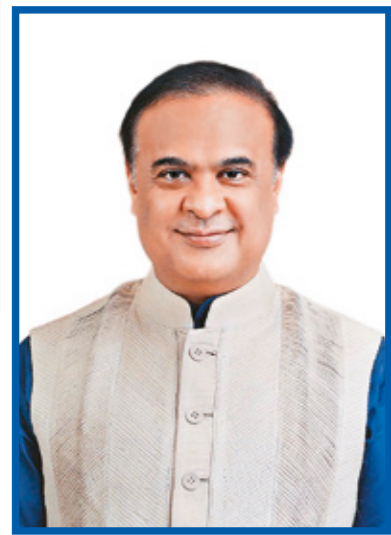
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ড° হিমন্ত বিশ্ব শর্মা
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MESSAGE

It is heartening that Outlook Magazine is bringing out a special edition titled: New Age Youth Connect. My heartiest congratulations to Outlook Group on taking this initiative.

As our youth move from adolescence to adulthood, I extend my heartfelt wishes for you to lead fulfilled lives. This stage of life is full of uncertainties as well as choices that can shape your future. It is my sincere hope that you exercise informed choices to overcome these growing up challenges and pursue a healthy and responsible lifestyle, particularly free from preventable conditions like HIV/AIDS.

Embracing a lifestyle rooted in awareness, consent, equity, inclusion and protection not only safeguards your well-being, but also of your families and the nation. I urge you to realize your full potential. You have the power to not only transform dreams into reality, but also be catalysts for positive changes. Remember, you are not only your future, but also of the nation.

It is also the duty of key stakeholders like the media and the corporate sector to create an enabling ecosystem for harnessing our demographic dividend. I once again congratulate the Outlook magazine group and Reckitt for bringing out a special edition to equip our youth with information and knowledge to successfully negotiate the growing up challenges and secure holistic empowerment.

I convey my best wishes to Outlook Group for overwhelming response of its Special Edition.

(Dr. Himanta Biswa Sarma)

→ COLUMN

A TRANSFORMATIVE JOURNEY

The LGBTQIA+ community has battled long and hard against deep-set social prejudices and unjust laws and notched up significant victories, but more remains to be done to achieve a just and inclusive world

GAURAV JAIN
EXECUTIVE VICE-PRESIDENT,
RECKITT

FROM the shadows of an unjust past to the vibrant marches of Pride parades, the LGBTQIA+ community has indeed come a long way. The community is employing both its voice and the verve to secure its rights. On the back of its unrelenting struggles within and outside courtrooms, the community has already scored many remarkable wins, translating into judicial legitimacy and social recognition and even making a mark in different walks of life ranging from the government to the private sector.

It has been a long journey to overcome a miasma of social scorn and rejection that shrouded the recent past of the community. The year 1990, which saw the launch of *Bombay Dost*, proved to be a turning point for the LGBTQIA+ movement. The pages of this periodical echoed with the long-suppressed voices of this socially ostracised community. Most importantly, it gave them recognition, visibility and the confidence that it was in their power to redefine their destinies.

However, *Bombay Dost* went beyond being just a media platform helping community members to connect and



TRIBHUVAN TIWARI





communicate. It led the fight against patently discriminative legal provisions, especially the draconian Section 377, which criminalised homosexuality. While *Bombay Dost* may not have led to an immediate transformation of their lives, it laid the foundation for safe, private conversations and an open atmosphere that was to shape the community's future.

In the years that followed, LGBTQIA+ leaders continued their dogged struggle for legal recognition of the community, which culminated in the landmark Transgender Persons (Protection of Rights) Act, 2019, a historic achievement that opened its path to equality. The legislative steps that followed this breakthrough further strengthened LGBTQIA+ rights. Alongside notable legal victories, social attitudes towards the community too witnessed a gradual change for the better as reflected by the much higher visibility of the LGBTQIA+ community across mainstream media, pop culture and public discourse.


IT WOULD PARTICULARLY HELP TO INCLUDE LGBTQIA+ ISSUES IN SCHOOL CURRICULA AND, THEREBY, SOW THE SEEDS FOR GENERATIONS OF TOLERANT, OPEN-MINDED AND LIBERAL CITIZENS AND USHER IN AN ERA MARKED BY UNDERSTANDING AND ACCEPTANCE

The progress transcends the realms of judiciary and society and is becoming increasingly evident in the corporate world as well. Businesses in India are working towards creating equal opportunities, recognising the importance of inclusion and diversity. They have taken down creaky old HR structures and created in their place liberal and open workplaces that are fundamentally opposed to discrimination based on gender or sexual orientation, translating into a welcoming environment for LGBTQIA+ employees.

Going beyond responsible HR practices, the Coalition for Reproductive Justice in Business, which is a forum for companies in the private sector to share their strategies for addressing the diverse reproductive health needs of employees, has formulated measurable indicators to help businesses track and record their wins and establish accountability through ESG frameworks.

Undoubtedly, the community has made significant progress, but the destination is still a fair distance away, and the road ahead is fraught with challenges. The existing anti-discrimination laws, though well-meaning, are deficient. There is an irrefutable need for a broader legislation to ensure comprehensive protection.

Going ahead, among the priorities for the future are to run well-designed and targeted campaigns to turn the tide of public opinion. It would particularly help to include LGBTQIA+ issues in school curricula and, thereby, sow the seeds for generations of tolerant, open-minded and liberal citizens and usher in an era marked by understanding and acceptance, as was the case in earlier times in India. Faded chronicles of art, mythology and history cutting across cultures are replete with references ranging from gender fluidity to the broad acceptance of hijras as a legitimate third gender, who even held important positions in and outside the courts of power.

Just as important is to explore structural options to catalyse progressive changes. Working towards better representation for the community in the corridors of political power can push for affirmative policy action. Though the ideal world is often beyond the horizon, the progress made thus far must inspire the community and its leaders with hope for the future. Clearly, with resilience and a sense of purpose, the destination is far but definitely not beyond reach. 

→ COLUMN

DR. SACHCHIDANAND JOSHI



MARRYING CULTURE AND CREATIVITY TO FUEL YOUTH DREAMS

Bharatiya culture empowers India's youth through creativity and cultural expression, providing them with the nurturing environment and the tools they need to lead the world and help India achieve its aspirations

IN India's vibrant cultural tapestry, the youth are the torchbearers of change, ready to herald a new era of progress and prosperity. As we set our sights on creating a Vibrant Bharat by 2047, the country will draw upon the vigour of its youth to shape its destiny and lead the world.

With over 60% of our population under 35, youth represent an unparalleled demographic advantage. Brimming with creativity, innovation, and resilience, they could be the driving force behind our aspirations for a brighter future.

However, to realise this vast potential, we would need to provide them with the nurturing environment and support systems they need to thrive. Culture, deeply ingrained in the fabric of our society, serves as a catalyst for their development, offering not only economic opportunities but also avenues for self-expression and personal growth.

Beneath the interplay between culture, creativity, and youth development is a

ELDERS AND COMMUNITY LEADERS SERVE AS CUSTODIANS OF TRADITION, IMPARTING AGE OLD WISDOM, VALUES, AND LIFE LESSONS TO THE YOUNGER GENERATION, FOSTERING A DEEP SENSE OF RESPECT AND CONNECTION BETWEEN GENERATIONS

narrative of empowerment and possibility. From the vibrant hues of our artistic heritage to the rhythmic cadence of our indigenous traditions, culture permeates every aspect of our lives, shaping our identities and nurturing our aspirations.

Bharatiya culture provides the concept of Samskara, which is a unique and unparalleled tradition that shapes a person's life. The deeply embedded customs, which have not only a philosophical base but also scientific logic, create a robust basis for a person to move in the world with confidence, competition, and creative zeal. Traditionally, life is segmented into 16 samskara which can also be understood as phases of life.

Similarly, the concept of sixty-four Kalas is another example of the deep-rooted cultural ethos shaping a person's life. These *Kalas* include fundamental life skills that are instrumental in leading a life. Incredibly, this 5000-year-old list includes many of our most modern contemporary art forms. Bharatiya culture always prioritises

character building through different mediums.

In the journey of exploration and discovery, we recognise the transformative power of culture in fostering inclusive social change and sustainable development. By embracing our rich cultural tapestry and harnessing the boundless creativity of our youth, we pave the way for a future where each individual can realise his full potential and contribute to the collective progress of nation-building.

In the mosaic of our society, culture and community intertwine to form a robust foundation for the holistic development of youth. Central to this framework are the supportive networks woven intricately

CULTURE, DEEPLY INGRAINED IN OUR SOCIETY, SERVES AS A CATALYST FOR YOUTH DEVELOPMENT, OFFERING NOT ONLY ECONOMIC OPPORTUNITIES BUT ALSO AVENUES FOR SELF-EXPRESSION AND PERSONAL GROWTH

within the fabric of Bharatiya culture. These networks serve as lifelines for young individuals, offering guidance, encouragement, and a sense of belonging as they navigate the tumultuous seas of adolescence and young adulthood. Whether it's the close-knit bonds of family or the camaraderie forged in neighbourhoods and local communities, these networks provide invaluable support systems, nurturing the growth and resilience of youth in times of need.

Moreover, the inter-generational wisdom embedded within our culture plays a pivotal role in shaping the trajectory of youth development. Elders and community leaders serve as custodians of tradition, imparting age-old wisdom, values, and life lessons to the younger generation. Through mediums like storytelling or rituals and everyday interactions, they offer insights gleaned from decades of lived experience, enriching the tapestry of understanding and perspective.

This passing down of cultural heritage not only preserves tradition but also fosters a deep sense of respect and connection between generations, laying the groundwork for a thriving and cohesive community. These threads of continuity in our society form the concept of *Lok* as depicted in our Shastras and explain how folk is not the right translation of *Lok* in Bharatiya society. It is quite similar to how the concept of *Kutumb* differs from family.

Furthermore, the sense of belonging fostered by cultural communities nurtures the emotional well-being and resilience of youth. Whether it's participating in religious festivals, community gatherings, or cultural celebrations, young individuals find solace and strength in their collective identity. This sense of belonging fosters a supportive environment where everyone feels accepted, valued, and empowered to embrace their heritage while forging their path forward.

Cultivating Creativity through Cultural Expression

In the vibrant tapestry of Bharatiya culture, creativity finds fertile ground for expression and innovation. The intrinsic connection between culture and creativity serves as a catalyst for artistic exploration and self-discovery among youth. From classical dance forms like Bharatanatyam to "Lok" traditions such as Bihu, our culture offers rich artistic expressions that inspire young individuals to explore their potential and push the boundaries of innovation.

Exposure to diverse experiences fuels



SHUTTERSTOCK

their imagination, igniting their curiosity and passion for discovery. Whether it's immersing themselves in the intricacies of regional cuisine, exploring the vibrant hues of traditional crafts, passionately feeling the texture of textiles or delving into the melodies of classical ragas, young individuals find endless avenues for creative exploration within the vast expanse of culture. This exposure broadens their horizons, fostering a spirit of openness and adaptability that is essential for creative growth and development. We always believed in *Ekoham Bahusyam* (I am one expressed in many). That changes the perspective of looking at the concept of unity in diversity. It gives us a sense that we are all one expressed differently.

In the journey of nurturing well-rounded individuals, the role of the education system in fostering cultural literacy stands paramount. By integrating cultural education into school curricula, we equip young learners with the knowledge and understanding necessary to appreciate and embrace the rich tapestry of our culture. Through an interdisciplinary approach that seamlessly weaves cultural elements into various subjects, students not only gain a deeper appreciation for their heritage but also develop critical thinking skills and cross-cultural competence essential for navigating today's interconnected world. For instance, incorporating Indian literature, history, and art into language and history classes not only enhances academic learning but also fosters a sense of pride and connection to one's cultural roots.

Furthermore, co-curricular activities play a vital role in complementing formal

IN THE VIBRANT TAPESTRY OF BHARTIYA CULTURE, CREATIVITY FINDS FERTILE GROUND FOR EXPRESSION AND INNOVATION. THE INTRINSIC CONNECTION BETWEEN CULTURE AND CREATIVITY SERVES AS A CATALYST FOR ARTISTIC EXPLORATION AND SELF-DISCOVERY AMONG YOUTH

education by providing immersive experiences that deepen cultural understanding and appreciation among youth. Art clubs, music ensembles, dance troupes, and language classes serve as vibrant hubs where young individuals can explore, create, and express themselves within the cultural context.

For example, participating in a traditional dance performance or learning to play a regional musical instrument not only hones artistic skills but also instils a sense of cultural identity and belonging. By offering a diverse array of such opportunities, institutions empower students to engage actively with their cultural heritage, fostering a lifelong love for learning and cultural exploration. The National Education Policy launched in 2020 has been a path-breaking step towards integrating cultural elements into the curriculum.

The emphasis on including Indian knowledge and traditional studies as an integral element has aroused curiosity and eagerness to learn more about our cultural heritage and traditions. It has also helped decolonise the education system and thinking.

In the grand vistas of our cultural heritage, the narrative of youth development emerges as a vibrant thread intricately woven with the essence of art, culture, and community. As we navigate the path towards a Vishwa Guru Bharat by 2047, it becomes evident that the vigour and dynamism of our youth hold the key to unlocking the nation's boundless potential. 📌

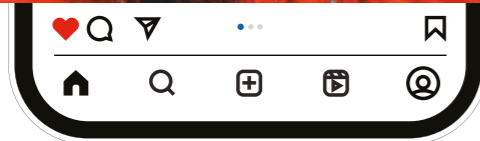
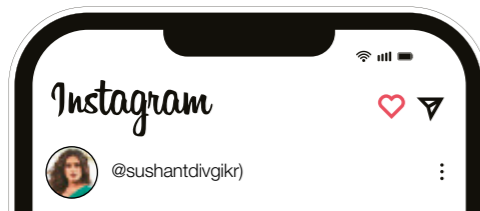
The author is member secretary, Indira Gandhi National Centre for the Arts (IGNCA)



HOW LGBTQIA+ STARS ROCK ON SOCIAL MEDIA

India's LGBTQIA+ community has created its own set of influencers. They are popular not just within the community but have become stars surpassing social boundaries. Some of them have featured in media campaigns launched by brands, while others have been recognised as authors, actors and advisors. Let us meet top LGBTQIA+ icons and learn how they influence people

NAINA GAUTAM



SUSHANT DIVGIKR

Instagram 3 Million

With a whopping following of three million on, Sushant Divgikr/Rani KoHENur is famous for his Instagram handle @sushantdivgikr. Divgikr won the Mr Gay India 2014 title and has participated in international singing competitions for drag performers, such as the Queen of the Universe. Divgikr is a trans singer, actor, psychologist and drag superstar and goes by the pronouns he/she/they.

Through his social media account, he has successfully captured the attention of audiences. Divgikr has also been featured in Forbes 30 under 30 Asia, 2020, and Forbes Top 100 Indian digital creators power list 2022. Divgikr has a hand and a heart for the community, with social media posts stating, "any homegrown, female-owned, LGBTQIA+ owned small to medium businesses that need free shoutouts". He also routinely discusses issues related to health and sanitation.

PHOTOS: INSTAGRAM



ALOK VAID MENON

Instagram 1.3 Million

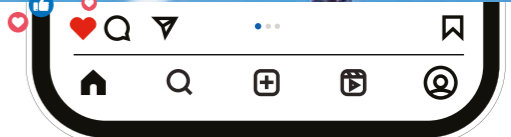
Alok Vaid Menon has a following of 1.3 million on Instagram and uses the they/them pronoun. Instagram handle is @alokvmenon. They are an actor, speaker, poet and comedian. Vaid Menon's social media posts revolve around gender, fashion, trans history, the sex binary and cross-dressing. Many fashion brands have also engaged with Vaid Menon. They have appeared on HBO, MTV, BBC, CNN and featured in *The New York Times*. Vaid Menon has an audience in over 40 countries on over 500 occasions and is one of the leading voices in the realm of ungendered fashion. They use a combination of art, fashion design, comedy, sound art, runway shows and social media to express views on gender, sexuality and the evolution of gender norms.



DUTEE CHAND

Instagram 1 Million

Dutee Chand has a following of one million on Instagram and is an Olympian, Arjuna Awardee and world gold medallist. Her Instagram handle is @duteechand. Chand holds the 100 meters record with a time of 11.17 seconds. When Chand came out as gay, her family did not take it kindly. She is the first Indian athlete to openly discuss her relationship and came out as queer in 2019. Chand frequently posts photos with her partner on Instagram. Additionally, she has participated in the Queen's Baton to raise awareness about homophobia in the Commonwealth countries. In an interview with the Press Trust of India, she emphasised the importance of creating a safe and comfortable environment for LGBTQIA+ athletes to be themselves without fear of persecution or harm.

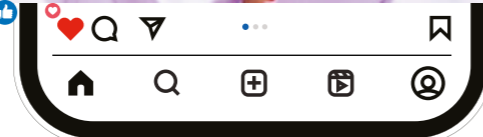
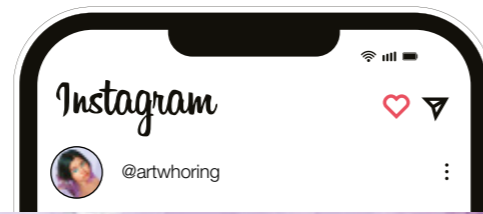
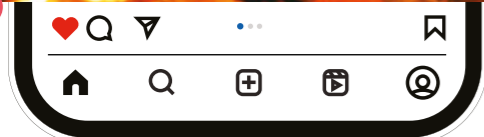
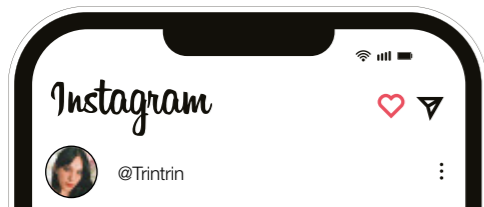




TRINTRIN

Instagram 400,000 +

Instagram handle @Trintrin, a.k.a. TrinetraHaldarGummaraju, goes with the pronouns she/her. She has a following of four lakh on Instagram. She is a transwoman and also doctor by profession. She has been seen in *Made in Heaven*, a popular series on OTT, which has raised awareness about the LGBTQIA+ population. She is the first transwoman surgeon in Karnataka. On her YouTube channel *The Trinetra Method*, she makes content that raises awareness on themes like gender and sexuality. 🏳️‍🌈



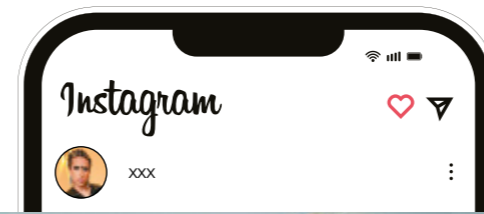
PRIYANKA PAL

Instagram 73,000+

Priyanka Pal's Instagram handle is @artwhoring and has over 73,000 followers. She is a writer, illustrator and self-taught poet. She often posts cryptic social media posts regarding gender, politics, fashion and caste. She has been part of Gucci's The Future is Fluid campaign in 2019. She also posts about body positivity and sexual freedom for women. Her Instagram illustration reads "Unnecessarily dug up roads mean elections are near!".

*"Like it physically pains me
To have to think of my body
And gender in any sort of congruence
That can be presented through any word
In the English dictionary, im afraid
But I must tell you
The binaries and the hierarchies of the world
Maintain this understanding
Of a very pushy painful incongruence,
it often feels like searing pain
to even think about it..."*

Such are her Instagram posts. 🏳️‍🌈



ANJALI CHAKRA

Instagram 250,000 +

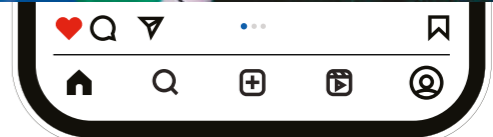
Anjali Chakra has a following of over 2.5 lakh on Instagram. Her pronouns are she/her. Instagram handle is @anjalichakra. Recently, she was in the news due to her breakup with her partner who hailed from Pakistan. She wrote on Instagram, "This may come as a shock, but our journey is shifting. We have decided to call off our wedding and end our relationship due to infidelity committed by Sufi." This made the lesbian relationship talk in every household and, in a way, raised awareness on how such relationships are also like any other relationship with fidelity and sadness as a given. 🏳️‍🌈



VIVEKSHRAYA

Instagram 35,000

VivekShraya is a trans artist model, actor, musician and author and works as an assistant professor for creative writing at the University of Calgary, Canada. She has written an award-winning book *I'm Afraid of Men*, which focuses on her childhood trauma as a girl. Her main focus is on music, literature, visual art, mental health, gender and sexuality. One of her Instagram post reads, "Being trans can often feel like a very lonely experience, and when we are made visible it is often not my choice, and just to be the targets of hate." 🏳️‍🌈





ASHOK ROW KAVI

FROM BADASS TO *BINDAAS* IN 30 YEARS, BUT MILES TO GO

The LGBTQIA+ movement has witnessed a tumultuous journey marked by several highs and a few gut-wrenching lows that have delivered a better, if not perfect, world for the community

I remember the shock and horror as I read the first article on Section 377 of the Indian Penal Code way back in 1991. Having founded the country's first gay magazine, *Bombay Dost*, I had commissioned the first piece on Section 377 and what it meant for the LGBTQIA+ communities. The author was the learned criminal lawyer Shrikant Bhat who also lectured at the Government Law College, Mumbai. Just to make sure that he was not misunderstood, Bhat added the disclaimer "I am a heterosexual" to his piece, reflecting how circumspect mainstream society was handling the subject. This was 1991.

His conclusions were clear: We were outright felons and deserved 10 years of rigorous imprisonment or life sentence. Buggery, sodomy or non-vaginal sex were criminalised, and all it needed was penetration to prove it, which ironically is also a gay obsession. That first article in *Bombay Dost* started a chain reaction in the nascent Indian LGBTQIA+ community. And it took decades to get it off the statute books. Well, not struck down but read down, which

GAY MAGAZINE BOMBAY DOST WAS GREETED WITH PARTICULAR INTEREST. OLDER GAY MEN WERE ASTONISHED TO SEE SUCH A MAGAZINE EXISTED AND DISCOVER THAT THERE WERE OTHER MEN LIKE THEM IN INDIA

meant consenting adults would be outside its ambit.

It would take a book to record the struggles of those years, including significant chapters on how the community's politics emerged from the underground to carry the fight out in the open, the goings-on in Parliament and the judiciary. So, I will cut to the chase and restrict myself to the main persona involved over the last three decades.

Before the LGBTQIA+ struggle, I had served as a documentation officer for the Bombay Municipal Corporation's unique project around Kamathipura's 22,000 sex workers, another socially stigmatised population. I had attended those intense International AIDS Conferences in Montreal in 1989, where it was unsettling to see gay men protesting the Reagan neglect of homosexuals who were dying like flies in San Francisco. Their protests mercifully were not entirely in vain, with the condition being renamed from GRID (Gay Related Immunodeficiency Disease) to HIV/AIDS. By the time I returned, half of my friends in San Francisco had died of AIDS.



Participant at an LGBTQIA+ parade

In India, it was the solitary couple of determined lawyers, the dashing Anand Grover and his wife Indra Jaisingh, leading the fight against the AIDS stigma and Section 377. The generally unflappable Anand Grover had hauled the Goa Government to court, outraged that his friend Dominic D'Souza had been socially shut out for being HIV positive. A furious Anand with the help of another friend, Dr. Ishwar Gilada, ensured his admission at the Breach Candy Hospital in Bombay. However, no nurse went near the room where Dominic was admitted, leaving him to die.

It was *Bombay Dost* again, which warned the gay community about HIV in its very first edition. The magazine's classified pages were greeted with particular interest. Older gay men were astonished to see such a magazine and discover that there were other men like them in India.

Anjali Gopalan of the Naz Foundation initiated the fight against Section 377, reaching out to Anand Grover's NGO, the Lawyers Collective, for help. The case was fought out in the Delhi Court, from where it went to the Supreme Court, which whacked it right back like a tennis ball. Finally, on July 2, 2009, Justice A.P. Shah gave the momentous judgement reading down Section 377. It was moving to see grown up men crying as they read the judgement in court though we knew it was not the end.

The notable fact was that the Delhi High Court had subtly interpreted and altered the Constitution in two respects. It had changed sex to also mean sexuality, and it had given a

THE DELHI HIGH COURT ALTERED THE CONSTITUTION IN TWO NOTABLE RESPECTS, CHANGING SEX TO ALSO MEAN SEXUALITY AND GIVING A NEW DEFINITION TO PRIVACY, ALONG WITH INTRODUCING THE CONCEPT OF CONSTITUTIONAL MORALITY

totally new and novel definition to 'privacy' itself, along with introducing a new concept called "Constitutional Morality". Few noticed it, but nearly everybody welcomed it. Anand had dug up evidence showing that homosexuality had historically flourished in India and had never been stigmatised as in Abrahamic religions.

The judgement came exactly a decade after I participated in India's first Pride walk in Kolkata, organised by my friends and comrades Owais Khan, Pawan Dhall, and Ranjan. The stars seemed to be smiling at us finally. But that was until the Delhi judgment was overturned by Justice Singhvi on December 11, 2013. This judgement was critiqued by many senior lawyers as unsustainable and likely to fail the test of review. And that is exactly what happened. On the "Day of Outrage" at Bombay's famous Maheshwari Garden, hundreds of the LGBTQIA+ community members rose against the judgement.

Grover and his assistant, Tripti Tandon, met the community leaders at the Constitution Club in Delhi and explained how they proposed to approach the Supreme Court for a review. They explained that very few Supreme Court judgements were ever overturned on review, but there was a slim chance, particularly because several progressive-minded judges had filled the chairs at the apex court.

In 2006, I started my job as a Programme Officer for the National AIDS Control Programme (NACO) at UNAIDS. My supervisor was Denis Braun, a Frenchman



whose passion for Indian culture was enough to give most Indians a complex. He suggested that I apply for a separate grant from the Global Fund to work with gay and transgender communities, which was an excellent opportunity. At NACO, we were lucky to have Sujatha Rao, who was a very hands-on Director General. Although sometimes referred to as “Fraulein Hitler” behind her back due to her tough approach, Sujatha Rao was a fantastic leader who balanced firmness with genuine care.

I still remember an argument with her about a special budget for lubricants in condoms. Shiv Kumar, the director of SWASTI, an NGO based in Bangalore, was clearly on my side. Sujatha Rao wanted the lubrication to be inside the condoms, while I advocated for separate sachets of lube bundled with the condoms. She retorted, “What if you guys do not use the lube at all?” “That’s why the lube needs to be inside.” In my view, separate lube sachets made



GETTY IMAGES

GAY AND MSM

In 1992, a few gay activists (including me) were invited to Geneva to sort out a strange puzzle. By 1990, it was clear that homosexuals (a word minted by an Austrian journalist-psychologist, Karoly Maria Kertbeny) were a highly vulnerable and high-risk group. The Global Programme on AIDS (GPA), which became UNAIDS, was not acceptable to most African and Asian States/Governments. Among them was India, which insisted that there were no homosexuals in the country. This homophobia had to be defeated (it still exists in most of Africa) before meaningful programmes could be included in the public health regimens.

After two days of heated debates, an uneasy consensus was achieved over the term Men-Having-Sex-With-Men (MSM), which was protested by some MENA (Mediterranean and North African) and Islamic Nations. They held that it

was not “sexual behaviour” but a “Sin under Sharia laws”. However, some countries in Asia, including India, had another problem. They wanted the term Males-Having-Sex-With-Males, to which I objected strenuously as it blurred the barrier between adults and adolescents.

Opposing me was the late Shivanand Khan, an Anglo-Indian activist from Naz London. After nearly a decade-long battle at Asian conferences, I tasted a great victory when the Indian government accepted my definition. However, services for the younger lot were not to be stopped; there was to be an extra layer of counselling to make them see the danger of same gender sex. Even today, if young boys are to be tested for STIs/HIV, you need a guardian to be present. The later-day Madras High Court intercession now also does not allow any sex change surgeries on youth below 18.

sense because they had to be applied on the condom’s surface to be helpful. As the argument dragged on, it became clear that Sujatha Rao knew little about how condoms are worn. When I said the lube also makes the area more conducive for penetration, she was horrified. “Look, I am not paying for your pleasure.”

Finally, I snapped: “Well, Sujatha Rao, all the people NACO deals with have sex for pleasure. No man goes to a redlight area to make babies. So there. Come on; the lube is a few million dollars well spent as it could encourage the communities to promote it with social marketing”. She was so stubborn that I went home and got drunk. She did not sanction that amount, and Shiv had to cut it out of the budget.

This is just one of my many clashes with NACO’s top brass, many of which I lost, notably the one regarding gay men and transgenders being turned away even from free blood donation camps because they were considered ‘high-risk’ donors. I had an issue with a question in the donor form that asked whether the donor had had any risky sexual encounters. If all men answered this question honestly, most of them would be ineligible for donation, I argued. However, I was outvoted, and unfortunately, even today, homosexuals are not allowed to donate blood.

I scored my biggest wins at the UNAIDS during the lunch hour, which was marked by open, often uproarious, discussions

about sex, sexuality and gender, some of which yielded results. For example, following arguments on circumcision and transgenders, UNAIDS changed its policy on toilet access to transwomen. That policy change was, however, reversed later after the women complained that most transgenders were pre-ops and did not clean the toilet after use.

It was a bit of a shock to return to Bombay. Although it was good to be back, I noticed a huge gap between the policies made in Delhi and their execution in the states. The community was in high spirits after the final Supreme Court judgement on September 6, 2018, regarding marriage equality. However, there were no coordinated petitions, community meetings, or consultations. Instead, there were screaming debates about appropriate pronouns and whether transwomen should be allowed to compete in men’s athletic events. The quality of discourse in the community had deteriorated, and there was cut-throat competition for press coverage and corporate lectures on diversity and inclusion. Unfortunately, tokenism was upending real representation, and the community efforts did not seem to resonate with the reality on the ground.

The Supreme Court judgement has specifically asked the government to educate people about sex, sexuality and gender, which would allow the LGBTQIA+ communities to pursue serious study

WE NEED ASHA WORKERS TO BE MORE SENSITIVE ABOUT FEMALE AND MALE SEX WORKERS AS GENDER RATIOS CHANGE AND MORE WOMEN JOIN THE WORKFORCE. ONLY AN LGBTQIA+ TRAINED CADRE CAN DO THIS

and research on these three subjects. Incidentally, these subjects have dedicated faculties in the world’s leading universities. The main academic centre for this could be the Institute for Research in Reproduction (IRR) in Bombay, which has the brilliant Dr Deepak Modi as part of its faculty. The Education Ministry must revise all medical textbooks which still refer to homosexuality as a perversion and a mental disease. The best brains in the LGBTQIA+ space need to be trained to handle the mental health epidemic, and it would be great to have someone like Zainab Patel starting a whole faculty on transgenders and their issues. We need teachers for police training colleges to stop the violence against gay men and transgenders, we need counsellors from within the PTAs to be attached to schools and colleges where they still think oral sex is kissing, and we need to ensure that there is no compulsory surgery on children till they are 18 years of age.

We need our Panchayat ASHA workers to be more sensitive about female and male sex workers as gender ratios change and more women join the workforce. I think only an LGBTQIA+ trained cadre can do this. We have miles to go, and I think India can take the lead. Our AIDS prevention programme is among the best-rated in the world, and it’s time the community picked up the baton. It is not can we but when will we. 📌

The author is a journalist and LGBT rights activist



→ INTERVIEW - JUSTICE ARUN KUMAR MISHRA

“SEXUAL AND REPRODUCTIVE HEALTH SHOULD NOT CARRY A STIGMA”

The National Human Rights Commission (NHRC) of India was established in 1993 under the Protection of Human Rights Act (PHRA), 1993, amended in 2006. The PHRA defines human rights as rights related to life, liberty, equality, and dignity guaranteed by the Constitution or international covenants, enforceable by Indian courts.

Arun Kumar Mishra, a former Supreme Court judge, chairs the NHRC. He is a former Chief Justice of the Calcutta and Rajasthan high courts. He was also a judge in the Madhya Pradesh High Court. In this conversation with **Rajiv Tikoo**, Justice Mishra talks about the status of the LGBTQIA+ community, the road traversed so far, what lies ahead and much more. Edited excerpts:

↳ What prompted NHRC to issue an advisory on Child Sexual Abuse Material (CSAM) on social media?

CSAM on social media is a new menace transcending boundaries that needs to be stopped to protect childhood and child rights, which is our primary duty. Trafficking and sexual abuse of children are the worst forms of crime. Children are being exposed to the production, distribution, or consumption of CSAM; it can have a

long-term psychological/mental impact on the child, causing hindrance to their overall development. We must prevent and curtail production and its distribution and reduce consumption. Prevention is the best approach. Misuse of cyberspace and more responsible conduct of ISP/intermediaries was felt necessary; hence, an advisory was issued.

↳ What are the legal gaps in laws concerning CSAM?

By and large, an extensive legal regime is in place. However, the term “Child Pornography” is outdated and does not encompass all forms of child sexual exploitation. It would be appropriate to adopt the term “Child Sexual Abuse Material” (CSAM) in Section 2(1) (da) of the POCSO Act, 2012. Additionally, the lack of a clear definition for “sexually explicit” under Section 67B of the IT Act, 2000, hinders the prompt identification and removal of online CSAM. This also delays legal processes.

The definition of “intermediary” under Section 2(w) of the IT Act, 2000 must include Virtual Private Network (VPN) service providers, Virtual Private Server (VPS) and Cloud Service Providers.

The punishment of imprisonment of up to seven years under Section 14 of the POCSO Act and Section 67B of the IT Act should be more stringent.

The time given for removing CSAM should be reduced to six hours from 36 hours in 3(1)(d) of the intermediary guidelines, 2021 to minimise damage.



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This will galvanise the legal procedure for prompt action against those involved in the peddling of CSAM. There is an absence of harmonised laws across jurisdictions, which is crucial as CSAM is an international issue.

The UN must adopt a Draft Convention on ‘Countering the Use of Information and Communications Technologies for Criminal Purposes’, which addresses CSAM and cyber grooming.

↳ How can training of officials and offering support to survivors of sexual abuse be made more effective, considering that most of us come from the same ecosystem that perpetuates the status quo of exploitation?

Rapid action is the answer, not the status quo. Every development of technology is for good and is also misused for negative purposes. We have to constantly upgrade combat mechanisms. Each state/UT must have at least one Specialised State Police Unit in CSAM. Sensitisation, skill development, and comprehensive training are required to handle CSAM cases effectively. Establishing a CyTrain portal with the latest detective and investigative technology is also necessary.

We must focus on awareness programmes in educational institutions to help detect and prevent CSAM early, thereby making children, parents, and teachers proactive participants in the process.

We need a cyber curriculum about cyber safety and the legal implications of cybercrimes to create an informed and vigilant community. Providing psychosocial care and support services to survivors is also essential to the healing process.

↳ How do we ensure that specialised law enforcement teams investigate CSAM crimes to cater to the most vulnerable groups in remote areas?

For that, we need mobile outreach units dedicated to remote regions that provide support, education, and assistance related to CSAM issues.

We need technological accessibility and reporting mechanisms, regular monitoring and evaluation, community engagement programmes and localised cultural sensitivity training programmes, along with collaborative partnerships with local civil society organisations and authorities and resource allocation considering the unique challenges faced by remote communities.

LGBTQIA+ CANNOT BE DISCRIMINATED AGAINST. THEY ARE ENTITLED TO EQUAL PROTECTION OF HUMAN RIGHTS. THEIR RIGHT TO DIGNITY AND PROPERTY RIGHTS SHOULD BE PROTECTED



➤ **What are the legal gaps in regulating internet websites to monitor and block CSAM content online, and how can these be addressed?**

Such crimes germinate often across the border. As such, international data sharing remains a challenge due to varying data protection laws and jurisdictional issues. A uniform format for data requests to streamline collaboration between law enforcement and intermediaries is needed. There are privacy and encryption concerns. The cooperation of intermediaries is required. One of the challenges to regulatory compliance is the prohibitive cost of technology for the proactive detection of CSAM for smaller platforms with limited resources.

We need to strictly enforce accountability mechanisms for intermediaries who fail to meet removal deadlines. Moreover, VPNs must be regulated.

Enabling Artificial Intelligence (AI) to detect CSAM before uploading must be made mandatory. Intermediaries should share information regarding CSAM with National Crime Records Bureau (NCRB)/ any other GOI-mandated authority. ISPs should maintain the history of internet connection for at least one year. We must ensure that ISPs comply with the Notification dated April 28, 2022, issued u/ Section 70B (6) of the IT Act.

➤ **What is your broad assessment of laws and their implementation on themes like inclusion, equity, awareness, consent, and protection?**

India's policy initiatives of affirmative action for marginalised communities and social and economic empowerment schemes demonstrate commitment to addressing historical injustices and fostering inclusivity.

Development should be human-centric and inclusive; the upliftment of marginalised classes by affirmative measures is envisaged in Articles 38 & 39 of our Constitution. Unfortunately, the benefit of reservation has not trickled down to the lowest rung within the reserved class, which requires immediate attention. Fruits of progress should be equitably distributed. Distributive justice is need-based to ensure that no one is left behind. We must create awareness in far-flung areas, particularly in vulnerable classes and children from low socio-economic classes. Awareness and protection go together. Digital awareness

has increased, which is vital, yet more measures need to be taken to ensure fair and safe use.

Consent should be well-informed, based on proper understanding of consequences, and it should be fool-proofed against misuse, particularly in the context of the vulnerable and specially-abled.

➤ **How do you see the legal regime for LGBTQIA+ issues unfolding in the future?**

LGBTQIA+ rights must be protected. The NHRC, India has issued a detailed Advisory in this regard on August 15, 2023, to the Centre, States and Union Territory Administrations. LGBTQIA+ cannot be discriminated against. They are entitled to equal protection of human rights. Their right to dignity and property rights should be protected. However, by way of equality, we should not transversely impose views that may not align with the prevailing pre-existing norms and try to change how communities have co-existed for centuries. Existing laws give LGBTQIA+ total protection and equality, which is essential. Implementation of the legal provisions on the ground for their welfare has to be further strengthened.

The commission recognises their primary concern that despite legal advancements, they continue to grapple with discrimination in employment, healthcare, and social services.

We have recommended in our advisory several measures for the welfare of transgender persons, including treating a single transchild of a deceased government employee or pensioner as an unmarried daughter for the family pension and other benefits, allowing them to inherit ancestral agricultural land, besides the inclusion of third gender in civil services jobs; free sex reassignment surgery in government hospitals and grant for the same; separate washroom for the transgender persons in all public places, etc.

➤ **You have focused on the improvement of legal education. What about also focusing on sexual and reproductive health from a legal point of view?**

Women's sexual and reproductive choices directly fall under the right to life and privacy, as recognised under Article 21. The woman must determine whether or not her health permits pregnancy and its frequency. She is not a childbearing machine. She should be the final arbiter

of whether to carry the pregnancy. Sexual and reproductive care needs to be extended to trafficked girls forced into prostitution, who are especially vulnerable and require protection by law.

In 2018, a national study into sexual and reproductive health was undertaken by the NHRC into health services, HIV/AIDS prevention, maternal health, contraception, abortion, child marriage and gender-based violence.

During COVID-19, the commission issued an advisory on "sexual and reproductive health rights of women" and recently issued an advisory on the welfare of truck drivers from the perspective of sexual health issues. Sexual and reproductive health should not be neglected and carry a stigma. Reproductive health and family planning for all are a must. We have moved closer to achieving equal access and accessibility in this field, which is satisfactory.

➤ **NHRC's priority areas include eradicating all forms of violence and discrimination against women and children; reproductive health of women: eliminating child pornography; juvenile justice, human trafficking; LGBTQIA+; and HIV/AIDS. Where does India broadly stand on having relevant laws and policies and their implementation?**

India has laws in place, and we are pioneers in several fields. However, challenges persist in effectively implementing the laws/policies to address disparities and protect marginalised and vulnerable groups. Collaboration among government agencies, civil society organisations, and other key stakeholders is essential. We are progressing satisfactorily in the right direction.

➤ **Another priority area is ensuring the right to water, sanitation, and hygiene (WASH), especially for women. While India has made significant progress in this area, what more needs to be done from a rights-based perspective?**

The fundamental right to water and sanitation is acknowledged as essential for achieving all other human rights. The NHRC has published booklets on it. The Swachh Bharat Mission (SBM) campaign "Satyagraha se Swachhagraha" has significantly changed India's sanitation habits.

Women are among society's most vulnerable members, and their participation in leadership and decision-making can yield positive outcomes. While we are

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making progress towards a brighter future, it is crucial that we prioritise issues such as water harvesting, groundwater management, and contamination. The best way to address these challenges is through community-based awareness campaigns on various platforms, including popular media. Since every society faces local and regional challenges, this is an ongoing process that requires continuous effort.

➤ **What about drug abuse and other issues of concern?**

We need to address issues of drug abuse in young people, student suicide, and mental health issues. As the process for the general election has begun, parties should evolve a consensus to stop freebies, particularly to those not entitled to need-based distributive justice. The resources for development are limited and should be used systematically for the nation's development. 📌

INDIA HAS LAWS IN PLACE, AND WE ARE PIONEERS IN SEVERAL FIELDS. HOWEVER, CHALLENGES PERSIST IN EFFECTIVELY IMPLEMENTING THE LAWS/POLICIES TO ADDRESS DISPARITIES AND PROTECT MARGINALISED AND VULNERABLE GROUPS



→ COLUMN

**RAVI BHATNAGAR**

DIRECTOR, EXTERNAL AFFAIRS & PARTNERSHIPS, RECKITT, SOUTH OF ASIA - SOA

THE word 'consent' is probably the most widely misunderstood word in India. Blame it on the lack of comprehensive sex education, starved of factual knowledge leading to uninformed children and young adults. A problem magnified since they grow up on a diet of fiction propagated by Bollywood movies, leading to distortions that essentially mould social attitudes and behaviour. For example, a woman's 'no' is unwittingly mistaken for a coy expression of 'yes', mirroring the skewed representation of courtship in the films.

Indeed, in Bollywood's romantic phantasmagoria a woman's refusal is portrayed as an essential and often the most celebrated part of elaborate courtship dramas, a flirtatious prelude to a yes. With deficient education blurring the lines between reel and real life, such narratives have gained ground perilously and turned into widely held social beliefs. As a result, just like on the silver screen, many believe that aggressive courtship when persisted with results in the triumph of 'true love'.

The acceptance of such narratives obfuscates the very essence of consent. Without a doubt, the prevalence of these misconceptions is at the root of gender-based violations, underscoring the need for schooling the young about sexual

rights starting at the early stages of formal education as part of their curriculum.

Education can recondition minds and reshape patriarchal attitudes towards consent and a whole gamut of gender-related issues. It can help foster healthier and happier societies that cherish respect for boundaries and uphold a woman's inalienable right over her body. Also, it can empower students to make informed choices about their relationships based on respect.

Furthermore, well-structured and effectively imparted sex-education can avert sexual assaults by inculcating in the students a respect for boundaries and creating awareness of their legal rights. Textured holistically into subjects like social studies and moral science, age-appropriate sex education can begin right at the primary level, with basic lessons on personal boundaries and respect. As students graduate, the class curriculum can expand to include more complex topics like mutual consent, healthy relationships and sexual rights.

Needless to say, the success of such courses will rely critically on how they are conducted in the classroom, underscoring the need for teachers equipped to handle

THE CONSENT CURRICULUM DEVELOPED BY DUREX IN PARTNERSHIP WITH THE GOVERNMENT OF INDIA IN ALIGNMENT WITH THE NATIONAL CURRICULUM FRAMEWORK STANDS OUT AS AN EXEMPLARY INITIATIVE. THIS GENDER AND AGE-NEUTRAL CURRICULUM HELPS STUDENTS UNDERSTAND CONSENT WITH THE AID OF CARTOONS, PODCASTS AND MURALS



these sensitive subjects with care and accuracy. There are professional development programmes that can endow teachers with the skills they need to create an open and reassuring classroom environment that encourages students to voice their concerns, ask questions, listen, debate, discuss and understand. This process must engage parents as well to ensure that consent education does not remain confined to classrooms and is reinforced at home as well.

To ensure its inclusiveness, the curriculum must cater to diverse experiences and perspectives from across the spectrum, including the LGBTQIA+ community. Such recognition and validation of varied experiences can engender a society that is not only inclusive but tolerant and accepting.

On another front, governments must work collaboratively to craft policies that mandate comprehensive sex education in schools. Also, they must recognise its importance and allocate resources accordingly. Public awareness campaigns designed to dispel myths and propagate the importance of consent education can significantly contribute to the success of these government efforts. Co-creating course structures and campaigns with stakeholders in the education and the private sectors can yield rich dividends.

In this context the consent curriculum developed by Durex in partnership with the Government of India in alignment with the National Curriculum Framework stands out as an exemplary initiative. This gender and age-neutral curriculum helps students understand consent with the aid of cartoons, podcasts and murals. To expand its reach and mainstream conversations around consent, Durex has rendered the keynotes of the curriculum into a Bollywood-style music video. Roping in film stars as advocates for consent boosts the impact of the message.

Integrating comprehensive consent education into school curricula can promote respect, empower individuals and pave the way to building a safer, healthier and more equitable society based on mutual respect. The ripple effects of such a step could contribute to curbing gender-based violence, promoting mental health and fostering a culture of mutual respect and equality. By giving sex education the attention it clearly deserves, India can empower its youth and usher in a future based on respect, equality and body autonomy.

TIME WE SAID 'YES' TO 'NO'

The widespread misconception about consent in India, robbing women of their bodily autonomy, distorting relationships and reinforcing gender biases, is a clarion call for the country to promote consent curriculum beginning with schools



→ COLUMN

RODERICO H. OFRIN



SMART INVESTMENTS IN YOUTH LEAD TO RICH DIVIDENDS IN ADULTHOOD

India is driving change by strengthening comprehensive primary health services to provide preventive, promotive, curative, rehabilitative and palliative care services to communities close to where they live

GIVING

priority to the well-being of young people is both a moral imperative

and a strategic investment in the future prosperity, stability, and resilience of countries and societies worldwide. Globally, 1.8 billion people are between the ages of 10 and 24 years, and India is home to the largest youth population. This means more than 250 million young people will enter the workforce in India over the next decade. But only when they are healthy and happy can they truly understand themselves and their aspirations and fully contribute to their personal growth and the growth of the nation.

There is power in numbers. This young cohort is an invaluable asset, and investing in their health and well-being will play a critical role in achieving the country's economic growth and development goals. While there are many pathways to support adolescents and young adults reach their full potential, focusing on some specific, measurable, achievable, relevant and time-bound (SMART) goals can create an enabling environment for young people to thrive. Global evidence needs national action.

A study published in *The Lancet* shows that investing \$4.6 (around Rs 380) per person per year in interventions addressing the

physical, mental, and sexual health of adolescents yields ten-fold returns on investment.

Promoting Mental Health

Adolescence is a time of self-discovery and forming one's identity. Many young people struggle with questions about who they are, what they want from life, and how they fit into society. For many, the stigma surrounding mental health and limited access to resources are barriers to seeking mental health support and accessing services. Urgent attention is needed to dismantle these barriers through social awareness and integration of mental well-being into school health programmes and comprehensive primary healthcare services. Addressing these challenges is pivotal for nurturing a generation equipped to navigate life's complexities with resilience and grit.

While various factors, such as family dynamics, socio-economic status, cultural background, and personal abilities, play a role in building resilience, a supportive environment is a great enabler for young people to overcome obstacles and realise their full potential. Investing in their mental well-being leads to social and economic cohesion, increased productivity, and prosperity for communities, nations, and the world. Tele MANAS is one such toll-free

SEXUAL AND REPRODUCTIVE HEALTH SERVICES AND PROGRAMMES NEED TO BE REPOSITIONED TO MAKE THEM MORE APPEALING AND ACCESSIBLE TO YOUNG PEOPLE

service that provides counsellor support in multiple languages while maintaining confidentiality and patient anonymity.

Reproductive Freedom

The number of people in need of reproductive health services in India is higher than ever and will continue to rise. Sexual and reproductive health services and programmes need to be repositioned to make them more appealing and accessible to young people. Linking reproductive health with social and economic freedom and framing it as an empowering choice will foster autonomy. This step will ensure that young people seek services to seize opportunities for shaping their future actively.

India must continue investing in education to provide quality education and skilling opportunities for both girls and boys. Interventions outside of the health sector to reduce dropouts from school and child marriage yield an almost 5.6-fold return on investment for every dollar. Investing Rs 1600 per person per year to increase the extent and quality of secondary education generates economic benefits about 12 times higher, and results in an additional 12 million jobs in the organised sector for 20–24-year-olds.

Harnessing Digital Health

Digital health and data-driven policies and programmes are gamechangers. India's 2023 G20 presidency prioritised advancing digital health innovations and solutions for universal health coverage. Digital

LINKING REPRODUCTIVE HEALTH WITH SOCIAL AND ECONOMIC FREEDOM AND FRAMING IT AS AN EMPOWERING CHOICE WILL FOSTER AUTONOMY


platforms serve as a vital resource for health awareness, breaking stigma, and providing personalised guidance.

With increased smartphone penetration, telemedicine and the ever-growing popularity of health apps, access to information and support is becoming widespread. It empowers adolescents to discreetly manage their physical and mental health and seek information anonymously. Educational resources, mental health tools, and teleconsultations bridge gaps in healthcare accessibility. Connecting clinical and preventive services with ABHA cards ensures timely care and reaches young people wherever they are. Technology not only enhances health literacy but also fosters a proactive approach to well-being, catalysing a positive shift in promoting the health of this generation of digital-savvy adolescents and millennials.

Health Promotion

With Noncommunicable Diseases (NCDs) affecting millions and becoming a leading cause of death and lowered productivity worldwide, the lifestyle choices in this decade will shape the nation's future disease burden. The obesity rate in India for 5–19-year-olds was 3.1% for girls and 3.9% for boys in 2022, which was a sharp increase from 0.1% and 0.2%, respectively in 1990, according to a study published in *The Lancet*. This makes it imperative to promote healthy habits and choices early on to lower the risk of NCDs and other lifestyle-related diseases.

India is driving change by strengthening comprehensive primary health services, with more than 163,000 primary healthcare facilities operationalised as Ayushman Arogya Mandirs (formerly called Health and Wellness Centres) to provide preventive, promotive, curative, rehabilitative and palliative care services to communities close to where they live. Existing services have been expanded, with specialised clinics for reproductive and child health and diagnosis of management of noncommunicable diseases (hypertension, diabetes, and screening for oral, breast and cervical cancers), among others.

India's demographic dividend is yet to peak (it will be around 2041), which gives us a window of opportunity to harness this potential to boost the country's social and economic prosperity as envisioned under India's recent G20 presidency and Y20 commitments. 

The author is World Health Organization Representative to India



→ COLUMN

MICHIKO MIYAMOTO

DIVERSITY AND INCLUSION ARE THE FUTURE OF WORK



Other than equipping the youth with social and technical skills needed to navigate highly disruptive workplaces, organisations and governments would need to foster a culture of lifelong learning and eliminate gender and other discriminations to secure their future

In every generation, the youth inherit a world fraught with new challenges and opportunities that they must navigate deftly to create systems that work for them. This also holds true for the youth of the current generation, with the added caveat that they are living through a time of unprecedented social, economic, political, demographic and digital changes.

Despite this backdrop, youth enter the complex world of work with boundless energy, enthusiasm, and ambition to advance their careers and make meaningful contributions that lay the foundation for the rest of their professional lives. However, this momentum needs to be maintained to see them through their ambitions until the end of their careers, navigating the crests and troughs, especially when met with inequity and other challenges.

Hundreds of millions around the world suffer from discrimination in the world of work, which not only violates their fundamental human rights but has wider economic consequences, like widening the chasm of inequality. The International Labour Organization was founded on the principle of social justice as the basis

MILLIONS OF WORKERS SUFFER DISCRIMINATION WORLDWIDE, WHICH VIOLATES THEIR FUNDAMENTAL HUMAN RIGHTS AND HAS WIDER ECONOMIC CONSEQUENCES, LIKE WIDENING THE CHASM OF INEQUALITY

for universal and lasting peace, which in itself is premised on the equality of opportunity and non-discrimination. Being the United Nations' normative agency, these have further been enshrined in the International Labour Standards that form the core conventions through the equal remuneration and non-discrimination conventions.

These promote the elimination of intersectional discrimination, including discrimination based on gender, race, ethnicity, and disability, and the creation of workplaces that are fair for everyone while ensuring equal pay for equal work, regardless of the person's gender, race, and physical abilities.

Diversity and inclusivity have become essential considerations for organisations in the last decade, as even the ILO's *Transforming Enterprises through Diversity and Inclusion* report from 2022 has shown they are associated with greater productivity, innovation, and workforce well-being.

The past decade has also witnessed an uncertain job market and the prospect of flexi hours that allows for multiple careers, both pressing realities confronting

youth today. As the future of work takes shape, there is also a tremendous thirst for entrepreneurship and freelance work, which, in addition to technical skills, require creative skills and an innovative bent of mind. At the same time, the rise of digitalisation and artificial intelligence has made certain jobs obsolete.

The ILO and the International Organisation of Employers (IOE) undertook a study in 2019, *Changing Business and Opportunities for Employer and Business Organisations*, to ascertain the changing trends and seek new opportunities for employer and business member organisations. Among the megatrends of technological innovation, demographic shifts, and climate change, the global shortage of skilled labour emerged as a significant trend shaping the world of work. This highlights the importance of upskilling and reskilling, which strengthens one's capacity to navigate in the uncertain world of work, not just vertically in the same sector but also horizontally across multiple industries and in various work modalities.

Skilling enhances ownership in one's career. However, technical skills can only take a person so far. Given the practical considerations in any job, most of the tasks in the workplace also require core skills that relate to how well-adjusted people are in their environment and their ability to regulate their thoughts, emotions and

DIVERSITY AND INCLUSIVITY (D&I) HAVE BECOME ESSENTIAL FOR ORGANISATIONS IN THE LAST DECADE, AS EVIDENCE SHOWS THAT D&I LEADS TO GREATER PRODUCTIVITY, INNOVATION, AND WORKFORCE WELLBEING

Inclusion is an important lever in empowerment and feeling a sense of belonging, as employees need to feel valued, respected, and fairly treated through inclusive business practices, organisational culture and leadership

behaviours. These skills, related to social and emotional aptitude, are demonstrated in their motivation to learn, how well they can work in a diverse team, manage differing expectations and communicate with emotional intelligence, especially when challenged by someone from a different background.

The core skills are what enable a person to assimilate the world of work and the world at large. Inclusion is an important lever in empowerment and feeling a sense of belonging, as employees need to feel valued, respected, and fairly treated through inclusive business practices, organisational culture and leadership. The symbiotic relationship between technical and core skills constitutes lifelong learning, which is a key enabler of human development and decent work.

The pandemic exposed the cracks in the world of work and opened the opportunity to build better, more resilient systems that withstand future economic shocks and also safeguard workers against them. Making diversity and equity a tangible representation in the workplace and fostering a culture that advocates for lifelong learning then become essential cornerstones for the workplaces going forward to ensure the aspiring youth can make the best of their potential. ■

Michiko Miyamoto is Director, ILO DWT/CO-New Delhi

A RIGHT IN THE MAKING

Though the Supreme Court disappointed the LGBTQIA+ community on the issue of civil union, it hopes that the recent announcements by the Indian National Congress, CPI(M) and BJP will pave the way for a legislative solution to its rights

NAINA GAUTAM

In October last year, the Supreme Court shocked the groups fighting for the rights of alternative sexualities in the country when a five-judge bench, headed by Chief Justice D.Y. Chandrachud, unanimously held that the LGBTQIA+ people were not entitled to be legally wedded under the Constitution. The activists did not find comfort in the fact that a five-judge bench delivered four separate judgements on the issue since a thread of unanimity ran through all of them despite the differences.

The LGBTQIA+ community had pinned its hopes on the Supreme Court after it won a long-drawn legal battle to decriminalise consensual non-binary sex, which had faced stiff resistance in the government and lower courts. The community feels that a right to civil union would have given it access to civil rights that are denied to them by default.

Two years after the court read down Section 377 of the Indian Penal Code, which stands replaced now, in September 2018, a report *Queering the Law: Making Indian Laws LGBTQIA+ Inclusive* commented on the difficulties that the community continued to face in accessing the rights given to them by the court. In its introduction to the chapter on identification documents, the report states, "Identity documents are essential for accessing an array of rights and benefits. But updating them can be very difficult, particularly for transgender persons. Procedures for doing so are complicated, and officials in the process may often

discriminate against queer persons."

For example, basic documents like the Aadhaar card, the PAN card and the passport require applicants to choose from either male, female or transgender. There is no place for other genders—there are 72 of them. Considering the fact that each of these government documents is processed by a separate department, the cost of amendments in terms of procedures, time and energy will be huge. And, this is just one of the several chapters in the manual.

Despite the decision against civil union of the community members, the



Prof. Prateek Raj,
IIM Bangalore: Pink
economy set to grow



judges acknowledged the difficulties the community members go through in society and government offices. All the judges directed the Centre to form a committee to examine the entitlements of the queer community.

The central government has formed a six-member committee to look into the problems of the queer community. The committee has its task cut out. Accessibility to goods and services should not be difficult for the community, social welfare schemes access should be smooth and they should not face any violence or threat. Additionally, the queer people should not face any non-voluntary medical surgeries or treatments. Mental health is also part of the committees' mandate.

Political Momentum

The Supreme Court judgement underlined the fact that Parliament should play an active role in addressing the civil rights, including of union, of the LGBTQIA+ community.

In the run-up to the General Election, the Indian National Congress included

the concerns of the community in its election manifesto. It read: "After wide consultation, [the] Congress will bring a law to recognise civil unions between couples belonging to the LGBTQIA+ community."

Laxmi Narayan Tripathi, a renowned transgender activist, looks at this development in a positive light, saying, "The decriminalisation of consensual sex in the queer community has given a confidence boost to the community. It has brought in a lot of supportive action. Now we see that the Congress has said that when it comes to power, it will look into the civil union in the queer community." Tripathi, however, cautions that defining categories of individuals within the queer community who could marry or enter into a civil union will pose a challenge.

The CPI(M) is the other party that has decided to act on the Supreme Court's suggestion and give rights to the queer community through the parliamentary route.

BJPs' Sankalp Patra too states, "We will expand the network of Garima Grahasthans to cater to the needs of transgender



SHUTTERSTOCK

DESPITE THE DECISION AGAINST CIVIL UNION OF THE COMMUNITY MEMBERS, THE JUDGES ACKNOWLEDGED THE DIFFICULTIES THE COMMUNITY MEMBERS GO THROUGH IN SOCIETY AND GOVERNMENT OFFICES



individuals. We will issue identity cards to ensure their recognition nationwide. Furthermore, all eligible transgender individuals will be covered under the Ayushman Bharat Yojana.”

Stuck in the Closet

Queer activists believe that the issue of same-sex marriage solves everyday problems beyond being a right of dignity. Manvendra Singh Gohil, who is associated with the erstwhile princely state of Rajpipla in Gujarat in a titular capacity and is a LGBTQIA+ rights activist, says, “Conferring same sex marriage rights on the LGBTQIA+ community means giving basic human rights to them. These are fundamental rights provided by the Constitution, where

all citizens of India—irrespective of their caste, creed, race, religion and sexual orientation—have equal rights to marry, love and live with loved ones.” Gohil came out as gay several years ago.

Talking about the challenges that the community faces, he says, “In the absence of a legal right to marry, we are not able to open joint bank accounts; we cannot have a nominee of our spouse and we cannot own properties together. We have no inheritance law in place.”

However, recognising same-sex marriages as legal is a necessary but not sufficient condition to give the community these rights. The Supreme Court has already made that clear. Gujarat High Court advocate Aaditya Bhatt, who is the co-founder of Bhatt and Joshi Associates, a full service law firm, says that the subject of inheritance is dealt with exclusively by the personal and family laws of different religions in India. “However, a problem arises in determining rightful ownership of such couples’ properties in case of succession,” he adds.

“While the Special Marriage Act, 1954, has created a feasible scope for succession, individuals are still hesitant to register under the act. This is because most religious segments in India give high importance to their respective personal laws of succession; and the prospect of giving it away compels them to disregard the act,” according to the firm. During the hearing of the same-sex marriage cases, the Supreme Court bench observed that there were several statutes governing various rights consequential to marriage.

M.R. Shamshad, a Supreme Court advocate, says, “The Special Marriage Act is a way to facilitate the marriage of a heterosexual couple coming from different backgrounds, including religion. A Hindu, Jain, Buddhist and Sikh person will still not be deprived from the HUF [Hindu Undivided Family] status and succession of property. If this marriage is not a valid marriage as per Hindu Marriage Act, how will one resolve the issue of inheritance?”

Similarly, if Muslims or Christians marry under this act, their status for claiming succession from their parents will remain intact in view of the Caste Disabilities Removal Act, 1850 despite the fact that inheritance in Muslims is governed by their personal laws and it prohibits such marriage. The challenge, however, will be to the inheritance rights of a partner in this marriage or their [the couple’s] adopted child, Shamshad observes.

Beyond inheritance, same-sex couples seek solution to other issues too but they may not get fortunate. “There are many issues that we are facing, especially those who are married and have their spouses outside the country. They have a lot of difficulty in travelling to India. In the case of a heterosexual couple, the foreign spouse can get an OCI passport. But in our case, that is not allowed,” says Gohil, talking about the problem in getting overseas citizen of India papers.

Additionally, in certain cases, legally married couples in India can file taxes jointly, avail tax benefits by adjusting taxable assets between each other, get inheritance rights, medical insurance, disability and other social security benefits.

Power of Pink Economy

Another argument in favour of recognition of same-sex marriages is that it will boost the pink economy, the business generated in the country by the LGBTQIA+ community.

Prateek Raj, assistant professor of strategy at the Indian Institute of Management, Bangalore, says, “The pink economy is going to expand and become more salient in the 21st century, as queer people are more assertive about their freedoms today than before, with or without the legally sanctified freedoms.”

A paper, titled *Pink Capitalism: Perspectives and Implications for Cultural Management* by Lorenzo Yeh, states that the pink capitalism wave is intensifying and will influence local businesses. The digitalisation of business and social media is also affecting the field of pink capitalism which gives a number of business opportunities to LGBTQIA+ in “virtual reality”.

Anjali Byce, chief human resource officer at Sterlite Technology Limited, says that LGBTQIA+ consumers and allies represent a significant market segment. “By adopting an LGBTQIA+ friendly office policy, companies can connect with this consumer base, build brand loyalty and tap into new market opportunities. Inclusive environments foster diverse perspectives and experiences, which can spark innovation and creativity,” she adds.

Niccolo Nitti, global head, people and organisation at Novartis Corporate Centers, says, “When individuals feel accepted and valued for who they are, they are more likely to experience higher job satisfaction, overall well-being and increased productivity.” The company claims to have supportive policies like gender-neutral parental leave and an inclusive insurance policy.



Hoping for More

Raj from IIM, Bangalore, observes that legal recognition of gender equality and women rights paved the way for women entering and participating in the mainstream of the global economy. “Similarly, recognition of queer rights will pave the way for the integration of queer people into the mainstream. Such integration is essential, and marriage equality is a necessary step in that integration,” he says.

However, if the community’s experiences after the Supreme Court verdicts on transgender rights and Section 377 are a yardstick, it will take much more for them to get the rights that they seek. It is to be seen when will the world dominated by black and white make space for rainbow colours. 🏳️

⬆️
Laxmi Narayan
Tripathi:
Decriminalisation
of consensual
sex acted like a
booster shot

Prince Manvendra
Singh Gohil: LGBTQIA+
members need same
sex marriage rights



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→ INTERVIEW - MOHAMMED ASIF AND DR KOMAL GOSWAMI, PLAN INDIA

“ TBBT HAS PUT YOUTH AT THE CENTRE OF THE DISCOURSE ”

Mohammed Asif is Executive Director and Dr Komal Goswami is Chief of Party at Plan International (India Chapter). While Asif leads the organisation's initiatives in welfare and development for children and equality for girls and women in India, Goswami leads the purpose-driven initiatives of Reckitt executed through PLAN India. In an interview with **Naina Gautam**, they talk about The Birds and Bees Talk (TBBT) initiative, the opportunities, the achievements and the challenges so far. Excerpts:

↳ How has the Sexual and Reproductive Health and Rights (SRHR) narrative developed in the country?

Mohammed Asif: Sexual reproductive health rights and services (SRHR) is an integral component of public health and wellness; and the Government of India through its Rashtriya Kishore Swasthya Karyakram (RKSK) is doing much in this domain. Several civil society organisations and CSR partners, including Plan India and Reckitt, have joined hands with the government

to achieve the outcomes of the RKSK programme.

Among other things, the RKSK emphasises on improving knowledge, attitudes and behaviour of adolescent and young girls and boys on sexual and reproductive health, promote menstrual hygiene for all girls and reduce teenage pregnancies. It aims to establish adolescent-friendly health facilities for improved and quality youth and adolescent-friendly SRHR and HIV services that are accessible, affordable, acceptable, equitable, appropriate and effective.

Komal Goswami: SRHR is not merely about imparting biological knowledge; it is an approach that nurtures gender equality, challenges harmful societal norms, and promotes respect for diversity. India has long been celebrated for its progressive attitudes towards sexuality and gender. The temples of Khajuraho, the Kandariya Mahadev Temple stand as enduring testament to India's approach to sexuality education. Narratives of Ardhnarishvara and Shikhandi provide further insight into India's progressive stance.

Nevertheless, in the present day, implementing SRHR education in India has not been without its challenges. We continue to struggle in some of the educational systems, facing ongoing obstacles despite efforts to integrate it.

↳ What about TBBT?

Mohammed Asif: TBBT is pivoted on pillars like inclusion, consent, protection, equity, awareness. The approach has yielded clear outcomes for adolescents and youth, including engaging the school managements and local communities in the North-Eastern States. Being one of the largest adolescent and youth-centered CSR programmes in the North-East, more than 200,000 programme participants have improved health and wellness. We are thankful to Reckitt and commend its leadership for the gracious support that enables us to continue working with large numbers of girls and boys and

deepen their understanding and actions to improve their health and achieve their full potential in our country.

Komal Goswami: TBBT aligns perfectly with the National Curriculum Framework, adhering to the guiding principles of the Adolescence Education Programme (AEP) framework. It introduced 'Healthier, Happier and Smarter Adolescents' (HSA) the first-of-its-kind life skills curriculum in India for adolescents aged 10-14 and 15-19. This two-part curriculum comprises 27 lessons plans about growing up, sexuality education and life skills.

The curriculum is carefully designed after focused group discussions with adolescent students, educators and parents and takes into consideration the needs of all the stakeholders. It equipped adolescent students with knowledge and skills to help them make informed decisions; show resilience; stay healthy; and channel their curiosities in the right direction.

↳ What is the significance of SRHR?

Mohammed Asif: It is significant because it is not only about health and wellness but it is also about the larger space, the social and economic concerns that emanate from the deficiency in that space.

Early marriage, which is a very important concern within the SRHR question, has huge implications for not just the child who gets married but also for the offspring which eventually puts a lot of strain on the public health system. So, simple information-sharing with communities to delay the age of marriage can yield massive dividends for the country and the public health system which could focus on bigger priorities than things which are easily avoidable.

Komal Goswami: At its core, SRHR is not about promoting promiscuity or obscenity; rather, it is a rights-based approach to education, one that empowers young individuals with the knowledge and skills to navigate their sexual and reproductive health in a responsible manner. To deny

Mohammed Asif, Executive Director, Plan International (India Chapter): Rallying stakeholders



VIKRAM SHARMA

children access to comprehensive sexuality education is to deny them their rights – rights to information, to health, and to autonomy over their own bodies. In essence, it is a violation of their fundamental rights as a human being.

↳ So, how do you plan to overcome these challenges?

Mohammed Asif: TBBT programme has put youth at the centre of the discourse. So, it is no longer that government and some NGO workers go out in the community and start trying to make a difference.

Schools and communities have taken a lead. They have used different ways of behaviour change communication. They have used mass media, mid-media, micro-media efforts to usher in that campaign.

And that is where our effort is to see if we can set up youth leadership academies on sexual reproductive health rights.

TBBT IS PIVOTED ON PILLARS LIKE INCLUSION, CONSENT, PROTECTION, EQUITY AND AWARENESS



VIKRAM SHARMA



Komal Goswami: In addressing challenges, our primary focus lies in providing support to young individuals. We actively engage parents and advocate for community autonomy, making sure that our initiatives align locally. We also use various platforms like television, radio, and organised events to spread awareness. We remain focused on our primary objective that is to educate young people about SRHR.

➤ How do you sensitise the parents?

Mohammed Asif: It is very commonly known that a girl was supposed to be married by the family, her peers got to know about it, they went and they were able to influence and prevent the marriage from happening.

By providing information, insights, what is going to happen then parents realise that this was a mistake that they are doing. So, the point is that young people do have the power, they have the capability, they have the potential. It's just about how do we



Komal Goswami, Chief of Party, Plan International (India Chapter): Championing rights-based approach

ignite those processes and that's what TBBT is all about.

It's about igniting the potential. Of course, in the initial stages, we took it as a project.

Now, much of the conversations are undertaken by local community level volunteers, peer to peer processes are coming in now. And we believe that the whole TBBT 2.0 should actually be 100% youth-led process and we are moving in that direction already.

Komal Goswami: TBBT also identified that to help adolescents understand themselves better, it is imperative to include parents to help bridge the gap and acceptance. With Durex TBBT Parent Manual, the programme tackled the root of the problem. This Parent Manual is a step towards reducing hesitation in parents and introducing them to the five pillars of TBBT—Inclusion, Protection, Equity, Awareness, and Consent. The manual is meant to empower parents to understand the complexities of sexuality education with the right knowledge, confidence and empathy. The parent manual provides parents with the tools and knowledge they need.

➤ How do you compare this initiative with other initiatives? What is the fundamental difference between this and others?

Mohammed Asif: This is a very forward-looking programme. This is about changing the life situation of half of the population of this country, who have for generations had missed out on these opportunities.

It is about taking India into the future. It's about creating a pathway to success. And therefore, sexual reproductive health rights is the term that we use. In fact, our belief is that TBBT should become synonymous with SRHR.

In fact, for young people, sexual reproductive health rights often bring certain visions, you know, view of life. Whereas The Birds and Bees Talk is much more non-threatening, very easy and gentle, even though they mean the same thing. They're talking about the same goal.

So the good part is that by bringing this nomenclature into the conversation, the uptake of the ideas of this project, at the end

of the day, it's about changing mindsets.

Komal Goswami: Since the programme's inception in 2020, TBBT has developed palatable ways to engage adolescents, youth and communities making sure that it doesn't come across as preachy holier-than-thou speech. Teenagers find it relatable and unconventional since we try to normalise difficult conversations for them. With Durex TBBT, we are providing age-appropriate, culturally-sensitive sexuality education, breaking down barriers and initiating open, honest conversations about growing up life skills to adolescents.

➤ Would you like to cite any notable outcomes?

Mohammed Asif: The most significant outcome for me has been the type of participation that we have been able to garner from the schools.

Because we, as a development practitioner in that space for quite some years, I thought that would be one of the most difficult things. Getting into a community, getting their attention, their participation was much easier, but getting an institution to wholeheartedly come forward and participate, and that too in big numbers, I thought it would be more challenging. So getting 13,000 schools and their teachers, and their principals, their school management committee to own this, to actually stand behind this idea, to me is one of the biggest achievement that will sustain.

The second is the youth participation, and within the youth, and there are varieties. I have come across young people who are still some distance away from being a champion of change, but there have been many young people I have met in my journey, particularly during the festival, the Hornbill Festival, because that was one time when I had the opportunity to interact with a large number of young people, particularly Nagaland and some from other parts of the state, and the type of energy and enthusiasm and the determination that I saw within them for change, for development, for improvement, on these lines, was something which really gave me a lot of hope, and also a sense of satisfaction.

Komal Goswami: TBBT's national and regional campaigns have reached 420 million people, generating a PR Value of 572+ Million. Through innovative tools like its AI-based chatbot Hello Jubi, the programme ensures that adolescents have access to reliable information and support, transcending taboos and discomfort. The programme is also a firm advocate for the

United Nations' Sustainable Development Goals (SDGs). In particular, it focuses on SDGs related to Good Health and Wellbeing, Quality Education, and Gender Equality.

After TBBT's intervention in six major provinces in the Northeast of India, Baseline Top Hashtags changed from #afspa #indianarmybrutality #covid19 to #durexbirdsandbeestalk #worldhealthday #aidsawareness as the Endline Top Hashtags. Sentiments of fear, sadness, and anger changed to joy, love, and surprise.

➤ How do you keep pace with the changing discourse in law and policy?

Mohammed Asif: One of the great strategies that was adopted by the team in this project was the work actually started with engagement with the state governments. So the first touch points where each of the state leadership in the public health, in the school, in the education, were touched by our people.

So that kind of engagement and ownership, and that's where the success is that it's not without the laws and policies and people who make those laws, policies and practices, because if I were to just give you one lens, the total money that we are bringing to the table for this is, would be a fraction, maybe less than 1% of what the governments in these states, and the central government in that part, the Northeast Council and all, are investing on youth development, on public health and all.

So our money, our investment is miniscule. So what we wanted to do was that how do I make this money make a difference. So we have district magistrates, SDMs, health ministers, virtually all the education department officials, they are actively engaged, virtually on a month-to-month basis with this project, and that helps to ensure that the convergence is established at all times.

Komal Goswami: To stay updated on the changing laws and policies, we work closely with state governments. We talk regularly with important people in state leadership, like those in public health and education. Even though our money is just a small part of what the government spends, we focus on making a big difference. We keep talking with local leaders, like district magistrates and health ministers, to make sure our work fits with what they're doing. This way, we all work together to help young people, improve public health, and make education better. 📌

SRHR IS NOT ABOUT PROMOTING PROMISCUITY OR OBSCENITY; RATHER, IT IS A RIGHTS-BASED APPROACH TO EDUCATION, ONE THAT EMPOWERS YOUNG INDIVIDUALS WITH THE KNOWLEDGE AND SKILLS TO NAVIGATE THEIR SEXUAL AND REPRODUCTIVE HEALTH IN A RESPONSIBLE MANNER

→ COLUMN

DR PAVAN DUGGAL

PROTECT YOUTH FROM CYBERSEX CRIMES

Battling loneliness and lacking awareness, India's youth are sharing much more than what is good for them online and becoming the unwitting victims of crimes ranging from sextortion to doxing and more. The prevailing laws, unfortunately, are inadequate



THE free spirit of youth restlessly explores the unknown and experiments with the new, and for it, cyberspace is the preferred playground to hang out not only to share views on sexuality online but also to explore different facets of sexuality. Yet, implicitly trusting social media and such-like that crowded cyberspace is fraught with its own risks.

I see many cases of married couples who unthinkingly record their private moments on their devices, apparently for keepsake. But when such marriages turn sour, this very content becomes a bone of contention leading to ugly legal and criminal liability consequences.

The young drop all inhibitions and share their personal and sexually oriented audio, video, text, and images with others, known and unknown, in the online ecosystem without any second thoughts. For many, it is a way to deal with their loneliness. However, this method of channelling loneliness has its downside.

It's no wonder that sexuality-related

THE YOUNG FREELY SHARE THEIR PERSONAL AND SEXUALLY ORIENTED AUDIOS, VIDEOS, TEXTS, AND IMAGES WITH OTHERS IN THE ONLINE ECOSYSTEM WITHOUT ANY SECOND THOUGHTS, FALLING PREY TO A HOST OF CRIMES

offences have been on the rise among the youth, with sextortion headlining the list of such crimes. Further, publishing nude or compromising photographs on various pornographic and Darknet websites has become a rising trend.

Youngsters who fall victim to these cybercrimes realise all too late the folly of sharing their sexual content online, without any guard rails, taking the internet and cyberspace for granted.

The inherent trust in the anonymous nature of cyberspace can lead to many problems. Once sexual content is introduced into the internet, it can be very difficult to escape the negative consequences of being caught in the information whirlpool.

Sexuality related cybercrimes can take a massive toll on the mental well-being and health of the victim. Unfortunately, the legal frameworks in place do not provide much solace to the already demoralised youth. While the Indian cyberlaw deals with offences like online obscenity, publishing sexually explicit content, and child pornography, it does not specifically address



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a large number of growing and emerging cybercrimes related to youth sexuality.

Sextortion or even doxing are not specifically covered under the law. The act of doxing involves sharing someone's personal information without their consent to harm their reputation online. Unfortunately, current legal frameworks are not equipped to handle this issue, and there are several other significant gaps that need to be addressed. The courts are increasingly trying to fill the lacunas. The Delhi High Court recently addressed a case of doxing and provided appropriate relief to the victim.

The reality is that existing laws are inadequate to deal with such cybercrimes. It is crucial for the government to include youth sexuality-related cybercrimes within cyber legal frameworks. Young people must be educated on the importance of not sharing any sexual content online, as it can be used as ammunition by cybercriminals to target them. We also need to focus on building capacity among young people to help them better protect themselves online. Additionally, victims of youth sexuality-related cybercrimes should have access to effective remedies in order to help them cope with the consequences of such crimes.

We further need to work in a more studied and dedicated manner to ensure the protection and preservation of interest

EDUCATION AND TRAINING ON YOUTH SEXUALITY-RELATED CYBERCRIMES AT SCHOOLS AND COLLEGES WILL ENSURE THAT THE YOUNG ARE WELL-INFORMED AND AWARE OF THE COMPLEX ASPECTS OF CYBERCRIMES

of the youth vis-à-vis their sexuality and to prevent them from becoming victims of sexuality-related cybercrimes. The fundamental right to freedom of speech and expression and the fundamental right to life and personal liberty under Articles 19 and 21 of the Indian Constitution, respectively, empower the youth to express their views on sexuality as they deem fit. However, there is a need to sensitise law enforcement agencies on dealing sensitively with sexuality-related cybercrimes.

It is important to provide education and training on youth sexuality-related cybercrimes in schools and colleges. This will ensure that all young individuals are properly informed and aware of the various complex aspects of such cybercrimes. Moreover, young people require appropriate counselling to address their cyber sexuality-related issues. This will help them to be more confident and prepared to deal with emerging challenges in this area.

Preventing youth from being exposed to cybercrimes, and particularly youth sexuality-related cybercrimes, should be the top priority for society and every stakeholder involved. By creating awareness and education, we can empower young people to deal with the challenges posed by youth sexuality-related cybercrimes and their related aspects. ■

The author is an expert on cyberlaw



→ COLUMN

SOHINI BHATTACHARYA

AWARENESS KEY TO RESPONSIBLE CONDUCT



Programmes that raise awareness and equip the young with guidance and agency to challenge skewed social stereotypes can shake deep-set prejudices, trigger affirmative action, and overturn the status quo

THE burning desire of an 18-year-old Jyoti for higher education seemed like a distant dream.

Literally. The nearest college was 20 unreachable kilometres away from her remote Devipur village in Haryana and in the absence of buses, there was simply no way she could get there. Her parents said a clear NO to the prospect of her commuting 20 km to college daily through unsafe transportation. Get married instead, they told her, in no uncertain terms.

However, Jyoti was made of sterner stuff. As part of an adolescent empowerment programme, she rallied the support of 11 other girls facing a similar dilemma. A signature campaign organised by them garnered the support of 150 peers. Together, they met the local Chief Judicial Magistrate. “Our dreams of higher education are being thwarted simply because we cannot reach the college,” they pleaded. The rest is history.

Moved by their collective resolve, the authorities started a bus service that now connects three panchayats to the college. Result: Jyoti and 18 other girls from her village now attend college, commuting safely

YOUNG PEOPLE GROW UP WITH NORMS DEEPLY EMBEDDED IN THEIR SOCIETIES. OFTEN, SUCH NORMS CAN LEAD TO PATRIARCHAL BEHAVIOURS AND MINDSETS, INCLUDING SELF-DOUBTS AND ACCEPTANCE OF DISCRIMINATION AS A NORM LIMITING THEIR POTENTIAL

and realising their dreams. They are the first generation of girls from the village to do so, and as a virtuous spinoff from their rallying spirit, 11 boys have benefitted, too.

From Awareness to Empowerment

Young people grow up with norms deeply embedded in their societies. Often, such norms can lead to patriarchal behaviours and mindsets, including self-doubts, acceptance of discrimination as a norm and domestic violence, limiting their potential. The pop culture they imbibe from popular media, including films, reinforces such stereotypes and shuts their minds to alternative gender-equal norms.

Awareness programmes on gender equitable behaviours inform individuals about issues but do not equip them with the mechanisms to deal with them. So, they may recognise the problem but rarely, if ever, act, particularly when doing so requires challenging deep-set beliefs and entrenched social impositions.

However, well-thought-out sessions are likely to change this self-perpetuating paradigm by helping the young gain

self-efficacy and by empowering them with the agency to act for their rights and navigate the complexities of interpersonal relationships.

Through regular engagements and dialogue with peers and influencers, we can instil confidence and empower youth to take ownership of their lives. Jyoti is a case in point: the empowerment programme gave her the courage and the means to raise her voice not just with peers but also with her seniors and people in authority.

How Awareness Builds Resilience?

Several NGO case studies show the transformative impact of empowered and self-aware youth on communities. Empowered young leaders have prevented child marriages, inspired their peers to pursue higher education, and supported each other in declaring their sexual orientation in remote villages where such declarations are often met with ridicule or hostility. How can we continue to empower and support young people in shaping their outlook? How do we help them develop attitudes and behaviours that align with positive, affirming gender norms that promote equality and justice for all and repudiate violence? Addressing these questions can set in motion a chain of positive action, helping us build a generation of empowered and self-aware youth.

Here are a few ways that can help us build on what we have achieved so far:

A fundraiser event for transgenders

EMPOWERED YOUNG LEADERS HAVE PREVENTED CHILD MARRIAGES, INSPIRED THEIR PEERS TO PURSUE HIGHER EDUCATION, AND SUPPORTED EACH OTHER IN DECLARING THEIR SEXUAL ORIENTATION IN REMOTE VILLAGES

Comprehensive life skills education:

A recent survey on life skill awareness among Indian youth by an NGO collaborative shows that there is a need for comprehensive life skills education programmes that go beyond traditional academic curricula. Such programmes can empower youth with essential skills like self-awareness, emotional intelligence, critical thinking, and decision-making, making them future-ready.

Media literacy and use of pop culture:

In today's interconnected world, where social media exerts a profound influence on youth culture, awareness is more critical than ever. The constant barrage of idealised images and curated narratives can distort perceptions of reality, leading to feelings of inadequacy and low self-esteem. By fostering media literacy and critical thinking skills, youth can navigate the digital landscape mindfully.

Mentorship and role models:

It is also important to establish mentorship programmes where experienced individuals or successful peers can handhold and support young people in their personal and professional growth. Adequate exposure to positive role models can inspire self-reflection and motivate youth to set and achieve their goals. Mentorship programmes should be implemented at school levels so that students can have conversations fearlessly about their career aspirations.

Reflection and self-discovery activities:

The introduction of regular reflection sessions and self-discovery activities will encourage youth to explore their strengths, values, fears, insecurities, passions, and aspirations. These activities could include journaling, mindfulness practices, personality assessments, or creative expression workshops, fostering deeper self-awareness and self-understanding.

Awareness serves as a first step towards catalysing people for positive change, promoting informed decision-making, nurturing resilience, and fostering inclusive communities. As we strive to support the next generation and prepare them to be future-ready, let us prioritise awareness initiatives that equip youth with the knowledge, skills, and support systems they need to thrive and provide them with the voice and decision-making power, not just about their own lives but about issues like the environment and gender equity. ■

The author is CEO, Breakthrough



→ INTERVIEW - LAXMI NARAYAN TRIPATHI

“ WE HAVE REACHED A POINT WHERE WE CAN MAKE A DIFFERENCE TO FUTURE GENERATIONS ”

Laxmi Narayan Tripathi is a trailblazing transgender activist who has been instrumental in securing legal rights and changing perceptions of the transgender community.

She was the principal petitioner in the landmark NALSA case of 2014 before the Supreme Court for the recognition of transgender individuals as a distinct gender identity – the ‘third gender’ – and their entitlement to the fundamental rights guaranteed by the Indian Constitution.

Tripathi is a multi-faceted individual. She is a Bharatanatyam dancer and choreographer, motivational speaker, and has even dabbled in Bollywood films and reality shows. Notably, she also served as the Mahamandaleshwar of the Kinnar Akhada, a position of leadership within the community.

Her autobiography, titled *Main Hijra, Main Laxmi*, offers a personal perspective on her experiences and struggles. Tripathi’s ongoing fight for LGBTQIA+ rights is a testament to her unwavering dedication to equality and social justice. Edited excerpts from an interview with **Naina Gautam**:

↳ How has the public attitude towards the LGBTQIA+ community changed during your lifetime?

There is now greater acceptance and understanding of the community, leading to less stigma and discrimination. In the past, there was no recognition of the community. Then, the Supreme Court gave its landmark NALSA judgement, followed by its ruling on the transgender issue. Later, Section 377 was read down. Now, even the civil union and equal marriage issues have been dealt with by the apex court.

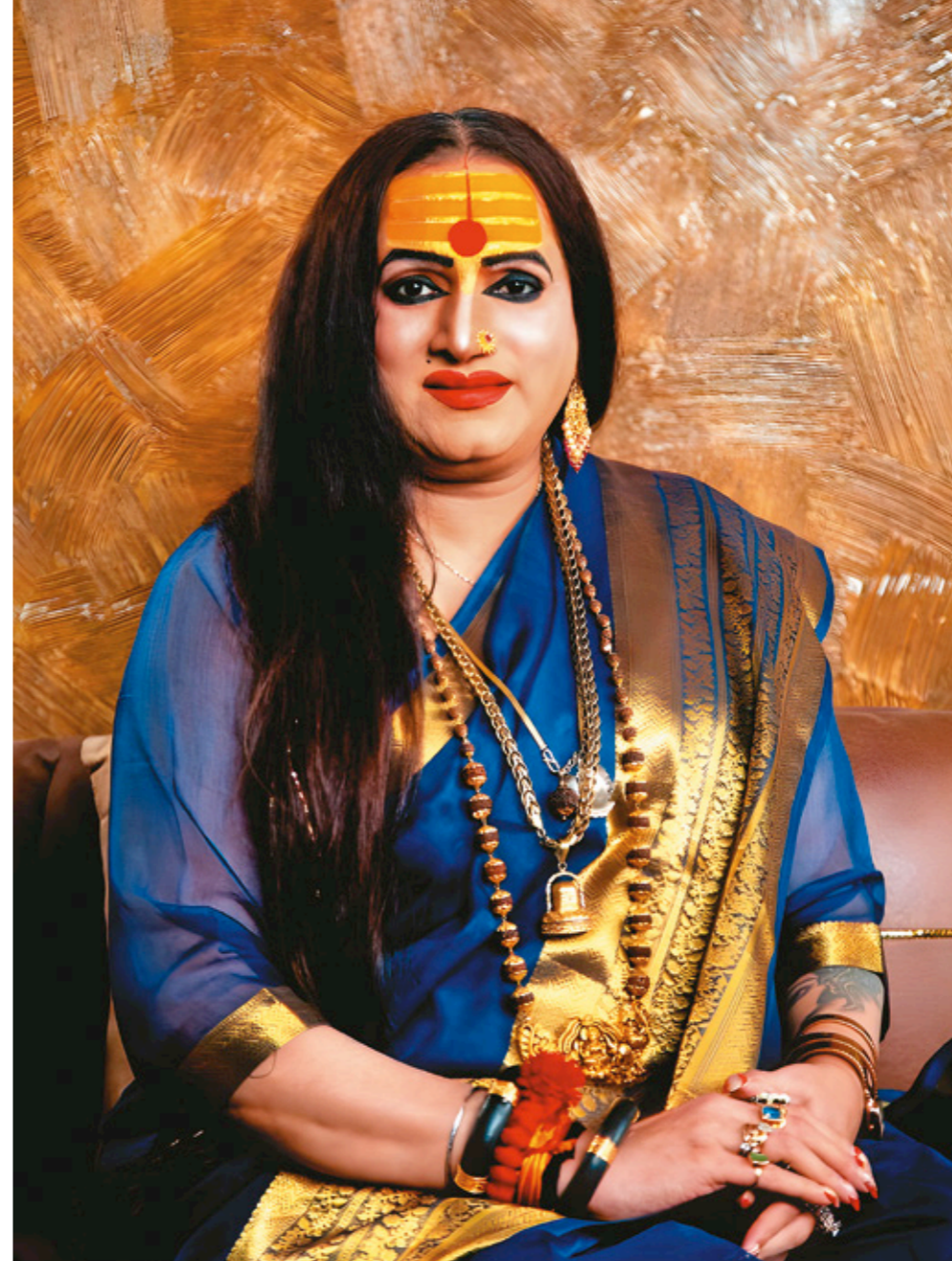
↳ What about transgender people?

The Parliament passed the Transgender Act, 2019 and the Ministry of Social Justice and Empowerment oversees transgender affairs and launched the Smile Project.

The Ministry of Social Justice has developed policies that have had a significant impact on the transgender community. Transmen, transwomen, kinnar, and hijras are now more visibly recognised as sexual minorities, and their lives have drastically changed for the better. Empowerment is the most significant change, and it is vital for their well-being.

↳ What can we learn about diversity and inclusivity from ancient texts and mythology?

In the *Mahabharata*, we encounter characters like Shikhandi, a transgender who was accepted and empowered to become a warrior. Shikhandi, a transgender character, was accepted by all the nobles and



even Lord Krishna himself. The community as a whole is treated with dignity, and there is much less stigma attached to them.

↳ What impact does the mainstream media have on public perception of the LGBTQIA+ community?

The mainstream media has generally portrayed the community in a negative light, stereotyping it derogatorily. With the emergence of the OTT platform, a more sensitive and authentic representation of the community has become possible. The OTT platform has released community documentaries that provide a more accurate portrayal of the community. This is a significant change compared to the past

when such representation was limited. Documentaries such as *Taali* and *Made in Heaven* have included characters from the transgender community, providing important opportunities for representation.

↳ How does the Indian situation compare with the global scenario?

I believe that India is in a relatively better place because our courts accommodate different perspectives. They have made favourable rulings, and the judges seem to have a better understanding of things. There is a new sense of progress. Major political parties are now considering LGBTQIA+ issues, which is a significant change from 10 years ago.

India has taken significant steps to

FOR TRANSGENDER INDIVIDUALS, THERE ARE NO STRICT BINARIES. TRANSMEN CAN MARRY TRANSWOMEN OR BIOLOGICAL WOMEN, AND TRANSWOMEN CAN MARRY MEN OR TRANSMEN





address the issues faced by the transgender community. The government has established shelter homes called Garima Grahas and implemented policies to support transgender individuals. Moreover, multinational companies in India are hiring transgender people.

As compared to other parts of the world, transgender people in India feel relatively safe from bullying and discrimination. However, it is unfortunate that hate crimes against transgender individuals are still prevalent in the Western world, especially in the US and Brazil.

What are the healthcare challenges faced by LGBTQIA+ individuals?

Numerous healthcare issues exist, including those related to the transgender community. Fortunately, AIIMS has taken a significant step forward by establishing a complete Centre of Excellence dedicated to this cause.

However, there is still a pressing need for advocacy and education within the medical fraternity when it comes to issues affecting the LGBTQIA+ community. It is crucial to address how to reduce stigma and discrimination in this field.

Over the last five to 10 years, we have observed a significant improvement in the quality of health services provided to trans people. In the past, medical professionals often refused to perform even basic check-ups on trans individuals. However, this has changed over time, and now, more trans people are able to access quality healthcare services.

It was very difficult for doctors to know how to deal with transgender cases, especially when it came to admitting them. Hospitals, especially in the government sector, have different wards for males and females so they would be confused about where to accommodate them. Some patients have died simply because of this indecision on the part of doctors.

How has the decriminalisation impacted the individuals in India?

The decriminalisation of homosexuality has provided a significant boost to the LGBTQIA+ community, resulting in various supportive actions. When ruling on same-sex marriages, the Supreme Court stated that Parliament would take the final call. However, for transgender individuals, there are no strict binaries in place. Transmen are allowed to marry transwomen or biological women, while transwomen can marry men or transmen.

How helpful have been recent developments?

The NALSA judgement and the decriminalisation of Section 377 empowered us. It gave us a court-certified document that had the government's approval. This gave us validity and proof that we were not doing something wrong.

Eventually, it boosts their confidence that they need not hide their identity—they can present themselves as they are. Earlier, people were afraid because it could land them in jail with a life sentence. Now, they have these documents to show.

I have noticed that many parents have begun accepting their children's choices because they have some sort of supporting document. In India, society's perception of you matters a lot, and these documents serve as a form of support which you can use to explain your choices.

After the judgement, the lives of many people changed. Even MNCs started hiring them, so now they can also think of getting a dignified job. I believe in a few years we will have more rights and benefits from the government.

What further reforms are needed to achieve equality?

I believe there should be a non-discriminative policy where people are accepted as they are. That is a big necessity. Schools must implement strong policies against bullying, which forces children to drop out of education. Children thrown out of their homes must

GLOBALLY, THERE ARE HATE CRIMES, BUT THAT IS NOT SO MUCH OF A PROBLEM HERE. INDIA IS MUCH BETTER THAN THE WEST OR ANY OTHER PART OF THE WORLD IN THIS REGARD

GETTY IMAGES



PEOPLE MUST BE ACCEPTED AS THEY ARE. INSTITUTIONS MUST IMPLEMENT STRONG POLICIES AGAINST BULLYING, WHICH FORCES CHILDREN TO DROP OUT OF SCHOOL



be given safe shelter. Skill development needs to be massively scaled up to ensure transgender people are able to secure dignified jobs. When people open their doors to them as employees, it will expose them to an all-new dignifying experience, shore up their self-esteem and help them learn and grow. Right now, bereft of skills and opportunities, they are forced into sex work and begging.

How can the interest of younger people be protected in this digital age of misinformation, disinformation and malinformation?

Today young children have countless avenues open, and the phone is the new gateway to everything. People looking for any information reach for their phones. That needs to be modified: they should be more responsible and reach out instead to the right NGOs, counsellors, and doctors.

What are the challenges still faced by the transgender community?

I believe that getting a short haircut is acceptable for transgender women until they reach the age of 15 or 16. However, at some point, society would pressure them to grow their hair, wear gendered clothing, and even enter into forced marriages. There are incidents of rape within homes

simply to make them accept that they are women and not men. For transmen, the challenges are daunting because they are girls at birth. In a patriarchal society, being a girl child itself is a serious challenge. So, you can imagine what it is like when she decides to be a boy.

What has been your global experience?

In many countries, there are laws protecting transgender people. The same is true in India, where laws such as the Transgender Act, 2019 also protect us. However, the implementation of these laws is a major issue. In my opinion, implementation must be strong in this country. One of my greatest achievements has been as an intervener in the NALSA case in the Supreme Court.

Globally, there are hate crimes, but because of our culture, that is not so much of a problem here. I believe that India is much better than the West or any other part of the world in this regard.

And what are the responsibilities of the LGBTQIA+ community itself?

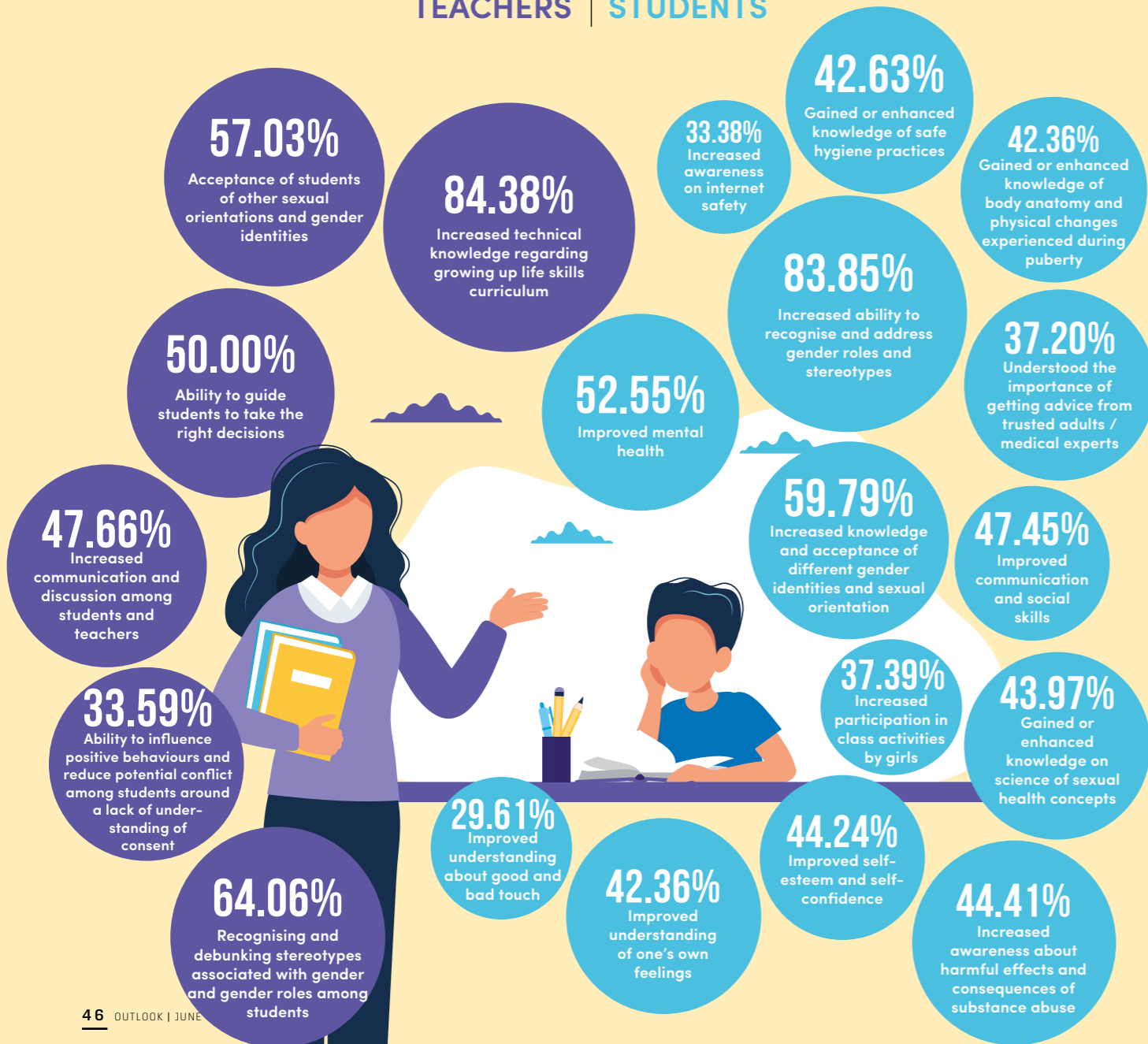
When it comes to responsibilities, the community must move forward hand-in-hand with the mainstream society. However, mainstream society holds a greater responsibility of accepting, guiding, and supporting the community. 📌

Laxmi Narayan Tripathi (in red saree), during the 7th edition of Hijra Habba, a gathering of queer community and its supporters, in New Delhi

FACTS IN FIGURES

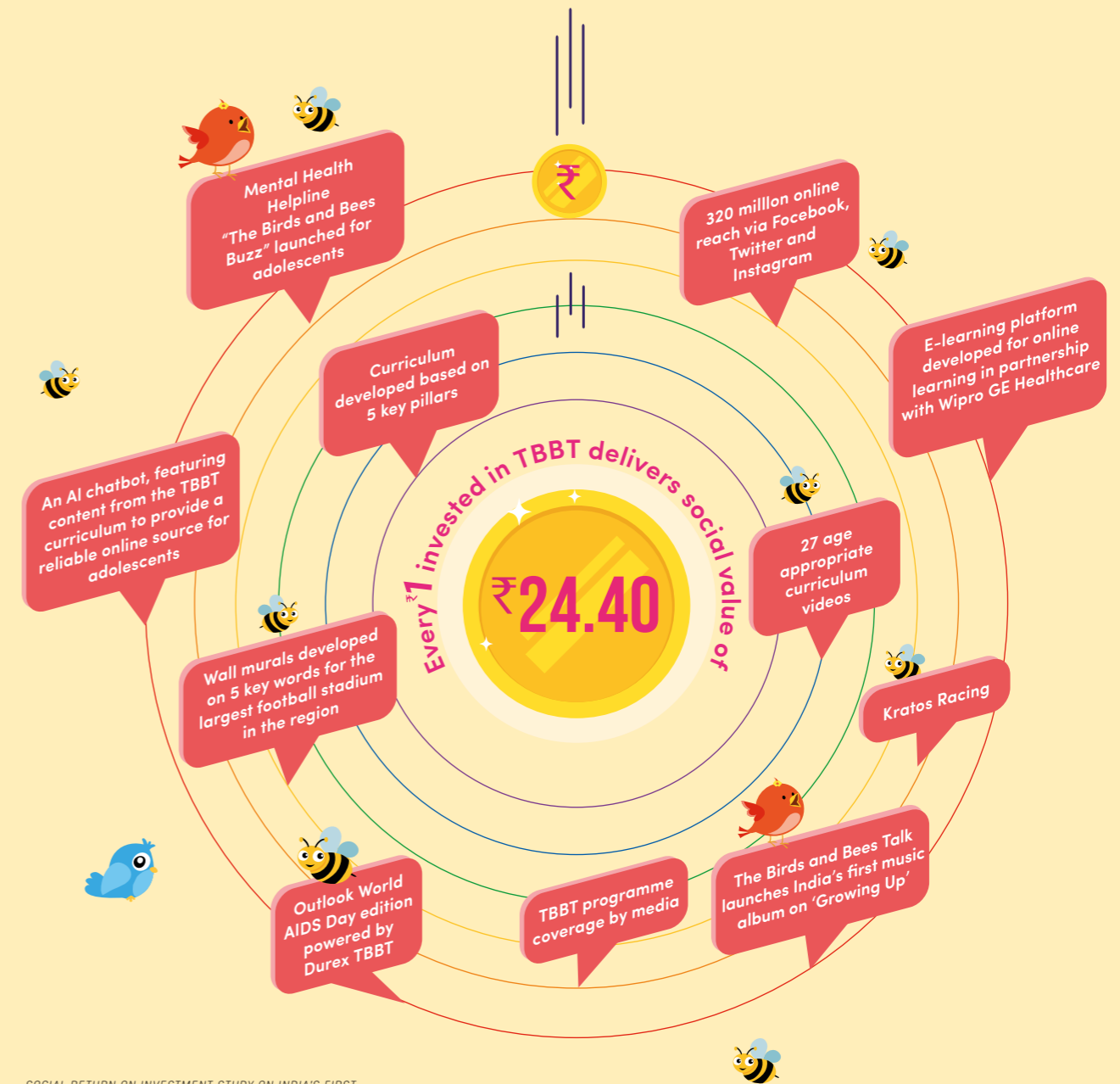
The Birds and Bees Talk (TBBT) project is educating youth and children in the north-eastern states on the core principles of inclusion, equity, awareness, consent, and protection so that they grow into responsible, healthy adults, and building teachers' capacity to help students in critical thinking, decision-making and analytical skills in the most experiential and interactive way

TEACHERS | STUDENTS



INNOVATIVE INTERVENTIONS

TBBT project is using tools ranging from the conventional to the out-of-the-box like mass media, school curriculum, adolescents mental health helpline, e-learning platform, AI-powered Chatbot HeloJubi, music album, murals and social media to enable children and youth to grow into healthy individuals



SOCIAL RETURN ON INVESTMENT STUDY ON INDIA'S FIRST GROWING UP CURRICULUM IN NORTH EAST INDIA

→ COLUMN

ANNIE NAMALA

EQUITY NEEDED TO HARNESS YOUTH DIVIDEND



India's youth population presents a significant opportunity for an economic surge, but realising this potential requires an equity-oriented approach that addresses the country's vast socio-economic disparities



THE equity approach distinguishes between equity and equality. The accompanying image best illustrates the equity approach, which is built around fairness and justice and factors in the contextual inequalities diverse groups of youth face. These inequalities pertain to caste, ethnicity, religious identity, gender, class, (dis)ability, geographic location, sexual orientation, and any other factor that may impact a young person's well-being and opportunities.

Since these inequalities are structural and systemic, equity measures also need to be structural, focused on building relevant public institutions, effective public goods and services, adequate budget allocations and public education to create an

WE OFTEN ADOPT THE 'EQUALITY APPROACH' OF PROVIDING SERVICES AND RESOURCES IN EQUAL MEASURE TO ALL YOUNG PEOPLE

enabling environment.

India has 37 crore people in the 15 to 19 age group, constituting 27% of its population. Of this, about 25% are from historically disadvantaged Scheduled Caste (SC) and Scheduled Tribe (ST) communities, and about 19% are from religious minorities. The proportion of marginalised young people would be much higher if we included youth from the following groups: those with a disability, LGBTQIA+, nomadic and de-notified communities, migrants, slum or street habitats, and those living in areas affected by left-wing extremism, conflict or disasters. Young women from these communities face additional challenges of violence and patriarchal impositions. The intersection of various vexed factors further complicates the complexity of marginalisation and disadvantages.

In our desire to build a harmonious society, we often adopt the 'equality approach' of providing services and resources in equal measure to all young people. However, in most cases, young people from marginalised communities are unable to access or benefit from these services and resources. This anomaly widens the gap between marginalised and



LGBTQIA+ community protest in Kolkata

PTI

non-marginalised youth groups. What we, in fact, need is a well-modulated, nuanced and robust system to incorporate diversity, complexity and inequality while building equity measures. The task is daunting and needs urgent and immediate attention to prevent our youth population dividend from diving into a disaster.

Many rights legislations also include equity measures to address the specific challenges faced by marginalised communities – be it the SC-ST Prevention of Atrocities Act, The Forest Rights Act, POCSO, legislations related to violence against women in domestic and workplaces, or the RTE. The government has set up commissions and specialised agencies to oversee the framing and implementation of equity measures for marginalised communities. Population proportion budget allocations under the SC/ST plans facilitate the implementation of the equity measures.

However, sadly, behind the smokescreen of this robust legislative structure, implementation has floundered. Moreover, far from enhancing and expanding equity measures, some of them have, in fact, been rolled back. In the academic year 2022-23, the government discontinued pre-matric scholarships to SC, ST, OBC and Minority children in classes 1 to 8, stating that the Right to Education provides free and compulsory education till class 8. The

SINCE THESE INEQUALITIES ARE STRUCTURAL AND SYSTEMIC, EQUITY MEASURES ALSO NEED TO BE STRUCTURAL, FOCUSED ON BUILDING RELEVANT PUBLIC INSTITUTIONS, EFFECTIVE PUBLIC GOODS AND SERVICES, ADEQUATE BUDGET ALLOCATIONS AND PUBLIC EDUCATION TO CREATE AN ENABLING ENVIRONMENT

national campaign on Dalit human rights consistently reports that mandated funds under SC and ST plans are being allocated to meet institutional costs and schemes that do not directly benefit individual members or the community.

According to data tabled in Parliament, between 2019 and 2022, funds for six scholarship schemes for religious minorities were reduced by 12.5%, and beneficiaries declined by 7%. The absence of adequate disaggregated data on the poor development indicators and their causative reasons further hampers the creation and implementation of equity measures. The government's decision to omit disability-related data in the NFHS 6th round will make them even less visible.

India has a short window of time left to take advantage of its youth population dividend. The proportion of youth to the total population peaked in 2016 at 27.9% and is expected to decrease to 22.7% by the year 2036. Kerala and Tamil Nadu are already showing a downward trend. Notably, 52% of youth reside in Bihar, Uttar Pradesh, Madhya Pradesh, Maharashtra, and Rajasthan, which are poor states with the greatest potential to create this dividend. However, it requires a "whole of society approach," where the government, private sector, UN agencies, and civil society work together to forge a path forward in multi-dimensional indicators and multiple sectors. The youth, particularly those from marginalised sections, are invested in the process and hold the potential. □

The author is Director, Centre for Social Equality and Inclusion



→ COLUMN

ROHIN BHATT

BATTLES WON, WARS YET TO BE FOUGHT



Despite major setbacks in courtrooms, the queer movement will soldier and ultimately win because it is quintessentially a battle for love and to live with dignity

“Fortunately, the petitioner may be saved of any further pathos since the learned government pleader informs this court that the police authorities have talked to the family of late Manu and that, though they are not in agreement of his mortal remains being handed over to the petitioner, they have no objection in him taking part in his last life and obsequies, which is to be held at their hometown at Payyavoor, Kannur.”

WITH these words, Justice Devan Ramachandran disposed of a writ petition filed by Jebin Joseph, a 27-year-old gay man who claimed the dead body of his live-in partner. The family of the deceased partner had earlier refused to claim the body until the hospital bills were settled since the partner, Manu, died in mysterious conditions. When the community and friends collected the money and paid it off, the family staked claim. Yet, Jebin, who had been Manu’s only family when he came out, was not given custody of his remains but had to be satisfied with mere presence at the funeral instead of being allowed to carry out the funeral rites.

The reason for this was simple: Jebin and Manu were not married, nor was their marriage recognised under Indian law. Indian law recognises familial rights, and associations by three modes: blood, adoption, and marriage. That is exactly what queer persons were fighting for in

the Supreme Court last year. The court, unfortunately, refused those claims. In its judgement in Supriyo Chakraborty v. Union of India, a five-judge Constitution Bench of the Supreme Court had held that there is no fundamental right to marriage recognised under the Constitution, and thus, the lack of recognition of non-heterosexual marriages by law under the Special Marriage Act, 1954, is permissible discrimination.

The judgement, running into over 350 pages waxed eloquent over the struggles of queer people. But little else. The cases of discrimination, familial violence, of being barred from being with their partners...none of it could move the court to grant marriage and adoption rights to queer people. To say that the judgement was disappointing, not just as a queer person but also as one of the lawyers who worked on the case, is an understatement. The majority view was that while that, “There is no difficulty about the right of two consenting persons to decide to live together, to co-habit with each other, and create their unique idea of a home, unconstrained by what others may say... The liberative effect of Section 377 being read down is that two individuals, regardless of their sexual orientation are enabled to live together, with dignity, and also protected from any kind of violence, for living and existing together. Therefore,

the right to be left alone, the right to exercise choice, the right to dignity, and to live one’s life, with the person of one’s choice, is an intrinsic and essential feature of Article 21 of the Constitution.” In the same judgement, the majority allowed transgender persons in heterosexual marriages to get married, and that was the only silver lining in the judgement.

Some petitions also raised the issue of adoption, and the matter was argued at length in some arguments, including those of Amritananda Chakravarty, Menaka Guruswamy, and others. Unlike marriage, which was rejected unanimously by all five judges, two judges, Justices Kaul and Chandrachud, allowed adoption, while Justices Bhat, Kohli, and Narsimha rejected the claim. Review petitions have already been filed, asking the court to review the judgement. They will be taken up someday, and the battle will continue.

Since then, there have been multiple judgements in South Asia, most notably in Nepal and Japan, which have recognised queer marriages. The first lesbian couple in Nepal, Dipti and Suprita, recently registered their marriage, making Nepal the first country to recognise and register a non-heterosexual marriage. In Japan, a court in Sapporo held that “Living in accordance with one’s gender identity and sexual orientation is an inalienable right rooted in important personal interests” and said that it hoped that the government would pass a law recognising same-sex marriages and even acknowledged the broad public support it enjoyed. It struck down the ban on non-heterosexual marriage in Japanese civil codes as unconstitutional and discriminatory.

Much has been written about the flaws in

NOW IS THE TIME TO ACKNOWLEDGE AND ANALYSE WHY WE LOST THE BATTLE, REGROUP, AND THEN FIGHT BACK SO THAT WE CAN WIN THE WAR AGAINST DISCRIMINATION

the judgement and its effect on queer rights and queer movements in India, so I do not wish to spill more ink on it. We have spent the past few months licking our wounds. Now is the time to acknowledge and analyse why we lost the battle, regroup, and then fight back so that we can win the war against discrimination. I want to talk about what should we, the (queer) people of India, do to create and fulfil the Constitutional promise of equality.

However, social revolutions do not happen solely inside courts. The queer movement needs to campaign on the streets, in elections, and in public for the causes of its people. There has been some complacency among some of us, and I count myself among those who believe that the courts will deliver equality to us. As Robin Gorna notes in the anthology titled *The Revolution Will Not Be Litigated*, “the best social movements connect the head—evidence, research, legal arguments—with the heart: identity, emotions, true connection. Of course, movements need the law because people need the law to protect our dignity and support our freedom. Similarly, the law needs movements: if there is no demand for change and no stories of how the law fails, then the law just sits there. What rings in my ears are Jonny’s words as we left our caffeine-fuelled fight in 2018: “Law and movements, it’s all about the ‘and’, isn’t it? It’s a bit of both.”

But let me return to the issue of marriage. Marriage, as an institution, will not lead to queer liberation. It will recreate the inequalities based on class, caste, gender, religion, and disability. But I saw this case as a cause for equality, which is why I will continue to advocate for it inside and outside the courtroom. We lost the case, but we must not lose our morale. There are countless other causes that we must continue to advocate for: horizontal reservations for transgender persons, anti-bullying law, repealment of the Transgender Persons (Protection of Rights) Act, 2019 and access to queer affirmative, affordable and accessible healthcare. Our love, our queerness, and our resistance will ultimately win, but until then, we must continue to fight. The future will belong to the pariahs, the future will be queer. We will win because our fight is fuelled by the bitterness of oppression, by the thirst to love and be loved, and we will create a new layer of this palimpsest which will sing the ballads of our victory over queerphobia. 📌

The author is a lawyer and queer rights activist



GETTY IMAGES



→ COLUMN

BIJAYALAXMI NANDA AND DR. NUPUR RAY



CONSENT IS THE CORNERSTONE OF HEALTHY RELATIONSHIPS

Educators can empower the youth by providing them various tools and resources so that they can make informed and empowered choices and cultivate meaningful emotive connections based on reciprocity, love and understanding

NURTURING

the youth to healthy adulthood requires us to examine the idea of consent and choice. With 60% population below the age of 35, India has the world's largest youth population. There is palpable excitement about the potential of our youth population in contemporary global deliberations. This 'youth bulge' signifies the opportunity of a demographic dividend.

However, along with this opportunity there are several challenges that range from excessive dependency on social media to seemingly complex boundaries of interpersonal relationships. It is essential for the youth to navigate these challenges as a prerequisite to realise their full potential. At the centre of these navigating contours lies the core importance of consent.

Consent signifies the idea of personal agency, boundaries and reciprocal respect and obligations. Living in a dynamic and disruptive environment of societal norms, cultural expectations and social media bombardment, young adults are socialised to perpetuate and reinforce stereotypes.

The media, especially cinema, romanticises violence and coercive behaviour, especially in intimate partner relationships and trivialises the significance of consent. The commercial success of the film *Animal* brings to the forefront the celebration of hegemonic masculinity. The sensitive understanding of consent in the film *Pink* seems to have been forgotten now. How can we retrieve the richness of consent in its core essence, rather than peripheral interpretations and promote relationships embedded in equality and recognise the inherent worth and dignity of every individual?

The systemic barriers that exist in the understanding of consent can be addressed not just through the media but also through sensitisation within curriculum. Educational institutions can play a pivotal role in fostering a culture of



empowered and informed consent. Creating peer-mentoring and providing enabling spaces for young adults to speak on ideas of consent and choice is essential. Educators can empower the youth by providing them various tools and resources so that they can make informed and empowered choices and cultivate meaningful emotive connections based on reciprocity, love and understanding. It is imperative that the youth within a gender-inclusive paradigm are sensitised to concerns around tacit consent which could be 'presumed' or 'misconstrued' as 'real' consent.

Beyond the classroom it is also necessary to challenge the patriarchal power dynamics and promote equity, inclusion, diversity, and belongingness. A culture of empathy, focusing on the marginalised and the survivors of violence will result in creating meaningful dialogues and enabling environment.

It is also necessary to understand the intersectionality that exists within the concept of consent. Multiple identities related to class, age, gender and disability need to be understood to make sense of consent. The ability to forge equal relationships based on dialogue and sharing is essential for tapping the potential of the youth. This potential of the youth, which is hindered by the denial of the significant of consent or by the absolute notion of the hegemonic perpetrator, needs us to explore the distinction between the victim/survivor and the perpetrator.

A young person who is exercising her/his/ their agency in being coercive or imposing on a non-consenting person in terms of intimate partner relationships or

IT IS NECESSARY TO UNDERSTAND THE INTERSECTIONALITY THAT EXISTS WITHIN THE CONCEPT OF CONSENT. MULTIPLE IDENTITIES RELATED TO CLASS, AGE, GENDER AND DISABILITY NEED TO BE UNDERSTOOD TO MAKE SENSE OF CONSENT

other forms of interactions needs equal guidance. A willingness to confront and engage in difficult conversations about hegemony, privilege and oppression is necessary. Sensitisation and awareness for such individuals is essential so that they can reform and understand the injustice/discrimination they are perpetuating.

Preventing bullying, harassment, abuse, providing support services and creating empathetic and non-hierarchical spaces for victims and survivors goes a long way in creating an enabling space where No means No and Yes means Yes.

The idea of consent is not an abstract concept, it is about creating an enabling environment where individuals are able to exercise their rights and respect the rights of others. This requires the concept of consent be seen as a guiding thread for the youth to realise their full potential – be it emotional, political, social or economic.

In a refreshing acknowledgement of consent, the movie *Laapataa Ladies* critically reflects on this idea. The foundational values for healthy relationship built on mutual respect, understanding and solidarity are beautifully depicted by the two inherently different characters in the film – Jaya and Phool. The protagonist Jaya finally takes a path to complete her education in organic farming. Phool returns to her husband but is in total control of her own destiny. The navigating of informed and empowered consent has given both the protagonists the potential to be in charge of their lives. The female protagonists get lost on a journey to their marital homes as newly married brides with their respective husbands to finally find themselves through a process of self-discovery and reflection. Their identical marital attire with a long veil symbolised the negation of agency of young women when it comes to their consent in choice of their partners. Their journey is replete with supporters, detractors and perpetrators who all play their parts. The point of the matter is to reform detractors and perpetrators while enhancing supportive networks and celebrating equal and empathetic communities. The emotional resilience of our youth is the cornerstone of not just enhancing their own potential but the country's potential in every sense. 📌

Bijayalaxmi Nanda is Principal, and Professor in the Department of Political Science, Miranda House, University of Delhi and Dr. Nupur Ray is Associate Professor, Department of Political Science, Kamla Nehru College, University of Delhi



→ CASE STUDIES

CONCERNS AND CONFESSIONS

It is not only children and young people, who grope in the dark for answers to their growing up questions, but also parents who struggle to cope with the double challenge of helping children find answers and also address their own difficulties in the process

RAJIV TIKOO

THE Birds and Bees Talk (TBBT) project is educating youth and children in the north-eastern states on the principles of inclusion, equity, awareness, consent and protection to help them transition to adulthood in a healthy and responsible way. The project is currently being implemented in Arunachal Pradesh, Nagaland, Manipur, Meghalaya, Mizoram and Sikkim. We spoke to a cross section of parents of school-going or out-of-the college children on a host of issues. How are children today different from those of yesterday in terms of exposure to issues like sexual conduct? What is the family's response to TV programmes showing sexual content? What are the apprehensions about mobile usage given the privacy it affords? What is the family's response to LGBTQIA+ debates on public platforms? What are parents' top concerns? What do they think of sex education in schools? How do they view and respond to new age challenges like cyber security? While most of the parents expressed concern about the challenges children and young people are negotiating in the face of growing exposure to such issues, the important takeaway from some parents is the need for sex education in schools in a responsible manner and sensitisation of children on LGBTQIA+ issues.



⏪ **TILAK GURUNG, 44**
GOVT. EMPLOYEE
GANGTOK, SIKKIM

'TBBT HAS HELPED OUR DAUGHTER MAKE INFORMED CHOICES'

1. **TBBT Impact:** It provided my child with the knowledge, skills, and confidence to make informed decisions about their sexual health and relationships and has also enabled open and honest communication within our family. TBBT has helped our daughter ask more questions and make informed choices.
2. **Teenagers Today:** They have greater access to information about sex-related issues because of the increased exposure to social media.
3. **TV Programmes:** I am not very comfortable watching TV today showing sexual content.
4. **Mobile Phones:** My worst apprehension is they may get misinformed on various things and may get misled by strangers online.
5. **LGBTQIA+ Discourse:** We are hardly comfortable watching TV when these issues are discussed openly.
6. **Parents' Concerns:** Education, employment and safety from drugs in schools/colleges are our topmost concerns.
7. **Sex Education in Schools:** It is important that it is imparted in schools as we do not discuss it openly at home. If it is taught in schools, then it will help our children understand their health and other related issues.
8. **New Age Challenges:** We discuss internet security as it is the most concerning topic. Every day, many cases concerning online bullying and harassment arise. We try to talk about the security measures they need to take while using social media. We also try to have discussions asking them not to share any personal information with strangers online. 📌

'MODERATION IS KEY'



⏩ **S. HUKAVI ZHIMOMI, 61**
EX MLA
DIMAPUR, NAGALAND

1. **Teenagers Today:** Due to society's progress and education, the children of this generation have become more modern. They have become independent, and their parents can no longer keep them under control.
2. **TV Programmes:** TV shows offer a wealth of information and can be an excellent learning tool. However, it's crucial to be discerning and embrace the positive influences while rejecting negativity.
3. **Mobile Phones:** Like anything else, moderation is key. Excessive phone use can negatively impact a teenager's future if it overshadows other responsibilities.
4. **LGBTQIA+ Discourse:** These topics must be entirely avoided in public. While some may have personal interest in LGBTQIA+ topics, these discussions are best suited for private exploration.
5. **Sex Education in Schools:** The matter is purely private, and it should not be brought into the public domain.
6. **New Age Challenges:** Everyone must restrain himself/herself from cultivating bad habits and learn to be safe from infections and diseases. 📌

'NO LGBTQIA+ CONTENT ON TV, PLEASE'

⏪ **AKEPI LINGGI EHILI, 41**
GOVT. EMPLOYEE

LOWER DIBANG VALLEY, ARUNACHAL PRADESH

1. **Teenagers Today:** Today's teenagers are exposed to adult content. However, the understanding of the impact may vary from parent to parent.
2. **TV Programmes:** I am not comfortable with watching sexual content on TV with my children.
3. **Mobile Phones:** My worst fear is about children getting access to adult and violent content.
4. **LGBTQIA+ Discourse:** I don't support TV airing LGBTQIA+ debates.
5. **Parents' Concerns:** My greatest worries are related to health, exposure to sexual content on TV/ social media, access to drugs in schools/colleges, education and employment.
6. **Sex Education in Schools:** It should be provided appropriately. However, gay and LGBTQIA+ issues should be avoided in schools. Awareness about these issues may be created at the college level.
7. **New Age Challenges:** My children are very young. However, we will make them aware as they reach appropriate ages. 📌





Ⓐ **PAUL THONGKHOMANG**
TOUTHANG, 54
 SOCIAL WORKER
 AIZAWL, MIZORAM

'SEX EDUCATION WILL BE USEFUL IF EXPERTLY CONDUCTED'

1. **Teenagers Today:** The Internet has made adult and pornographic content easily accessible to teenagers across platforms and devices.
2. **TV Programmes:** We feel extremely uncomfortable watching sexually explicit scenes on TV with our family.
3. **Mobile Phones:** Children as young as three are using smartphones for hours each day. This trend is alarming because it can negatively impact their eyesight and mental health. Parents may struggle to teach them about the normal processes of life.
4. **LGBTQIA+ Discourses:** For parents, witnessing such discussions in public with their children can be awkward. However, private conversations on such sensitive subjects can be a valuable opportunity to educate our children.
5. **Parents' Concerns:** The overwhelming concern of parents is regarding the career prospects of their children. Their health and well-being are definitely another matter of great concern. Safety from drugs in schools is also very important and parents and the school should take precautionary measures and offer support, if needed.
6. **Sex Education in Schools:** For it to be useful, sex education needs to be expertly conducted and delivered as it is a highly sensitive topic. Religious institutions such as churches and mosques could also play a role in educating young people about sex. 📌

'NEED TO BE READY WITH RIGHT ANSWERS ON LGBTQIA+ ISSUES'

1. **Teenagers Today:** In Meghalaya, teenagers in the urban setting are very well aware of and open to adult issues, unlike the youth in the old times. However, in the rural areas, despite being aware, they are not very open to issues like sexual conduct.
2. **TV Programmes:** While watching TV shows featuring sexual content, I am comfortable to an extent since the children are aware and it doesn't cause any harm.
3. **Mobile Phones:** My worst apprehension is that the social media algorithm will bring feeds that have adult content, not just sexual content, but language, thought processes, etc, that are not appropriate for children.
4. **LGBTQIA+ Discourse:** The issue is not about being comfortable. It is about I being prepared with the right answers and explanations for the questions that may arise
5. **Parents' Concerns:** Health is the top priority, followed by the drug menace.
6. **Sex Education in Schools:** It should start early with the parents' consent and should not remain confined to urban areas. The teachers handling the topic must be sensitised to the new methods of imparting sex education to children and youth of all ages. 📌



Ⓐ **DYLAN SYIEM, 40**
 GOVT. EMPLOYEE
 EAST KHASI HILLS, MEGHALAYA

→ COLUMN
VITHIKA YADAV



LANGUAGE & PREJUDICE

In its state of unending flux, language evolves just a semicolon behind changing societal constructs and, therefore, you may now call sex, sex, and queer, queer without causing any social seizures!

EMBARKING on the exploration of human sexuality is akin to navigating a complex maze, revealing the dynamic nature of our language, our most powerful tool, always in flux. This expedition extends beyond the realm of semantics; it unfolds as a journey, a living narrative that I have witnessed evolving throughout my professional voyage.

In India, the interplay between language, gender and sexuality has undergone a profound evolution, challenging traditional norms and reshaping societal discourse. Language, as a reflection of cultural values, has historically played a pivotal role in shaping gender roles and attitudes toward sexuality. Over the years, there has been a discernible shift towards a more inclusive and nuanced vocabulary that acknowledges the diverse spectrum of gender identities and sexual orientations.

Language, once laden with gendered expressions that reinforced stereotypes, is gradually transforming into a platform for empowerment and inclusivity. From the vibrant screens of Bollywood, over-the-top (OTT) platforms, and social media, as well as the corridors of brands and marketing, new terminologies are being happily embraced, mirroring the influential role of the youth

in shaping contemporary discourse. And as conversations around sex and sexuality become more open and nuanced, language becomes not only a tool for communication but a catalyst for social change.

The evolution of terminology surrounding gender identities, such as agender, bigender and genderqueer, highlights a growing awareness and acceptance of individuals breaking free from conventional gender norms. This linguistic evolution serves as a catalyst for dismantling entrenched biases and fostering a society that recognises and respects the fluidity of gender. Consider, for instance, the shift in addressing the LGBTQIA+ community. The acronym itself has become a symbol of inclusivity and acceptance, finding its way into various spheres of life, including corporate spaces emphasising 'Diversity and Inclusivity'. The term 'queer', once used derogatorily, has been reclaimed as a powerful expression of fluid identities that challenge societal norms. In the context of India, where societal expectations can be stringent, adopting the term 'queer' is a courageous celebration of diverse identities, resonating with resilience and authenticity.

A groundbreaking shift also involves an emphasis on naming body parts plainly - asserting that a vagina is a vagina, a penis is a penis, and sex is just that, sex. This departure from veiled euphemisms is evident in many sex

A GROUND-BREAKING SHIFT ALSO INVOLVES AN EMPHASIS ON NAMING BODY PARTS PLAINLY - ASSERTING THAT A VAGINA IS A VAGINA, A PENIS IS A PENIS, AND SEX IS JUST THAT, SEX



GETTY IMAGES

Participants at a parade march

the acknowledgement of 'asexuality', a term once hardly known, marks a significant shift in understanding sexual attraction, fostering a more inclusive discourse around diverse experiences. Understanding and embracing this evolving language is a crucial step towards creating a more inclusive society in line with India's cultural diversity. A rich vocabulary is needed to express authentic selves, making language not just a tool but a bridge connecting hearts and minds in the beautiful journey of self-discovery.

The evolving language surrounding sexuality in India is also intricately linked to the broader movements advocating for social change and equality. Activism, both on the ground and online, has played a crucial role in challenging discriminatory language and fostering a more inclusive lexicon. Social media platforms have become powerful tools for advocacy, allowing marginalised communities to reclaim narratives and shape public discourse. Hashtags, campaigns, and online discussions have propelled the spread of inclusive language, breaking down barriers and inviting individuals from diverse backgrounds to engage in conversations around gender and sexuality.

However, challenges persist in the vernacular languages of India, where deeply rooted cultural norms and conservative attitudes can impede the adoption of more progressive terminology. Whether in Hindi or other regional languages, there is a pressing need to engage vernacular content across various platforms to facilitate understanding and foster constructive dialogues around sexuality. Bridging this linguistic gap is essential to ensure that the evolving language of sexuality is accessible to a broader audience. It requires concerted efforts in education, media representation and community engagement.

I hope we continue to navigate this complex and ever-evolving landscape of sexuality worldwide. Let's celebrate the diversity that makes us beautifully, authentically, and uniquely human. By embracing the evolving language of sexuality, we empower ourselves to shape a society that truly respects and understands the spectrum of human experiences. After all, in this journey, every word carries the power to transform and illuminate the path forward. ■

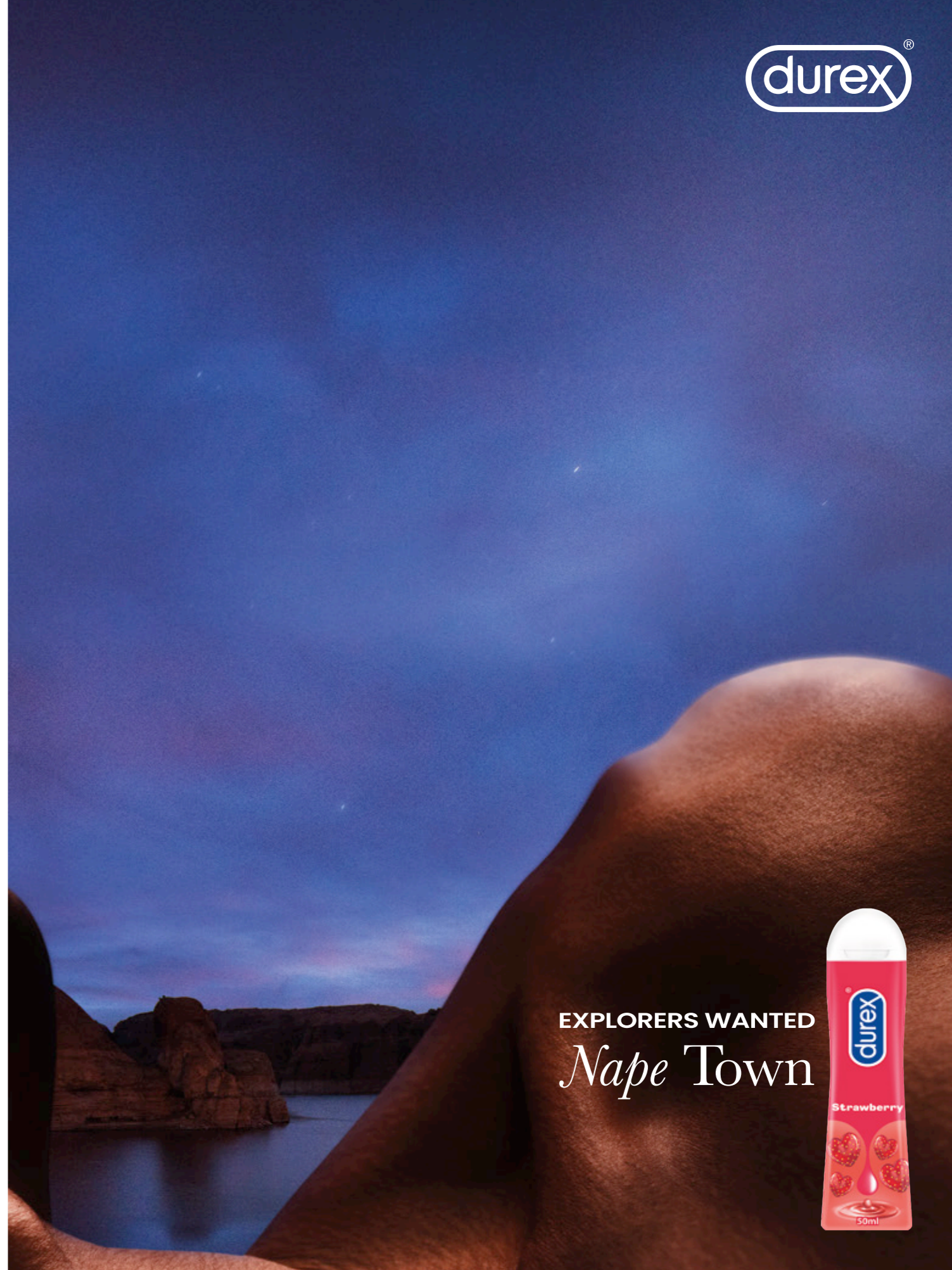
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education campaigns in India, underscoring the importance of precise language in conversations about anatomy.

The term 'Ally' has gained prominence, too, highlighting individuals who actively support equal rights and acceptance. These allies play a crucial role in creating spaces where everyone can unfurl their authentic selves. In the Indian context, where conservative ideologies often clash with the push for inclusivity, the language of allyship becomes a beacon of hope and progress. The concept of intersectionality, recognising and addressing the challenges faced by individuals with multiple identities, becomes a guiding principle for empathy and inclusivity. Embracing intersectionality in language helps break down barriers and create spaces where diverse experiences are acknowledged and respected.

The unexpected rise of the term 'Pride' in the Indian context is particularly noteworthy. Pride celebrations have become a testament to the spirit of resistance against discrimination and violence. In a country where conservative values often clash with the push for LGBTQIA+ rights, the language of pride becomes a powerful tool for advocacy and visibility. In a society where gender roles have been rigidly defined, embracing these terms provides a nuanced understanding of gender identities. Similarly,

THE EVOLUTION OF TERMINOLOGY SURROUNDING GENDER IDENTITIES, SUCH AS AGENDER, BIGENDER AND GENDERQUEER, HIGHLIGHTS A GROWING AWARENESS AND ACCEPTANCE OF INDIVIDUALS BREAKING FREE FROM CONVENTIONAL GENDER NORMS



EXPLORERS WANTED
Nape Town





**GET THE
NATURAL
SKIN
LIKE
FEELING**



durex

real feel

SKIN-ON-SKIN FEELING



10
CONDOMS

