

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** IND30144  
**Country:** India  
**Date:** 22 May 2006

**Keywords:** India – New Delhi – Homosexuals – Indian Penal Code – Shiromani Akali Dal (Badal)

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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#### Questions

1. Can you provide me with information on the legal status of homosexuality in India and on the practice of prosecuting homosexuals under the Indian Penal Code?
2. Can you also provide information on the societal attitudes to homosexuals in a place such as New Delhi?
3. What is the Shiromani Akali Dal(BADAL) in Delhi state and what is the relevance to homosexuals?

#### RESPONSE

1. Can you provide me with information on the legal status of homosexuality in India and on the practice of prosecuting homosexuals under the Indian Penal Code?

Homosexuality per se is not illegal in India. Article 377 of the *Indian Penal Code* criminalises unnatural offences which includes sodomy. The most recent arrests under Article 377 occurred in January 2006 in Lucknow, Meerut and Hyderabad. While Article 377 cases rarely make it to court, it is used by police, with impunity, to harass homosexuals. The Naz Foundation has challenged the validity of Article 377 in the Delhi High Court. The next hearing is scheduled for July 2006.

Article 377 of the *Indian Penal Code* states:

Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Explanation – Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section (*Indian Penal Code* (Act No 45 of 1860), IndiaLawInfo website <http://www.indialawinfo.com/bareacts/ipc.html> – Accessed 17 May 2006 – Attachment 1).

According to the US Department of State, Article 377 punishes acts of sodomy, buggery and bestiality and “is commonly used to target, harass and punish lesbian, gay, bisexual and transgender persons” (US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

The Naz Foundation notes that the “order of nature” is not defined but that judicial pronouncements have extended Article 377 to cover oral sex, anal sex, thigh sex and mutual masturbation, so that all forms of sexual expression between men are criminalised (Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Para 10 – Attachment 3; and Bondyopadhyay, Aditya 2004, *A perspective from India: Homosexuality stands criminalized because of a mid 19th century colonial law*, speech at the UN International Panel Discussion: Breaking the “cultural” straitjacket: why sexual orientation and gender identity are issues on the global south’s agenda, 13 April, International Lesbian and Gay Association website – Attachment 4).

The Naz Foundation reports that Article 377 is a cognisable offence:

In other words a police officer if is apprehensive that the criminal act as described by section 377 or its expanded scope as given by the courts is likely to take place, can take all necessary actions to stop the crime. This effectively means that the privacy of a person who is identified/suspected as gay or is openly gay can be violated by a police officer at any time without any warrant, and his house, possessions etc can be searched in order to either establish the crime or to ‘prevent’ the crime from taking place (Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Para 11 – Attachment 3).

The most recent arrests under Article 377 occurred in January 2006 in Lucknow, Meerut and Hyderabad. On 4 January 2006, four men were arrested in Lucknow for operating a “gay racket” on the Internet and engaging in unnatural sex. The Lucknow police claim to have seized the four men while they were having a picnic in a public place. Human Rights Watch received reports which indicate that “undercover police, posing as gay on the website, entrapped one man, then forced him to call others and arrange a meeting where they were arrested.” The police and administration in Lucknow have refused to release the men. According to Alok Sinha, the principal Home Secretary, “The law of the land is against homosexuality, so the action taken by our police was absolutely valid”. Pandey also reports that the police “have traced at least 50 more in their list of local contacts, but have not proceeded against them so far.” Police also arrested a number of gay men in the Meerut region (‘Cops refuse to release 4 gays’ 2006, *Khaleej Times*, 12 January – Attachment 5; and Townley, Ben 2006, ‘India feels heat over gay rights’, Gay.com UK website, 12 January – Attachment 6). A police taskforce in Hyderabad “busted the first-ever male prostitute racket” and arrested three people under Section 377 for indulging in “unnatural sex” (‘Cops expose ‘gay abandon’ 2006, *The Times of India*, 1 February – Attachment 7).

Article 377 cases rarely make it to court; however, Article 377 “continues to be a potent tool of oppression” and “is more often that not used for purposes of intimidation” (‘Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore’ 2001, People’s Union for Civil Liberties website, February, p.12 – Attachment 8; Manjunath, Chinmayee 2003, ‘Homosexuality in India, where tradition still rules’, Great Reporter website, 8 June – Attachment 9; Bondyopadhyay, Aditya 2004, *A perspective from*

*India: Homosexuality stands criminalized because of a mid 19th century colonial law*, speech at the UN International Panel Discussion: Breaking the “cultural” straitjacket: why sexual orientation and gender identity are issues on the global south’s agenda, 13 April, International Lesbian and Gay Association website – Attachment 4; and UK Home Office 2006, *Country of Origin Information Report India*, April, Section 6.513 – Attachment 10).

Article 377 is used by the police and other law enforcement agencies to harass homosexuals. Harassment takes many forms including blackmail, extortion, theft of personal belongings, extraction of favours, illegal detention, physical abuse, verbal abuse, sexual abuse, rape and outing. The harassment occurs in parks and other public places where homosexuals congregate, all over India. The harassment has been described as “widespread” and “endemic” with homosexuals viewed as “easy targets” (Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore’ 2001, People’s Union for Civil Liberties website, February, pp.13-14 – Attachment 8, Human Rights Watch 2002, *World Report 2002 – India* – Attachment 11; Overdorf, Jason 2002, ‘Closet Drama’, *Far Eastern Economic Review*, 3 October – Attachment 12; Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Paras 6 & 24 – Attachment 3; Manjunath, Chinmayee 2003, ‘Homosexuality in India, where tradition still rules’, Great Reporter website, 8 June – Attachment 9; DIMIA Country Information Services 2003, *Country Information Report No. 106/03 – India: Treatment of Homosexual People*, (sourced from DFAT advice of 31 July 2003), 31 July, A6 & A7 – Attachment 13; Bondyopadhyay, Aditya 2004, *A perspective from India: Homosexuality stands criminalized because of a mid 19th century colonial law*, speech at the UN International Panel Discussion: Breaking the “cultural” straitjacket: why sexual orientation and gender identity are issues on the global south’s agenda, 13 April, International Lesbian and Gay Association website – Attachment 4; DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August – Attachment 14; and US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

Homosexuals are afraid to register complaints of police harassment with the police for fear of prosecution under Article 377, being outed and/or further harassment. Police harassment of homosexuals continues with impunity despite awareness of the situation by the National AIDS Control Organisation (NACO), the Ministry of Home, the Ministry of Health and Family Welfare and many other government departments. None or very few cases of complaints registered with the police were found and no evidence of any charges laid against the police for harassment was found (Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore’ 2001, People’s Union for Civil Liberties website, February, p.14 – Attachment 8; Overdorf, Jason 2002, ‘Closet Drama’, *Far Eastern Economic Review*, 3 October – Attachment 12; Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Para 5, 24 & 25 – Attachment 3; DIMIA Country Information Services 2003, *Country Information Report No. 106/03 – India: Treatment of Homosexual People*, (sourced from DFAT advice of 31 July 2003), 31 July, A8 – Attachment 13; Bondyopadhyay, Aditya 2004, *A perspective from India: Homosexuality stands criminalized because of a mid 19th century colonial law*, speech at the UN International Panel Discussion: Breaking the “cultural” straitjacket: why sexual orientation and gender identity are issues on the global south’s agenda, 13 April, International Lesbian and Gay Association website – Attachment 4; DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities*

(sourced from DFAT advice dated 29 July 2005), 22 August, A6 – Attachment 14; and US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

In December 2001, the Delhi High Court admitted a petition by the Naz Foundation which challenges the Constitutional validity of Article 377 of the *Indian Penal Code* on the grounds that it “criminalises homosexual acts” even between two consenting adults. According to the Naz Foundation, Article 377 violates Articles 14, 15, 19 and 21 of the Constitution. The petition states that, “Section 377 creates an arbitrary and unreasonable classification between natural (penile–vaginal) and unnatural (penile–non vaginal) sexual acts that violates Article 14’s guarantee of equal protection before and under the law...Section 377 imposes traditional stereotypes concerning the ‘natural’ sexual roles for men and women upon the sexual minorities. It also provides moral and legal sanction for the continued social discrimination of sexual minorities.” The Court issued notices to the respondents, including the Union government, the Delhi government, the Commissioner of Police and NACO, and seeks replies by 28 January 2002 (‘Gay activists get court to examine Article 377’ 2001, *Hindustan Times*, 8 December – Attachment 15).

Two years later, the government filed its response. According to the government, “Indian society is intolerant to the practice of homosexuality/lesbianism”. The government said that society’s disapproval of homosexuality was “strong enough to justify it being treated as a criminal offence even where the adults indulge in private.” The government argues that “deletion of the said section can well open flood gates of delinquent behaviour and be misconstrued as providing unbridled licence for the same” (‘Life Sentences Necessary “To Control Homosexuality” India Says’ 2003, 365 *Gay*, 9 September – Attachment 16; and Bondyopadhyay, Aditya 2004, *A perspective from India: Homosexuality stands criminalized because of a mid 19th century colonial law*, speech at the UN International Panel Discussion: Breaking the “cultural” straitjacket: why sexual orientation and gender identity are issues on the global south’s agenda, 13 April, International Lesbian and Gay Association website – Attachment 4).

In September 2004, the Delhi High Court dismissed the legal petition, ruling that the validity of Article 377 cannot be challenged by anyone who is “not affected by it”. It is unclear what exactly “not affected by it” means, with some lawyers arguing that the petition should be filed by the affected people rather than the organisations representing them (Sen, Ayanjit 2004, ‘India court rejects gay petition’, *BBC News*, 2 September – Attachment 17). In November 2004, the Delhi High Court dismissed a review petition filed by the Naz Foundation (‘Homosexuality is punishable: HC’ 2004, *The Times of India*, 3 November – Attachment 18). The Naz Foundation appealed to the Supreme Court, who in February 2006, sent back the Special Leave Petition to the Delhi High Court saying that Section 377 is “a matter related to public interest” (Bhatt, Sheela 2006, ‘Gay rights is matter of public interest: SC’, rediff.com website, 3 February – Attachment 19). In April 2006, the Delhi High Court issued notice to NACO and the Delhi government, seeking replies by 19 July 2006 (‘Court issues notice to NACO, Delhi government on gay issue’ 2006, *Indo Asian News Service*, 3 April, *Daily India* website – Attachment 20).

**2. Can you also provide information on the societal attitudes to homosexuals in a place such as New Delhi?**

Homosexuals face discrimination and harassment from Indian society, their family and the medical profession. Homosexuals attract less attention in large cities including Delhi where there are support groups and a gay scene; however, it is still difficult to openly live as a homosexual.

Information provided in response to this question has been organised under the following seven headings:

- General;
- Family;
- Medical Profession;
- Hindu Fundamentalists;
- Harassment;
- Rich vs Poor & Castes; and
- New Delhi.

### General

According to the Naz Foundation, “no ‘out’ gay person can live a normal life in India devoid of the threat of state oppression, and or state inaction in the face of oppression and hatred/violence by non-state parties” (Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January – Attachment 3). According to the US Department of State, gays in India “faced discrimination in all areas of society, including family, work, and education. Activists reported that in most cases, homosexuals who do not hide their orientation were fired from their jobs.” According to human rights groups in India, “gay and lesbian rights were not considered legitimate human rights” (US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

A selection of descriptions of Indian society’s attitude towards homosexuality follows:

- “Gay men in Chennai have formed the first ever gay-club, which can be described as a bold step in the Indian society where **homosexuals are shunned** and homosexuality is a criminal offence” (‘Chennai gets first gay-club in India’ 2006, *New Kerala*, 19 March – Attachment 21);
- “Same sex relationships are still **looked down upon** in India, yet there are a few who have the courage to rebel against this **societal prejudice** even in a small place like Chhindwada, a town in Madhya Pradesh” (‘Lesbian couple rebel to live together in India’ 2005, *Asian Sex Gazette*, 9 November – Attachment 22);
- “**Spurned by society** and criminalized by the law, thousands of gay men in this burgeoning economy are going online to meet other people, voice their opinions or simply be themselves” (Tusing, David 2005, ‘Gay men find refuge on the Net’, *CNN*, 4 October – Attachment 23);
- “Singh [Naz Foundation] said that, as a society that **did not recognise the concept of homosexuality as a valid lifestyle choice**, treatment of homosexuals in India was similar, whether the person had lived overseas or not. Having experienced the ability to live openly as a homosexual in a western country may make it more difficult for the individual to return to a lifestyle where their **sexual preference needed to be hidden**. Should a returnee attempt to live as an openly gay person in India, they face the prospect of harassment by the State and ostracisation from their family” (DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of*

*Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August, A2 – Attachment 14);

- Media coverage of the murder of Pushkin Chandra and Vishal alias Kuldeep highlighted the men's supposed sexuality with headlines such as "Forced gay sex: The two unidentified men could have been coerced to have sex with Pushkin and Vishal. This might have enraged them leading to murder", "Blackmail: Large number of gay photographs and amateur pornographic movies strewn across the room", "Sado-masochist: Police suspect it was S&M sex, which went horribly wrong" and "Double murder outs Delhi's gay culture." The article reports that "many in the gay and lesbian community have strongly objected to reportage on the murders" ('Media coverage of double murder angers India's gay community' 2004, Fridae website, 17 August – Attachment 24);
- "Still, **prejudice remains strong**. "My Brother Nikhil" omits any display of physical intimacy between Nikhil and his boyfriend, avoiding the kind of violent demonstrations that plagued earlier films like "Fire," a 1997 art-house release that included lesbian sex scenes" (Williams, Mark 2005, 'A movie and a legal battle challenge India's notion of gays', SF Gate website, 14 May – Attachment 25);
- "The **powerful social stigma** that has long kept the country's homosexual minority in hiding is not only enforced by family and neighbors, but even the local police" (McPhate, Mike 2004, 'Gay in India', *The Gully*, 18 October – Attachment 26);
- "Marriage-conscious society **mostly frowns**, but homosexuals are finding a club here and a movie there that accepts them" (Gezari, Vanessa 2003, 'India's gays see small improvement in cultural outlets', *Chicago Tribune*, 10 September, AIDS Education Global Information System (AEGIS) website – Attachment 27);
- Vinay Chandran concludes: "**Until societal spaces are safer**, people will not admit they are homosexual, but such spaces cannot be created until they do" (Manjunath, Chinmayee 2003, 'Homosexuality in India, where tradition still rules', Great Reporter website, 8 June – Attachment 9);
- "That it is usually the argument of most of the rightwing and Hindu fundamentalist political alignment in power today in India, that homosexuality is against Indian Culture. ... **Their homophobia taps into public sentiment** and they use it to garner votes" (Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Para 17 – Attachment 3);
- "Caught between harsh laws and **cultural conservativeness**, Indian gays often lead lives of **frightened secrecy**. ... But modern Hindu fundamentalists and **Indian society at large vehemently oppose homosexuality**" (Overdorf, Jason 2002, 'Closet Drama', *Far Eastern Economic Review*, 3 October – Attachment 12); and
- "Underpinning intimidation by organs of the state is an **insidious and pervasive culture of silence and intolerance** practiced by different sections and institutions of society. Many people deny the existence of sexuality minorities in India, dismissing same-sex behaviour as a Western, upper-class phenomenon. Many others label it as a disease to be cured, an abnormality to be set right or a crime to be punished. While there are no organized hate groups in India as in the West, the persecution of sexuality minorities in India is more insidious. Often, sexuality minorities themselves don't want to admit the fact of persecution because it intensifies their fear, guilt and shame. **Social stigma** casts a pall of invisibility over the life of sexuality minorities, which makes them frequent targets of harassment, violence, extortion, and often, sexual abuse from relations, acquaintances, hustlers, *goondas*, and the police" (Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore' 2001, People's Union for Civil Liberties website, February, p.18 – Attachment 8).

An article dated 22 March 2006 in *The Pink News* reports that a number of Indian celebrities have been moved to speak out about attitudes towards gay people. Male supermodel Dino Morea said that “on many occasions gays can make great friends.” According to actor Zayed Khan, “who are we to judge whether they are right or wrong? In my view sexuality of a person hardly matters. I believe that we should accept it like many other aspects of life and treat it as normal.” Film star Koena Mitra said, “I believe Indian society needs to change its attitude towards gays and lesbians. Why should they be treated any different from others?” (Knowles, Katherine 2006, ‘India’s celebrities speak up for gay rights’, *Pink News*, 22 March – Attachment 28).

## **Family**

Family is an important part of Indian culture. Individuals are expected to marry and have children. In this context there is little space for homosexual relationships. Only a minority of homosexuals in India express their sexuality openly, most are compelled by their family to marry and raise children (‘Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore’ 2001, People’s Union for Civil Liberties website, February, pp.18-19 – Attachment 8; Overdorf, Jason 2002, ‘Closet Drama’, *Far Eastern Economic Review*, 3 October – Attachment 12; Manjunath, Chinmayee 2003, ‘Homosexuality in India, where tradition still rules’, Great Reporter website, 8 June – Attachment 9; Gezari, Vanessa 2003, ‘India’s gays see small improvement in cultural outlets’, *Chicago Tribune*, 10 September, AIDS Education Global Information System (AEGIS) website – Attachment 27; McPhate, Mike 2004, ‘Gay in India’, *The Gully*, 18 October – Attachment 26; Williams, Mark 2005, ‘A movie and a legal battle challenge India’s notion of gays’, SF Gate website, 14 May – Attachment 25; and DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August – Attachment 14).

A homosexual in the family is a source of “great shame” and embarrassment (Gezari, Vanessa 2003, ‘India’s gays see small improvement in cultural outlets’, *Chicago Tribune*, 10 September, AIDS Education Global Information System (AEGIS) website – Attachment 27; and DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August – Attachment 14).

Some homosexuals come out to their family and others are outed. While some family’s are accepting, others disown, discriminate against, ostracise and react violently to the news (‘Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore’ 2001, People’s Union for Civil Liberties website, February, pp.18-19 – Attachment 8; Gezari, Vanessa 2003, ‘India’s gays see small improvement in cultural outlets’, *Chicago Tribune*, 10 September, AIDS Education Global Information System (AEGIS) website – Attachment 27; McPhate, Mike 2004, ‘Gay in India’, *The Gully*, 18 October – Attachment 26; *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August – Attachment 14; Verma, Varuna 2006, ‘Love and let love’, *The Telegraph*, 5 March – Attachment 29; and US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

## Medical Profession

According to the Naz Foundation, “the majority of Indian families would not accept homosexuality and instead pressured the individuals involved to...see a doctor for treatment” (DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August – Attachment 14).

According to second year medical student Ravichandran, “many if not most Indian medical educators, including practising doctors, are homophobic and believe that homosexuality is a mental deviation that needs treatment.” While teaching medical students on the effects of HIV/AIDS on the health of Indians, his professor declared, “In Western countries, it primarily spreads among homosexuals. Of course, in our country, we don’t have homosexuals.” When Ravichandran protested that homosexuality was prevalent in India, the professor “was indifferent and my colleagues were annoyed.” Ravichandran approached his professor after class and asked him what he thought about homosexuals. The professor said that there is no such thing, that it was a US invention. Ravichandran spoke with a couple of other professors and with the exception of one psychiatrist, “the response was similar”:

Generations of doctors in India grow up believing that any alternative to strict heterosexual vaginal intercourse is abnormal. Although attitudes do seem to be changing (a psychiatrist told one close friend that homosexuality was normal), it is disturbing that medical education does little to alleviate such social stigma.

...During the conference [December 2004] I brought up the issue of Section 377 and the role of AIDS in the oppression of homosexuals in India. Although the panel enthusiastically discussed it, one medical student stood up and said, “You are discussing homosexuality as normal behaviour. For their disgusting lifestyle, they deserve punishment, and that’s one reason I feel why no cure must be found for AIDS.” This was greeted with low grade applause, much to the shock of the expert panel. What is worse, my own colleagues now view me with remarkably less respect, and a few people have severed ties with me (Ravichandran, Balaji 2005, ‘India: no homosexuals here’, *British Medical Journal*, Vol 331, No 7507, 2 July, p.57 – Attachment 30).

According to the US Department of State, homosexuals in India were detained in clinics against their will and subjected to treatment including shock therapy aimed at curing them. The Naz Foundation filed a petition with the National Human Rights Commission (NHRC) on behalf of a man who was subjected to shock therapy. The case was declined as gay and lesbian rights were not under the purview of the NHRC (US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

According to Vinay Chandran, Executive Director of Indian NGO Swabhava Trust, “a self-identified homosexual in India gets used to being judged and condemned through three morality-tinted glasses: religion, law and medicine.” Vinay asks why medicine in India is so obsessed with “curing” homosexuality. Vinay reports that health professionals in many places still offer behavioural therapy including electric shock treatment as well as psychiatric drugs and hormones in order to “cure” patients of homosexual desire. Vinay reports that a couple of psychiatrists in Bangalore mentioned that there were possibilities of discovering which gene determines sexual preference and scientifically suppressing it:



When homosexuals visit mental health professionals bearing the burden of a society that refuses to acknowledge their desires, their distress is not settled with reassurance and empathy. Instead, there is a reaffirmation of social morals from the counsellors. One response by a Bangalore-based psychiatrist represents the attitude that most counsellors display in such a setting. When asked why a cure for homosexuality was being offered, he responded that it was not his job to tell his patient that it was okay to be gay, and that a homosexual who came to him with distress over his identity obviously needed his help (Chandran, Vinay 2006, 'Ain't no cure for love', *India Together*, 6 April – Attachment 31).

## **Hindi Fundamentalists**

Homosexuality continues to be seen in India as a threat to religious beliefs in India (Manjunath, Chinmayee 2003, 'Homosexuality in India, where tradition still rules', Great Reporter website, 8 June – Attachment 9).

Hindu fundamentalists vehemently oppose homosexuality believing it is against Indian culture. According to Navin Sinha, an official with the Hindu rightwing Bharatiya Janata Party, "[The gay movement] is an abysmal, absurd thing...For one thousand years in our culture, those two things you mentioned – I don't even want to say the words [homosexuality and lesbianism] – they have not been there." According to Vishnu Hari Dalmiya, President of the Hindu nationalist Vishwa Hindu Parishad party, "Making homosexuality legal will be an attack on Indian society...For Hindus, this kind of behaviour is not just against nature, it is against our culture" (Overdorf, Jason 2002, 'Closet Drama', *Far Eastern Economic Review*, 3 October – Attachment 12; Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Para 17 – Attachment 3; McPhate, Mike 2004, 'Gay in India', *The Gully*, 18 October – Attachment 26; and Williams, Mark 2005, 'A movie and a legal battle challenge India's notion of gays', SF Gate website, 14 May – Attachment 25).

## **Harassment**

*Goondas* or professional hoodlums, petty criminals and hustlers also harass homosexuals. Harassment takes the form of extortion, blackmail, physical abuse and rape ('Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore' 2001, People's Union for Civil Liberties website, February, pp.13-14 – Attachment 8; Overdorf, Jason 2002, 'Closet Drama', *Far Eastern Economic Review*, 3 October – Attachment 12; Sangwan, Soni 2004, 'Homosexuals are soft targets', *Hindustan Times*, 15 August, Gay Bombay website – Attachment 32; Williams, Mark 2005, 'A movie and a legal battle challenge India's notion of gays', SF Gate website, 14 May – Attachment 25; 'Gang Targeting Gay Men Busted' 2006, *365 Gay*, 3 January – Attachment 51; and US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March, Section 5 Other Societal Abuses and Discrimination – Attachment 2).

An article dated 3 January 2006 in *365 Gay* reports that police in Vadodara have arrested a four member gang that preyed on gay men. According to police the gang would target gays in a park used for cruising, robbing and blackmailing them. The police note that gay victims never came forward out of fear of being outed ('Gang Targeting Gay Men Busted' 2006, *365 Gay*, 3 January – Attachment 51). An article dated 15 August 2004 in *The Hindustan Times* reports that a homosexual from Simla who was being blackmailed, lodged a complaint with police who tracked down the blackmailer and arrested him (Sangwan, Soni 2004, 'Homosexuals are soft targets', *Hindustan Times*, 15 August, Gay Bombay website – Attachment 32).

## **Rich vs Poor & Castes**

It has been argued that poor homosexuals or homosexuals of lower economic standing do not have the money or power to attain safety while those in a higher economic bracket are able to use their influence to avoid police harassment. According to a legal representative of the Naz Foundation, “even the most well off in society is vulnerable to state sponsored and supported oppression of gay men in India.” The legal representative of the Naz Foundation is reasonably well off, educated and established as a lawyer but still faces police harassment. He also reports that he is the lawyer for a couple who had been living in an openly gay relationship for three years when they were arrested and tortured by state agents. He notes that one of the couple is from a very wealthy business family while the other is a professional drawing a salary drawn by the top 5% of professionals in India (Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January, Paras 25 & 26 – Attachment 3; and Chinmayee 2003, ‘Homosexuality in India, where tradition still rules’, Great Reporter website, 8 June – Attachment 9).

According to Singh of the Naz Foundation, “the shame of those around a homosexual individual can be held to be greater if the person is from a higher caste, as it is seen to be damaging to the status of the caste. One of the men that Singh worked with had told friends that he was homosexual. The man’s friends assaulted him, as he was a Rajput (warrior caste), as were they, and it was felt that he was sullyng the caste” (DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August, A3 – Attachment 14).

## **New Delhi**

According to advice provided by the Naz Foundation on 29 July 2005, attitudes towards homosexuals were fairly uniform throughout India:

No state or states treated homosexuals in a worse fashion than was standard (DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August – Attachment 14)

According to advice provided by the Department of Foreign Affairs and Trade (DFAT) on 31 July 2003, homosexuality is more tolerated in large cities, particularly Delhi, where it is possible for gay men to live in a publicly acknowledged homosexual relationship. The advice notes that while it might be possible, some NGO representatives report that it is not easy (DIMIA Country Information Services 2003, *Country Information Report No. 106/03 – India: Treatment of Homosexual People*, (sourced from DFAT advice of 31 July 2003), 31 July, A4 & A5 – Attachment 13). An article posted on the Great Reporter website on 8 June 2003 notes that in India’s “bigger cities, homosexuality is hidden away more efficiently than in smaller villages where individuals are sometimes tormented because they are forced to live double lives or face being ostracised” (Manjunath, Chinmayee 2003, ‘Homosexuality in India, where tradition still rules’, Great Reporter website, 8 June – Attachment 9).

An article dated 15 August 2004 in *The Times of India* reports that homosexuals in New Delhi “might still raise a few eyebrows, but gradually, they seem to be gaining wider

acceptance.” The article notes that the cruising areas in New Delhi are Nehru Park, Palika Bazaar, Jahanpanah Forest, Dhaura Kuan bus stand and India Gate lawns. According to Rajiv Singh, Delhi is the gay capital of India (Kaul, Vividha 2004, ‘Homosexuality comes out of the closet’, *The Times of India*, 15 August – Attachment 33).

An article dated 4 October 2005 by *CNN* reports that private parties are organised on a regular basis in Delhi. Such parties are made possible by establishing contacts through the Internet. The article notes that the parties will have at least 100 people in attendance which is “a decent number, considering that many gay men still prefer the anonymity of an online identity” (Tusing, David 2005, ‘Gay men find refuge on the Net’, *CNN*, 4 October – Attachment 23). An article dated 18 October 2004 in *The Gully* reports that gay websites and hang-outs have proliferated in New Delhi. The article notes that several bars in New Delhi hold gay nights “though they are often not publicized for fear of attacks” (McPhate, Mike 2004, ‘Gay in India’, *The Gully*, 18 October – Attachment 26). An article dated 10 September 2003 in *The Chicago Tribune* reports that that once a week on Tuesdays a gay dance session is held at Pegs N’ Pints in New Delhi. According to Shaleen Rakesh of the Naz Foundation, changes in Indian society, even in Delhi, over the past four or five years has meant it is easier to talk about sexuality and being gay (Gezari, Vanessa 2003, ‘India’s gays see small improvement in cultural outlets’, *Chicago Tribune*, 10 September, AIDS Education Global Information System (AEGIS) website – Attachment 27). DFAT advice dated 31 July 2003 reports that there is one club in New Delhi which has a gay and lesbian night once a week. The advice notes that the club currently operates without police harassment. The advice reports that large parties advertised on websites such as Gay Delhi are held each month in Delhi at private venues. These generally operate free from police harassment as well although this is not always the case (DIMIA Country Information Services 2003, *Country Information Report No. 106/03 – India: Treatment of Homosexual People*, (sourced from DFAT advice of 31 July 2003), 31 July, A5 – Attachment 13). An article dated 3 October 2002 in the *Far Eastern Economic Review* provides information on a police raid of a homosexual party on the outskirts of New Delhi. The organisers “are used to dealing with the authorities, but tonight they are especially worried.” The article notes that the police are normally satisfied with a “nominal bribe, sometimes as little as a bottle or two of booze.” However, “tonight someone has spread the word via anonymous text-messages that there is to be a raid by media and police.” By 2am, the police arrive and one of the organisers cuts the generator so that revelers can slip away in the dark “running and hiding like the criminals that they are under India’s law” (Overdorf, Jason 2002, ‘Closet Drama’, *Far Eastern Economic Review*, 3 October – Attachment 12).

An article dated 14 January 2006 in *The Daily Times* reports that about two dozen gay activists in New Delhi held a rare and noisy protest demanding the release of four men arrested for homosexuality (‘Protests mount in India over arrest of gay men’ 2006, *Daily Times*, 14 January – Attachment 34).

An article dated 16 August 2004 in *The Times of India* reports on what could be the first hate crime against gays in Delhi, the murder of Pushkin Chandra and friend (‘Gay crime rocks Capital’ 2004, *The Times of India*, 16 August – Attachment 35). An article posted on the rediff.com website on 28 August 2004 reports that the Delhi police have claimed to have solved the murder of two homosexuals, Pushkin Chandra and his friend Kuldeep (‘Delhi police crack gay murder case’ 2004, rediff.com website, 28 August – Attachment 36).

According to Bombay Dost, Sangama and Swabhava there are eight organisations working on issues relating to homosexuality in New Delhi: AIDS Bhedbhav Virodhi Andolan (ABVA), Humrahi, Lawyers Collective HIV/AIDS Unit, The Milan Project, Naz Foundation India Trust, People for Rights of Indian Sexuality Minorities (PRISM), Sidhartha Gautam Trust and Talk About Reproductive and Sexual Health Issues (TARSHI) ('Support Groups' (undated), Bombay Dost website – Attachment 37; 'Links' (undated), Sangama website – Attachment 38; and 'Links' (undated), Swabhava website – Attachment 39). According to a report dated February 2001 by the People's Union for Civil Liberties (PUCI) in Karnataka, Alternative Law Forum (ALF), Manasa and People's Democratic Forum (PDF) there are organisations, help lines, publications/newsletters, health resources, social spaces and drop-in centres for homosexuals in Delhi however "the support structures provided are painfully inadequate" and "many of the newly emerging organizations die out silently while even the more established ones have been able to reach out in concrete terms only to a small section of the sexuality minority population due to lack of resources, personnel, government support and extreme societal/state discrimination" ('Human rights violations against sexuality minorities in India: A PUCI-K fact-finding report about Bangalore' 2001, People's Union for Civil Liberties website, February, p.8 – Attachment 8).

### **3. What is the Shiromani Akali Dal (BADAL) in Delhi state and what is the relevance to homosexuals?**

Shiromani Akali Dal (SAD) is the main political party of India's Sikh community. The SAD formed in 1920 and its basic philosophy is to give political voice to Sikh issues. Over the years, Akali Dal has been plagued by divisions and factionalism. As of 2003, the SAD headed by Prakash Singh BADAL was the largest faction. The SAD contest elections nationally but its influence is confined primarily to Punjab. The URL of the SAD website is <http://www.shiromaniakalidalbadal.com/> (Szajkowski, Bogdan 2005, 'Shiromani Akali Dal (SAD)', *Political Parties of the World*, 6<sup>th</sup> Ed, John Harper Publishing, London, p.298 – Attachment 40; Banks, Arthur et al 2006, 'Akali Religious Party', *Political Handbook of the World 2005-2006*, CQ Press, Washington, pp.513-514 – Attachment 41; and Wikipedia 2006, 'Shiromani Akali Dal', 29 April [http://en.wikipedia.org/wiki/Shiromani\\_Akali\\_Dal](http://en.wikipedia.org/wiki/Shiromani_Akali_Dal) – Accessed 10 May 2006 – Attachment 42. Please note that Wikipedia is a Web-based free-content encyclopaedia which is written collaboratively by volunteers.)

S. Avtar Singh Hit is president of SAD in the district of Delhi ('Distt President' (undated), Shiromani Akali Dal website [http://www.shiromaniakalidalbadal.com/Distt\\_President.htm](http://www.shiromaniakalidalbadal.com/Distt_President.htm) – Accessed 10 May 2006 – Attachment 43). SAD has no Members of Parliament (MPs) or Members of the Legislative Assembly (MLAs) from the Delhi constituency ('MP's' (undated), Shiromani Akali Dal website <http://www.shiromaniakalidalbadal.com/mps.htm> – Accessed 10 May 2006 – Attachment 44; and 'MLA's' (undated), Shiromani Akali Dal website <http://www.shiromaniakalidalbadal.com/mlas.htm> – Accessed 10 May 2006 – Attachment 45).

No information on Shiromani Akali Dal's (BADAL) stance on homosexuality was found amongst the sources consulted.

The following five attachments provide information on Sikhism and homosexuality:

- According to Wikipedia, Guru Granth Sahib [Sikh holy book] is silent on homosexuality. The Guru Granth Sahib outlines five vices to be avoided by Sikhs including Lust

(K'haam). Many Sikhs believe that homosexuality is a manifestation of lust and therefore forbidden. Other Sikhs believe that Guru Nanak's emphasis on universal equality and brotherhood supports gay rights. Sikhs are expected to conceive children and any other manner of living is prohibited. Many Sikhs have interpreted this to mean that homosexuality is against God's will (Wikipedia 2006, 'Homosexuality and Sikhism', 5 May [http://en.wikipedia.org/wiki/Homosexuality\\_and\\_Sikhism](http://en.wikipedia.org/wiki/Homosexuality_and_Sikhism) – Accessed 10 May 2006 – Attachment 46. Please note that Wikipedia is a Web-based free-content encyclopaedia which is written collaboratively by volunteers.)

- “Sikhism is a very tolerant religion and seeks to find the truth rather than adhere rigidly to rules. Homosexuality is not specifically banned in any of the writings of the Gurus, but they do stress that God has intended people to live as man and wife, or to be celibate, with no deviation from this design. This ambivalence allows most Sikhs to be very tolerant of homosexuality and accept a homosexual individual while still regarding the practice as against God's design” (‘Sikhs: Sexual Health’ (undated), Ethnicity Online website [http://www.ethnicityonline.net/sikh\\_sexual\\_health.htm](http://www.ethnicityonline.net/sikh_sexual_health.htm) – Accessed 10 May 2006 – Attachment 47);
- According to Jasvinder Singh, the ex-president of the local Gurdwara, homosexuality is not talked about in the scriptures or in the lives of the ten Gurus. According to Jasvinder, homosexual marriage is not an issue to Sikhs because marriage is between a man and women (‘Faith Alive: Faith and homosexuality’ 2004, *BBC News*, June – Attachment 48);
- Sikh religious leader, Giani Joginder Singh Vedanti, has denounced same-sex marriage and urged the Sikh assembly not to allow such ceremonies in a Sikh place of worship. According to Vedanti, “the Sikh code of conduct does not allow such marriages” (Laghi, Brian 2005, ‘Sikh leader in India denounces same-sex marriage’, *Globe and Mail*, 18 January <http://www.theglobeandmail.com/servlet/ArticleNews/TPStory/LAC/20050118/MPS18/TPInternational/?query=sikh+leader+in+india+denounces> – Accessed 10 May 2006 – Attachment 49); and
- Jasbir Singh started Darshan, an organisation for the gay Sikh community (Singh, Jasbir 2001, ‘Homosexuality and Sikhism’, Sikhe.Com website, 22 July – Attachment 50).

## List of Sources Consulted

### Internet Sources:

#### **Government Information & Reports**

Immigration and Refugee Board of Canada [http://www.irb-cisr.gc.ca/cgi-bin/foliocgi.exe/refinfo\\_e](http://www.irb-cisr.gc.ca/cgi-bin/foliocgi.exe/refinfo_e)

UK Home Office <http://www.homeoffice.gov.uk/>

US Department of State <http://www.state.gov/>

#### **United Nations (UN)**

UNHCR <http://www.unhcr.ch/cgi-bin/texis/vtx/home>

#### **Non-Government Organisations**

Amnesty International <http://www.amnesty.org/>

Human Rights Watch <http://www.hrw.org/>

#### **International News & Politics**

*BBC News* <http://news.bbc.co.uk>

*Daily India* <http://www.dailyindia.com/>

*Daily Times* <http://www.dailytimes.com.pk/>

*Economic Times* <http://economictimes.indiatimes.com/>

Frontline <http://www.frontlineonnet.com/>  
 Globe and Mail <http://www.theglobeandmail.com/>  
 Hindustan Times <http://www.hindustantimes.com/>  
 India Daily <http://www.indiadaily.com/>  
 India Today <http://www.india-today.com/itoday/>  
 Khaleej Times <http://www.khaleejtimes.com/Index00.asp>  
 rediff.com <http://in.rediff.com/index.html>  
 The Telegraph <http://www.telegraphindia.com/>  
 The Times of India <http://timesofindia.indiatimes.com/>  
 The Tribune <http://www.tribuneindia.com/>  
 Wikipedia [http://en.wikipedia.org/wiki/Main\\_Page](http://en.wikipedia.org/wiki/Main_Page)  
 Yahoo India News <http://in.news.yahoo.com/>

### **Gay & Lesbian**

365 Gay <http://www.365gay.com>  
 Gay Bombay <http://gaybombay.org/>  
 Gay.com UK <http://uk.gay.com/>  
 Global Gayz <http://www.globalgayz.com/>  
 The Gully <http://www.thegully.com/>  
 Humrahi <http://www.geocities.com/WestHollywood/Heights/7258/>  
 Humsafar Trust <http://www.humsafar.org>  
 International Gay and Lesbian Human Rights Commission <http://www.iglhrc.org/site/iglhrc/>  
 International Lesbian and Gay <http://www.ilga.org/>  
 Naz Foundation <http://www.nfi.net/>  
 People's Union for Civil Liberties <http://www.pucl.org/>  
 Sodomy Laws <http://www.sodomylaws.org/>  
 The South Asian Lesbian and Gay Association NYC (SALGA India)  
<http://www.salganyc.org/>

### **Topic Specific Links**

Ethnicity Online <http://www.ethnicityonline.net/>  
 IndiaLawInfo <http://www.indialawinfo.com/>  
 Shiromani Akali Dal <http://www.shiromaniakalidalbadal.com/>

### **Search Engines**

Google <http://www.google.com.au/>

<u>Databases:</u>		
Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

### **List of Attachments**

1. *Indian Penal Code* (Act No 45 of 1860), IndiaLawInfo website.  
 (<http://www.indialawinfo.com/bareacts/ipc.html> – Accessed 17 May 2006)

2. US Department of State 2006, *Country Reports on Human Rights Practices 2005 – India*, 8 March.
3. Naz Foundation 2003, *Response to Questions on Treatment of Homosexual People in India*, January.
4. Bondyopadhyay, Aditya 2004, *A perspective from India: Homosexuality stands criminalized because of a mid 19th century colonial law*, speech at the UN International Panel Discussion: Breaking the “cultural” straitjacket: why sexual orientation and gender identity are issues on the global south’s agenda, 13 April, International Lesbian and Gay Association website.
5. ‘Cops refuse to release 4 gays’ 2006, *Khaleej Times*, 12 January.
6. Townley, Ben 2006, ‘India feels heat over gay rights’, Gay.com UK website, 12 January.
7. ‘Cops expose ‘gay abandon’’ 2006, *The Times of India*, 1 February.
8. ‘Human rights violations against sexuality minorities in India: A PUCL-K fact-finding report about Bangalore’ 2001, People’s Union for Civil Liberties website, February.
9. Manjunath, Chinmayee 2003, ‘Homosexuality in India, where tradition still rules’, Great Reporter website, 8 June.
10. UK Home Office 2006, *Country of Origin Information Report India*, April.
11. Human Rights Watch 2002, *World Report 2002 – India*
12. Overdorf, Jason 2002, ‘Closet Drama’, *Far Eastern Economic Review*, 3 October.
13. DIMIA Country Information Services 2003, *Country Information Report No. 106/03 – India: Treatment of Homosexual People*, (sourced from DFAT advice of 31 July 2003), 31 July.
14. DIMIA Country Information Services 2005, *Country Information Report No. 05/46 – India: Treatment of Sexual Minorities* (sourced from DFAT advice dated 29 July 2005), 22 August. (CISNET India CX131993)
15. ‘Gay activists get court to examine Article 377’ 2001, *Hindustan Times*, 8 December.
16. ‘Life Sentences Necessary “To Control Homosexuality” India Says’ 2003, *365 Gay*, 9 September.
17. Sen, Ayanjit 2004, ‘India court rejects gay petition’, *BBC News*, 2 September.
18. ‘Homosexuality is punishable: HC’ 2004, *The Times of India*, 3 November.
19. Bhatt, Sheela 2006, ‘Gay rights is matter of public interest: SC’, rediff.com website, 3 February.

20. 'Court issues notice to NACO, Delhi government on gay issue' 2006, *Indo Asian News Service*, 3 April, *Daily India* website.
21. 'Chennai gets first gay-club in India' 2006, *New Kerala*, 19 March.
22. 'Lesbian couple rebel to live together in India' 2005, *Asian Sex Gazette*, 9 November.
23. Tusing, David 2005, 'Gay men find refuge on the Net', *CNN*, 4 October.
24. 'Media coverage of double murder angers India's gay community' 2004, *Fridae* website, 17 August.
25. Williams, Mark 2005, 'A movie and a legal battle challenge India's notion of gays', *SF Gate* website, 14 May.
26. McPhate, Mike 2004, 'Gay in India', *The Gully*, 18 October.
27. Gezari, Vanessa 2003, 'India's gays see small improvement in cultural outlets', *Chicago Tribune*, 10 September, AIDS Education Global Information System (AEGIS) website.
28. Knowles, Katherine 2006, 'India's celebrities speak up for gay rights', *Pink News*, 22 March.
29. Verma, Varuna 2006, 'Love and let love', *The Telegraph*, 5 March.
30. Ravichandran, Balaji 2005, 'India: no homosexuals here', *British Medical Journal*, Vol 331, No 7507, 2 July, p.57.
31. Chandran, Vinay 2006, 'Ain't no cure for love', *India Together*, 6 April.
32. Sangwan, Soni 2004, 'Homosexuals are soft targets', *Hindustan Times*, 15 August, *Gay Bombay* website.
33. Kaul, Vividha 2004, 'Homosexuality comes out of the closet', *The Times of India*, 15 August.
34. 'Protests mount in India over arrest of gay men' 2006, *Daily Times*, 14 January.
35. 'Gay crime rocks Capital' 2004, *The Times of India*, 16 August.
36. 'Delhi police crack gay murder case' 2004, *rediff.com* website, 28 August.
37. 'Support Groups' (undated), *Bombay Dost* website.
38. 'Links' (undated), *Sangama* website.
39. 'Links' (undated), *Swabhava* website.
40. Szajkowski, Bogdan 2005, *Political Parties of the World*, 6<sup>th</sup> Ed, John Harper Publishing, London. (RRT Library)



41. Banks, Arthur et al 2006, *Political Handbook of the World 20050–2006*, CQ Press, Washington. (RRT Library)
42. Wikipedia 2006, 'Shiromani Akali Dal', 29 April.  
([http://en.wikipedia.org/wiki/Shiromani\\_Akali\\_Dal](http://en.wikipedia.org/wiki/Shiromani_Akali_Dal) – Accessed 10 May 2006)
43. 'Distt President' (undated), Shiromani Akali Dal website.  
([http://www.shiromaniakalidalbadal.com/Distt\\_President.htm](http://www.shiromaniakalidalbadal.com/Distt_President.htm) – Accessed 10 May 2006)
44. 'MP's' (undated), Shiromani Akali Dal website.  
(<http://www.shiromaniakalidalbadal.com/mps.htm> – Accessed 10 May 2006)
45. 'MLA's' (undated), Shiromani Akali Dal website.  
(<http://www.shiromaniakalidalbadal.com/mlas.htm> – Accessed 10 May 2006)
46. Wikipedia 2006, 'Homosexuality and Sikhism', 5 May.  
([http://en.wikipedia.org/wiki/Homosexuality\\_and\\_Sikhism](http://en.wikipedia.org/wiki/Homosexuality_and_Sikhism) – Accessed 10 May 2006)
47. 'Sikhs: Sexual Health' (undated), Ethnicity Online website.  
([http://www.ethnicityonline.net/sikh\\_sexual\\_health.htm](http://www.ethnicityonline.net/sikh_sexual_health.htm) – Accessed 10 May 2006)
48. 'Faith Alive: Faith and homosexuality' 2004, *BBC News*, June.
49. Laghi, Brian 2005, 'Sikh leader in India denounces same-sex marriage', *Globe and Mail*, 18 January.  
(<http://www.theglobeandmail.com/servlet/ArticleNews/TPStory/LAC/20050118/MPS18/TPInternational/?query=sikh+leader+in+india+denounces> – Accessed 10 May 2006)
50. Singh, Jasbir 2001, 'Homosexuality and Sikhism', Sikhe.Com website, 22 July.
51. 'Gang Targeting Gay Men Busted' 2006, *365 Gay*, 3 January.