

Mangalore

Organ of the Catholic Association of South Kanara

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"We pray for children who are suffering, especially those who are homeless, orphans, and victims of war; may they be guaranteed access to education and the opportunity to experience family affection" - Pope Francis



CATHOLIC ASSOCIATION OF SOUTH KANARA

Founded in 1914

(Regn. No. MNG/130/2021-2023)

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EDITORIAL

The pandemic resulted in a profound negative impact in many aspects of life for most of us, wherever we were based. One of the most prominent universal impact was on Education of our children – the future generation. The prolonged lockdowns and restrictions affected two years of schooling for thousands of children with collateral damage in terms of nutrition due to lack of school meals, absence of peer dynamics and boredom, leading to mental stress. The situation of the parents, many of them facing job or livelihood losses or pay cuts also added to the misery of the children and the family. Now that some normalcy has returned, we have a thought provoking article on the ‘Purpose and Goals of Education’ at Catholic educational institutions by Pope Francis.

Coincidentally, the month of November is dedicated to Children in India, with 14th November celebrated as Children’s Day. Therefore, the front cover features Pope Francis with a group of children.

The Back Cover is dedicated to the International Day for ‘**Elimination of violence against women**’, observed on 25th November. Women’s rights activists have observed this day since 1981, to highlight gender-based violence. This date was selected to honour the **Mirabal sisters**, three political activists from the Dominican Republic who were brutally murdered in 1960 by order of the country’s ruler, Rafael Trujillo (1930-1961). In February 2000, the UN General Assembly adopted a resolution designating 25th November as the International day for the Elimination of Violence Against Women and in doing so, inviting Governments, International Organizations, NGOs and community groups to join together and organize activities to raise public awareness of the issue. With the exception of the Scandinavian countries, violence against women in various forms and in various degrees is prevalent worldwide, including in major democracies like USA and India. It’s time the problem is addressed as a priority.

We have delightful news that an Indian origin Hindu – Rishi Sunak has become the Prime Minister of UK. This can be considered as a

‘miracle’ similar to Barack Obama, an Afro-American becoming the President of United States in 2008. It’s a hopeful sign that many old barriers can be broken and it is possible to aim and succeed in the establishment of a more egalitarian and harmonious world. We wish Rishi Sunak a successful tenure.

As usual we have articles of interest for the reading pleasure of our subscribers, which I hope you will enjoy.

On the CASK front, we have the Annual CASK Reunion on 19th November evening at the Mangalore Club. Please be assured of an evening of fun, entertainment, good food and in the process, you will help support the CASK Charitable projects.

Until next time.....Patsy Lobo



THE PRESIDENT SPEAKS...

The month of November is already here and we are inching towards the end of 2022. These are the months when banks are closed on more days than they are open! We have festivals galore from October onwards. With the pandemic under control at the moment, people are letting their guard down and precautions are all forgotten. One of the reasons is that people are fed up with lockdowns, curfew and restrictions. Therefore, when they get an opportunity to go out and celebrate, all caution is thrown to the wind with only one thought “Lets enjoy when times are good”.

November 1st is All Saints day followed by All Souls day on the 2nd. Last year CASK took the initiative of placing flowers on ‘unattended’ graves at a few parish cemeteries. The practice was followed this year too. After all this will be our final resting place when we finish our journey on this earth. This CASK gesture has been appreciated by the family members who are not residing in Mangalore.

Talking about celebrations and festivities, it is time for our CASK Annual Reunion. Plans are on for this much awaited Reunion. We require approximately 3.5 lakhs rupees a year towards Operational expenses like office maintenance, utility bills, etc. One of the ways you can assist us in our financial commitments is by attending the CASK Reunion with your family and friends. We are looking forward to an enjoyable, fun filled evening on Saturday the 19th of November 2022, at the Mangalore Club. We will showcase our organisation during this event. No effort will be spared to make this a memorable evening. Please save the date. This is the only event in the year where CASK raises funds towards its expenses for running the organisation. You can also support us by renewing your Mangalore Magazine subscription; donate towards CASK centenary Trust or enrol new members.

This year we’ve had more rain towards the tail end of the monsoon season than the previous years. The farmers are crying that these rains are not good for their crops. One thing is sure we may not face a

shortage of drinking water this summer. Climate change is a warning we all have to heed to. The World climate summit in Egypt this year is going to be an event which may bring in some stringent rules. If you recall Pope Francis had called a summit of all religious heads to urge the world leaders to implement some strict measures and regulations last year.....

Capt Vincent Pais

SUPREME COURT ABORTION VERDICT

Reading Down Mandatory Reporting Under POCSO

Is a Double-Edged Sword

Audrey D'Mello, Director – Majlis, Mumbai

In a significant judgment recently, Justices D.Y. Chandrachud, A.S. Bopanna and J.B. Pardiwala of the Supreme Court declared that all women and girls are entitled to safe, legal abortions and the law cannot distinguish between married and unmarried women. The judgment went a step further to clarify that rape includes rape within marriage. The verdict came on an appeal by a 25-year-old single woman challenging the Delhi high court order denying her permission to abort her pregnancy from a consensual relationship after her partner refused to marry her.

While it is a welcome judgment, much of the media coverage missed a crucial and controversial obiter dictum – a judge's expression of opinion uttered in court or in a written judgement, but not essential to the decision and therefore not legally binding as a precedent. By the stroke of the pen, the SC has read down the mandatory reporting requirement under the Protection of Children from Sexual Offences (POCSO) Act. It held that a doctor need not disclose the name and identity of the minor girl while reporting to the police. Though the court said minors engaging in consensual sexual activity can ask registered medical practitioners not to report instances of pregnancy, this could have a disastrous effect on children facing sexual abuse.

What does the law say on this point?

Rule 3B (b) of the Medical Termination of Pregnancy (MTP) Rules allows minors to seek abortion of pregnancy of the term 20-24 weeks.

Section 5A (1) of the MTP Act states that no registered medical practitioner (RMP) shall reveal the name and other particulars of a woman whose pregnancy has been terminated under this Act – except to a person authorised by any law.

Section 19 of the POCSO Act makes it mandatory to report offences under the Act and failure to report can be punished with a maximum imprisonment of six months or with a fine or both under Section 21 of the Act.

The judgment has called for a harmonious reading of the MTP Act and the POCSO Act and held that an RMP – on request of the minor and the guardian, is exempt from disclosing the identity and other personal details of a minor in the information provided under Section 19 of the POCSO Act and any criminal proceedings which may follow from such reporting.

As per the judgment, such an interpretation would prevent any conflict between the statutory obligation of the RMP to mandatorily report the offence under the POCSO Act and the rights of privacy and reproductive autonomy of the minor under Article 21 of the constitution.

The judges took note of the fact that the POCSO Act does not recognise consent in sexual activities for minors, but this does not prevent adolescents from engaging in consensual sexual activity and sometimes this leads to pregnancy. “The taboos surrounding pre-marital sex prevent young adults from attempting to access contraceptives. Young girls who have discovered they are pregnant are hesitant to reveal this to their parents,” the verdict said.

The judges went on to observe that mandatory disclosure deters minors from approaching qualified doctors as they may not want to entangle themselves in the legal process. This can make them approach an unqualified doctor for an MTP and it could not possibly be the legislation’s intent to deprive minors of safe abortion, the court argued.

Can have disastrous implications

For us at Majlis, a team of women lawyers and social workers who provide legal and social support to women and children victims of sexual violence to help them navigate the complex legal terrain,

this writing down of mandatory reporting for doctors will have disastrous implications on the ground.

The description of cases in the judgment will have us believe that all cases under the POCSO Act are ‘love affair’ cases where adolescents are engaging in consensual sexual relations. But the ground reality is less rosy and our data reveals a different story.

Between April 2021 and September 2022, we received 934 cases of sexual offences in Mumbai. Of these, 83% (772 cases) were minors. The only reason these cases came to light is because of mandatory reporting. The Act puts the onus of reporting on every stakeholder, including NGOs, educators, health professionals, parents, neighbours and legal professionals who might be aware of such cases. Of the 772 cases, minors were pregnant at the time of reporting in over 19% (144) of the cases and the incident was detected at the hospital. There were many other cases where victims disclosed they were pregnant earlier, during the continuous abuse but were forced to abort.

If we try to understand who were the accused in these cases, a sizable number are registered as ‘promise to marry’ – when the partner retracts his promise to marry the girl/woman and she is left holding the baby. But shockingly, 10% of the rapes were perpetrated by fathers, stepfathers and other close relatives.

Take the case of Pinki*, a 16-year-old with four younger siblings living in a slum. Pinki was frequently raped by her father. The sexual assault continued for over 4 years and over time, the incidents became more frequent. Pinki’s mother was aware of the abuse but did not help. The case was detected when they visited the hospital after Pinki complained of abdominal pain. As soon as the doctor informed the mother that Pinki was pregnant, she refused to report the incident. Seeing her mother’s reaction, even Pinky started crying and refused to report it.

Or the case of Fahima*, a 17-year-old school dropout who was in a consensual relationship with a 35-year-old man. When she found out she was pregnant, she was afraid to inform her parents. Her mother suffers from schizophrenia and her father is mostly absent. What she believed was love was, in fact, an abusive relationship. The incident

came to light when she visited the hospital with her aunt. At the hospital, the aunt refused to report the incident and wanted to get the girl married. Fahima wanted the same.

Take the case of Sujata*, whose parents lived in the village while she and her two sisters lived in Mumbai with their grandmother. Sujata, just 14, was raped on multiple occasions by a *paanwala* who had a shop across their tenement. When the pregnancy was detected at Nair Hospital, the sisters were afraid to report the case. They feared that they would be forced to go back to the village and drop out of school.

Priya*, a 14-year-old, was raped by 59-year-old Pramukh in her *basti*. Her mother was terrified when it was discovered at a municipal hospital that Priya is 22 weeks pregnant. Being a single mother, she was afraid of the stigma and was scared to face the wrath of her elder son, who was extremely violent.

It is only because doctors are mandatorily required to report these incidents that these stories came to light. Mandatory reporting becomes especially important because of the proximity of the offender – who most of the time are fathers, cousins, uncles, brothers-in-law and neighbours. These cases involve continued abuse over a number of years and often go unreported. If other family members know about the abuse, they either remain silent or disbelieve the child or ask them to remain silent due to fear of social stigma and an unwillingness to implicate the accused.

Children do not have the resources to protect themselves. They are unable to remove themselves from the abusive situations and hence, they need adults to act on their behalf. Mandatory reporting acknowledges the prevalence and severity of child sexual abuse, and can be a means to prevent continuing violence. Along with mandatory reporting, we need to ensure effective intervention – good reporting practice, properly-resourced investigative and interventionist bodies; provide support at every stage – counselling, rehabilitation, preparing the child for court procedures; and addressing various problems that crop up along the way.

It is a fact that the criminal justice system is not child friendly. The legal process is long-drawn and draining. Victims have to relive

the trauma and face social stigma. Families break up. In cases of family abuse, where the perpetrator is the breadwinner, there is the harsh reality of survival. At the end of it all, there is no guarantee that the accused will be convicted.

But just because the system is daunting, can we sweep these cases under the carpet? Is it not the duty of the government, the courts – especially the highest court in our country – to protect our children? If doctors did not have to disclose the name and identity of the minor girl while reporting to the police (on request of the minor and the guardian), all the cases cited in this article would never have been reported. By saying so, the Supreme court has snuffed out the hope of the most vulnerable and has encouraged

At present, the POCSO Act does not differentiate between ‘genuinely consensual’ and other cases. There is an urgent need for a nuanced discussion on the criteria for such distinction and the authority that should make this decision. Giving this power to the police or doctors without any checks and balances can be disastrous and can take us many steps back. Perhaps an agency like the child welfare committee should be given these powers, with strict guidelines. But one thing is clear: whether mandatory reporting should be dropped or not requires a lot more discussion and nuanced understanding.

**All names have been changed to protect privacy.*

GENTLE REMINDER

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POPE FRANCIS ON THE PURPOSE & GOALS OF EDUCATION

Daniel P. Horan, Courtesy NCR

Over the last two years an increasingly politicized and polarized debate has arisen around the purpose of education and what should or should not be included in the content of instruction. From history curricula that acknowledges the painful truth of Indigenous genocide and slavery in some countries, to policies and programs that recognize the diversity of experiences on gender and sexuality, there appears to be an ever-growing list of “controversial issues” serving as third-rail topics in primary, secondary and even college-level education.

With this context in mind, I read Pope Francis’ address on September 29, 2022 at a conference on “**Initiatives in Refugee and Migrant Education,**” held at the Jesuit Pontifical Gregorian University in Rome. Though the primary focus of the conference was on supporting and educating migrants and refugees, which itself is notable given how controversial immigration policy is in many counties, the Pope’s remarks are also instructive for those thinking about what the purpose and goals of education are in general and in Catholic higher education in particular.

Pope Francis lays out some key priorities for Catholic higher education, organizing his thoughts around the three areas he sees as central in the work of faculty and administrators at Catholic colleges and universities: **research, teaching and social promotion.**

On research, the Pope notes that inquiry is needed by scholars not only for solutions for the migration and refugee crises, but also to examine the social, political and environmental causes leading to these crises. Pointing to the many forms of unrest around the globe, the Pope says: “Naturally, I am referring to the conflicts that are ravaging so many regions of our world.” And adds “At the same time, though, I would like to point to another kind of violence, namely, the abuse of our common home. The earth has been devastated by the excessive exploitation of its resources and by decades of pollution. As a result, more and more people are forced to leave their lands, which have become uninhabitable.”

Catholic institutions of higher education ought to be hubs for analyzing the “signs of the times” and interpreting them in the “light of the Gospel especially when it comes to the dual crises of migration and climate change. In this way, Pope Francis is implicitly referring to the need for a new way of thinking, what he often calls an “integral ecology” that, as *Laudato Si’* puts it, **attends to both the “cry of the earth” and the “cry of the poor.”**

Given the various debates around the purpose and goals of higher education today, the Pope’s message also points to the responsibility that Catholic colleges and universities have to draw from and engage with the best of scientific discovery and knowledge. He uses the global climate crisis as an illustration: “Academia and Catholic academia in particular are called to play a primary role in providing answers to ecological problems and challenges. Based on scientific data, you are in a position to help in guiding and informing the decisions of government leaders in support of an effective care for our common home.”

But the same logic should be applied to other areas of academic research and application beyond climate change. Catholic institutions of education should be centers of inquiry, dialogue and instruction on cutting-edge issues, such as gender and sexuality. Rather than retreat to centuries-old claims rooted in antiquated worldviews and pseudo-scientific conclusions, Catholic universities should be leaders in engaging contemporary scientific knowledge with our faith tradition to respond constructively to contemporary questions and issues.

Regarding teaching, the Pope emphasizes that priority in education must be given to “the most disadvantaged.” Framed again in the context of migrants and refugees, Francis suggests offering courses, modes of learning and scholarships to help migrants and refugees obtain degrees and professional qualifications.

Relatedly, the Pope notes that, “Schools and colleges are privileged environments not only for instruction but also for encounter and integration.” This certainly applies to welcoming students from diverse social locations and geographic regions but it is also something worth recounting when it comes to differences in perspective and

interpretation. The pope is calling for Catholic institutions to hear the stories of migrants and refugees, which in turn highlights the church's preferential option for the poor and marginalized.

This admonition can also extend to include the voices and experiences of those who have been historically disenfranchised, especially within the church and the academy. Coincidentally, many of those communities most harmed by the contentious debates around the purpose and goals of education today are those in minoritized and vulnerable groups: people of color, women, LGBTQ people, those of other religious traditions or none at all, in addition to the migrants, refugees and victims of trafficking the pope highlights.

Because of their mission, Catholic education institutions should be places where such voices and experiences are “tolerated, welcomed, prioritized and centered in the classroom and beyond. This might also extend to views, experiences and perspectives traditionally viewed as “off-limits” in many Catholic contexts.

Our colleges and universities can be leaders in creating a constructive space for discussions on a host of current issues. Pope Francis tells us that we should pursue the work of higher education **“within a perspective of justice, global responsibility and communion in diversity.”**

Finally, Pope Francis points to the role that Catholic colleges and universities play beyond the confines of their institutional boundaries. Using the term **“social promotion,”** the pope highlights the responsibility these institutions have to interact “with the social context in which they happen to operate.”

He adds: “They can help to identify and indicate the foundations for the construction of an intercultural society, in which ethnic, linguistic and religious diversity is seen as a source of enrichment and not an obstacle for the common future.” Against the context of the crisis of migrants and refugees today, the focus on social engagement is important because colleges and universities have long been the place to provide resources, insights and venues for constructive dialogue and education for the broader community to serve the common good.

On subjects like migration, climate change, racial justice or

reproductive rights, Catholic educational institutions should not shy away and avoid disagreement, but take a bold, balanced, and thoughtful position rooted not only in the important value of academic freedom and constructive dialogue, but also in their mission precisely as Catholic institutions, which seek to pursue knowledge, truth and justice. The intellectual and practical resources of the university shouldn't be reserved for academics alone, but shared with the broader community.

Pope Francis closed his remarks with the following reminder of what should guide our thinking and implementation of such efforts: **“Every educational institution is called to be a place of welcome, protection or accompaniment, promotion and integration for all, to the exclusion of none.”** Now it is the responsibility of those of us in Catholic higher education to put that into practice.

TO BE A CHILD AT HEART

Joan Lobo

*“I am a big child at heart. I think its important to stay that way
and not loose the wonder of life”*

A famous quote... I can connect with so closely... remaining a child at heart is sure an art. Actually it is not a question of age, but a question of spirit. You can be a child by enjoying little things and being happy with almost anything. I believe one of the biggest signs of maturity is choosing to remain a child at heart. Think like a Child, Act like an Adult. As a child we anticipated growing up, and as adults we want to be young again. Part of me melts every time I encounter children because of their carefree, happy, innocent nature, from whom we adults should learn and inculcate.

Children's day - November 14th celebrates children who are our present and future, carrying the hope for our brighter tomorrow and the dreams of our happy future.

Do you ever wish you could just be a kid again? Being an adult means life is filled with commitments and responsibilities, and these demands can often leave us feeling stressed out. Instead of living in the moment, adults find themselves thinking mostly about the future and the past.. On the flip side, children see the world through curious eyes and find inspiration in everything. Instead of worrying about careers and bills, children spend every day living in the moment, seeking out gladness and pleasure.

On many eventless days, I find my way to the anganwadi across the street and it is unimaginable what joy the little ones bring. Surrounded by these little munchkins with smiling faces radiating joy and participating in their activities is sheer bliss as they love you unconditionally and bring out the child in you. It's absolutely adorable when they flash their smile at you which is highly contagious and heartwarming. Children are always joyous and the lesser they have the more content they are. Exploring joy and happiness in the simplest things, and sharing their giggles with everyone. Charlie Chapman said it best: “A day without laughter is a day wasted.”

Have you ever noticed that children have the uncanny ability to

see every day as a new beginning? They forget about the past easily and don't hold grudges. When children fight, they are temporarily upset but are best friends again. As we grow into adults, this becomes tougher and we find it difficult to forgive and forget. It's a learning that's better late than never.

I remember, as a little kid, I played hopscotch, dressed like Cinderella, ran around the garden chasing the butterflies and bees. I found joy in doing these fun things. To be honest, I don't mind going back in time and enjoying those moments. In a child's world, nothing is impossible. The ability of children to believe, sparks faith and optimism to never give up. Many adults lose this ability because we tend to see things for how they were or are, rather than how they could be. Children have the most amazing ability to be carefree and fearless, with no boundaries because they are not confined by the fear of shame or failure; they do things because they just don't know any better. As we grow into adults, we tend to worry or fear the unknown and what others may think of us. Embrace what life has to offer in a fearless manner so you can be unstoppable.

The best thing about children is their love. They don't care about who you are, what you look like, where you come from or what you do because their love is limitless. It's true what Mahatma Gandhi stated- The law of love could be best understood and learned through little children. When I was a child, I would be so thrilled every Sunday when the ice candy man made his way around our neighborhood. But, it wasn't the ice candy I was excited about; it was more his crazy bell that amused me. Those simple things elated us.. There is always beauty in simplicity. Why do we stop noticing the unadorned things that have the potential to bring us joy?

When we were little, we lost ourselves in creative activities as we drew pictures for hours, played with clay, created art with pebbles and twigs,!" For some reason, as we got older, we got busier. All this seemed frivolous to us. One should never lose his or her imagination. As a kid, I remember continuously asking my parents questions: Where did we come from? Why do people die? Where is God? What does this mean? I was curious but clueless.

“In every real man a child is hidden that wants to play,” says Friedrich Nietzsche. Wisdom, prudence and experience keep a hold on this child, threatening her from coming out lest it exposes her frailties. We are forever worried about what others think about us. It is important to keep the spark alive in us by doing what we want to, without worrying about what people say because those who matter don’t mind and those who mind don’t matter. To keep the child alive, in us, it is necessary to be with people who let us be and appreciate us for who we are. As we grow we tend to have big dreams and little things become non-existent. Childhood is lost in a maze of time management and goals pushing us into the rat race. Like others, we are keen to overtake our peers and reach the proverbial golden pot at the end of the rainbow.

Youth is happy because it has the capacity to see beauty. Anyone who keeps the ability to see beauty never grows old.” - Franz Kafka. When I was a little the childhood years dint impress me. It was more about growing up rather than cherishing the moments I had that time. You might carry the accumulation of years in your body and on your face, but you can stay young at heart and not let the years weigh on your spirit. That’s one of the most beautiful things I’ve ever seen anyone do. Deep inside every single one of us is a younger, a more youthful self. Although it seems as if we’re completely different people as we grow, isn’t the case. We are simply a more mature version of our old, self shaped by our previous life experiences. So many things are more important than our age. For instance... sights seen, wisdom gained, friendships made, the love of a growing family tree, this chance to be alive. On Childrens day, my heartfelt wishes to all the young and the young at heart...

**CLIMB EVERY MOUNTAIN, FORD EVERY STREAM,
FOLLOW EVERY RAINBOW TILL YOU FIND YOUR
DREAM HAPPY CHILDRENS DAY**

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