



MAINTENANCE OF MUSLIM WOMEN: A STUDY OF CRIMINAL PROCEDURAL CODE

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ABSTRACT

This paper deals with the Maintenance of Women after dissolution of marriage with reference to Muslim Law. This subject matter has been one of the most controversial ones which have undergone many changes over the past decade. This paper is an attempt to look at the series of changes which the law has undergone by enactments and case laws, and to look at the present position of law. The paper commences with introducing the concept of maintenance in common and then specifically under Muslim law. The paper explains that how initially, there was a conflict between Muslim Law and section 125 of Criminal Procedural Code of India. In this context, the famous Shah Bano case was decided, which is one of the most landmark judgments. In an attempt to resolve the conflict, the Supreme Court in this case gave precedence to Criminal Procedural Code of India over Personal Laws. This, however, was met with a lot of objections by the Muslim community, and under pressure, The Muslim Women (Protection Of Rights On Divorce) Act, 1986 was passed in order to nullify the effects of the judgment. However, interpreting this Act in Daniel Latifi v. Union of India, the Supreme Court, along with declaring the Act to be constitutionally valid and clarified that the position settled in Shah Bano Case is the correct one, and that, if the true spirit of the Act is looked into, this position may emerge. Also, there is no conflict between Criminal Procedural Code of India and Muslim Personal Law. What these judgments and enactments contained and how the same affected the evolution and development of this particular law, shall be in deeply elaborated in the paper being submitted.

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INTRODUCTION

The status of women in India has been subject to many changes over the past years, from equal status with men in ancient times through the drastic change in the medieval period. As the Medieval period in history began to emerge, the Indian women started declining in status for a variety of reasons. Important scriptures started promoting the idea that women were inferior to men both physically and mentally, and could not be trusted to have their own freedom. Foreign invasions and wars also influenced the set back of women through danger, and the influx of new ideas about women's status. Following the independence of India there was a new air of hope among women society. In 1948, one year after India was granted their independence, a written constitution was drafted by our constitutional framers. This constitution largely focused on rights of each and every citizen, and also notably gave women equal rights and opportunity. However, looking at the statistics of the ratio of women to men in India there is a clear indicator that something is unsuitable. In a population where there are more than one billion people in India, there are

radically fewer women than men. Many possible contributing factors pave way to this inconsistency. Unfortunately, till date women are still hampered by issues such as malnutrition, poverty, and inadequate healthcare. Consecutively women are often expected to care for very large families. Large numbers of women in India, particularly among the rural areas, simply anticipate for day-to-day survival. Despite all these challenges to Indian women, there has been much evolution made in recent years. The women's movement started in the 1970's uplifting the public consciousness about the need for fair, equal, and humane treatment of women. The movement triggered many laws to not only be passed, but also enforced, for women's protection.

Maintenance-defined

The term maintenance includes all necessities for survival of life. The general meaning of the term can be well implicit by referring to the definition given under Hindu law, since Muslim law doesn't per se define the term, and hence, this reference shall be useful.

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The term according to Hindu Law means

“in all cases, provisions for food, clothing, residence, education and medical attendance and treatment; in the case of an unmarried daughter, also includes the reasonable expenses of and incident to her marriage.”¹ As insisted by Halsburys law of England, maintenance is the name given to the week by week or regularly scheduled instalments which may be requested on a declaration of separation, or nullity to be made for the upkeep and backing of the wife amid the joint lives of the life partners. Hence, it is a relative procurement for their profit, which may be made in processes of judicial separation, nullity, divorce and restitution of conjugal rights”

Meaning of the Term under Muslim Law

Under traditional Sharia law, the law regarding maintenance was a little vague, since there was no demarcation between a legal obligation or a moral or ethical duty under Muslim law, hence making it difficult to determine as to what is a person legally bound to do and what is a mere moral duty.

Under Quranic Law,² a husband is obliged to provide maintenance to his wife and family, and the term signifies the amount he is liable to pay it. The term used for maintenance under Muslim Law is called nafaqa and it comprehends food, raiment and lodging, though in common phraseology it is limited to the first.³

The wife is entitled to maintenance from husband, despite the fact that she has means to take care of herself. In addition to this, the marriage contract will stipulate the payment of special allowances by the husband, where it becomes the obligation of the husband to pay these to the wife. Such allowances are called kharch-e-pandan, guzara, mewa khore,⁴ etc. This can be claimed as a right by women. There are certain exceptions. These are, a wife cannot claim maintenance when she is disobedient, a wife won't get maintenance when she doesn't allow free access to husband unconditionally, wife who deserts her husband is generally not entitled to maintenance.

The husband's obligation to maintain his wife is his personal liability, thus after his death, the wife is not entitled to be maintained by his relatives nor out of his property.⁵

Thus, we have established that maintenance is the right of the wife. The following circumstance gives rise to such a right. These are:-

1. Marriage.
2. Divorce.
3. Pre Nupital Agreement.

We may now move a step further to list the sources from which these rights have emerged. There are three major

1 Section 3 (c) Hindu Adoption & Maintenance Act, 1986.

2 Khan Ephroz , “ Women and Law : Muslim Personal Law Perspective”(Rawat Publications , 2003) 302

3 Prof. Ashok Wadje, “Maintenance Right of Muslim Wife: Perspective, Issues & Need for Reformation” National Law University, Jodhpur Law Journal.

4 ibid

5 G. Chakraborty, “ Law Of Maintenance” Sodhi Publications , 2003.

sources. These are⁶ :-

1. Muslim Personal Law.
2. Section 125, Criminal Procedural Code of India.
3. The Muslim Women (Protection of Rights on Divorce) Act, 1986.

The present paper shall focus on Maintenance of Muslim Women after Divorce. The major research area is the conflict between Criminal Procedural Code of India and Muslim Personal law, and also the position as settled by the famous Shah Bano Case.

Maintenance Under Section 125 of Criminal Procedural Code of India

Maintenance under Section 125 of The Code Of Criminal Procedure 1973 is one of those laws meant for the protection of the rights of women in the society. Yet, though more women than ever are being able to have the opportunity to be educated and more women are coming out of the ascetic of domestic life and the age old image of women being soft, delegate and docile is rapidly disappearing. They are no longer ready to tolerate physical or mental cruelty and indignity within the frame work of marriage and they are growing independence from all strata of society and are able to walk out of these kind of marriages. Interestingly, claiming for maintenance for themselves and their children from their husbands has not found much significant in the society.

Conflict of Muslim Personal Law with section 125 of Criminal Procedural Code of India

Under Muslim Personal Law, a woman is entitled to maintenance only till the completion of the Iddat period. Iddat is the period when co-habitation of the parties terminates; on the expiry of iddat the spouses will stand divorced. The period of iddat contains of three menstrual cycles or three lunar months and in case of pregnant women, the iddat period would extend up to the time of delivery⁷ of the pregnant women. Hence, we can see a direct conflict, since Criminal Procedural Code of India does not recognize iddat period and maintenance goes beyond the period of iddat. Secondly, in Muslim Law, polygamy is permitted, and under section 125, marriage to another woman becomes a ground for women to claim maintenance. In Mohammed Haneefa v. Mariam Bi⁸ the Court stated that in case of a clash between personal law and Criminal Procedural Code of India, the former shall prevail over the latter. This position was changed by the Supreme Court in Saira Bano v A.M Abdul Gafoor.⁹ This caused a lot of dilemma in law. To solve this dilemma, Section 127(3) was added under which that if a divorced woman receives an amount due to customary or personal laws of the community, the magistrate can cancel any order for maintenance in her favour. Judicial Decisions interpreting the Scope of Section 127:-

6 ibid

7 Khan Ephroz , “ Women and Law : Muslim Personal Law Perspective” Rawat Publications , 2003

8 AIR 1969 Mad 414

9 AIR 1987 SC 1103

However, since the judiciary favoured the right of women to claim maintenance, the conflict continued. It was held in *Bai Tahira vs Ali Hussain Fissalli Chothia*¹⁰ that payment of “illusory sums” focused around the Muslim personal laws ought to be considered to diminish the measure of maintenance payable by the spouse, however that does not exonerate the spouse from the commitment in light of the fact that each lady independent of her religion is entitled to maintenance. The divorced wife has this right except from when the aggregate payment stipulated by custom is pretty much sufficient to swap the maintenance. Thus the spirit behind Section 127(3)(b) is that a wife can’t profit from both, unless the whole sum paid under the customary law is scarce. An extra requirement was integrated by the Apex court in *Fuzlunbi v. K Khader Vali*.¹¹ The instalment of the sum focused around Muslim law must be pretty much identical to the month by month maintenance to the divorcee, required till her remarriage or demise, with a specific end goal to replace with the maintenance recompense commitment. The Supreme Court expressed in *Zohara Khatoon vs Mohd. Ibrahim*¹² that the expression “wife” in Sec.125 and Sec.127 of Criminal Procedural Code of India encompass Muslim ladies who get separated by method for Talaq or under the Dissolution of Muslim Marriage Act, 1939. Therefore, the conflict between Muslim Personal Law and Criminal Procedural Code of India still continued, and section 127 was deficit to satisfy the Muslim community who opposed section 125 as a detriment to their personal laws. It was in this context of growing conflict and dissatisfaction that the famous *Shah Bano Case* ascended and went on to become the most landmark judgment in this subject matter. *Mohd Ahmad Khan v. Shah Bano Begum*¹³ or the *Shah Bano Case*:-

Facts of the Case briefly stated:- In the present case, a 62 year old woman was divorced and denied maintenance and had not remarried. On moving the court of the Judicial Magistrate at Indore under section 125 of the Criminal Procedural Code of India, and claiming maintenance of Rs 500 per month, she was awarded maintenance of Rs 25 per month from her husband. Aggrieved by the low amount of maintenance, she filed a revision petition before the Madhya Pradesh High Court, which entitled her to maintenance of Rs 179.20 per month. The husband appealed against this order before the Supreme Court, his main contention was that since the dissolution had taken place, she ceased to be his wife and under Muslim law, he was not obliged to pay her maintenance. Also, he added that since he had paid the dower amount during the Iddat period, the wife was not entitled to any maintenance. Muslim bodies like All India Muslim Personal Law Board and Jamiat Ulema-e-Hind adhered to the case as interveners.¹⁴ The case was decided by a five judge bench consisting of Chief Justice Chandrachud, Jangnath Misra, D A Desai, O. Chinnappa Reddy, and E S Venkataramiah.

Judgment of the Court:- The Supreme Court dismissed the appeal whereby it upheld the decision of the High Court.

10 1979 AIR SC 362
11 AIR 1980 SC 1730
12 1981 AIR SC 1243
13 AIR 1985 SC 945
14 Ibid

The Supreme Court held that if the wife is equipped to maintain herself then the spouse’s commitments would stop after the iddat period. However in the event that she can’t do so, remedy under section 125 is available and, hence, the appellant had to pay. The Supreme Court stated that if the Holy Quran is correctly interpreted, then it can be inferred that there is not conflict between section 125 of the Criminal Procedural Code of India and Muslim Personal Law at all, because under Muslim Law, the husband is obliged to pay maintenance to the divorced wife. The Supreme Court explained this judgment by saying that, even if there is a conflict, section 125 of Criminal Procedural Code of India is a secular law, and hence, applies to all women, irrespective of which religion they belong to. It further stated that Criminal Procedural Code of India shall prevail over Muslim Personal Law in case of conflict of opinion.

The court held:- “It would be incorrect & unjust to extend the rule of maintenance under Muslim Law to the cases in which the divorced wife is unable to maintain herself, so if the divorced wife is able to maintain herself, the husband’s liability ceases with the expiration of the period of Iddat, but if she is unable to maintain herself after the period of Iddat, she is entitled to have remedy to Section 125 of Cr. P.C.”¹⁵ Hence, the Supreme Court settled the position of law that in case a Muslim woman is divorced who is incapable of maintaining herself and has not remarried, then she shall be entitled to maintenance under section 125 of the Criminal Procedural Code of India.

Reaction to the Judgment:- The judgment had a lot of political corollary and had to face a lot of criticism from the orthodox Muslim Community. Different Civil Code altogether for Muslims was demanded and caused a lot of controversy and debates.¹⁶ The main protestors were Obaidullah Khan Azmi and Syed kazi who had formed an organization in 1973 known as the All India Muslim Personal Law Board devoted to upholding what they saw as Muslim Personal Law, and thorough this organization, they voiced their opinions against the judgment.¹⁷

Developments after *Shah Bano Case*:- The Rajiv Gandhi government, coming under pressure from Muslim groups decided to nullify the judgment, and in a effort to do the same, it passed The Muslim Women (Protection Of Rights On Divorce) Act, 1986.¹⁸ This act became one of the most controversial legislations enacted ever. The relevant provisions of this act are sections 3(1)(a) and 4(1), which assured that the former husband must provide “a reasonable and fair provision” and maintenance within the period of iddat and, that in case she is unable to maintain herself after the period of iddat,¹⁹ she can claim maintenance from her relatives and if they cannot pay, then she can claim from the Wakf Board as per Sec.4(2),²⁰ respectively. It doesn’t characterize a maximum limit to the maintenance to be granted. It expresses that women may look for

15 Main text of *Shah Bano* Judgment

16 Narain, Vrinda. *Reclaiming the Nation: Muslim Women and the Law in India*. India: University of Toronto Press.

17 “The *Shah Bano* legacy”. *The Hindu*. 2003-08-10

18 Paras Diwan, “Law of Marriage & Divorce” S.Jain, P.Diwan, Universal Law Publishing Co., 6th Edition 2011

19 Section 3(1)(a), The Muslim Women (Protection Of Rights On Divorce) Act, 1986

20 Section 4(1)&(2), The Muslim Women (Protection Of Rights On Divorce) Act, 1986

fair and reasonable remuneration amid the iddat, and that any kids borne of the marriage are qualified for a further maintenance. Reaction to the Act and Controversies surrounding the same:- The Act was seen as oppressive as it denied divorce Muslim ladies the right to fundamental support which ladies of different beliefs had remedy under Criminal Procedural Code of India. The Bharatiya Janata Party saw it as 'appeasement' of the minority group and discriminatory to non-Muslim men, in light of the fact that they were still constrained to pay maintenance under Section 125, Cr. PC.²¹ Minority Rights Group International, an NGO based in the U.K., denounced the law, commenting that it "highlighted the disjunction between constitutional law premised on the principle of sexual equality and religious laws which discriminate on the basis of this category."²² The Constitutional validity of the Act was challenged on the ground of being violative of Article 14, 15 and 21. The basic question raised by right activists was the necessity of enacting an Act, which completely isolates a portion of the population by having a special enactment despite a secular remedy being available.²³ The Act was also criticised for being arbitrary for two main reasons specified as under, "Firstly, the use of the word within implied that there was no provision in the Act which could entitle a woman to maintenance post iddat period. Secondly, the Act reduced the scope of Section 125 of the Criminal Procedural Code of India, since, by virtue of this Act, the Muslim men were at the option of making the said section of Criminal Procedural Code of India inapplicable to them."²⁴ A state of confusion was ubiquitous among the judiciary, since on the face of it, the Act seemed to be in favour of Muslim women, because of the use of words like fair, reasonable, provision etc. However, the act didn't provide for any circumstance in which the maintenance could surpass the iddat period. The controversy was on its peak between Gujarat and Andhra High Courts in the following cases-Arab Bail And Fathimunnissa Begum.²⁵

Hence, a situation of haziness prevailed, and the court started interpreting the Act, as shall be discussed in the next section. Position Post Enactment of The Muslim Women (Protection Of Rights On Divorce) Act, 1986

As noted in the previous section, the Act had created a lot of haziness, and the judiciary started interpreting the Act. The Andhra Pradesh High Court took a strict view saying that the use of the phrase which signifies that in no case can the maintenance exceed the iddat period. On interpreting this, the Gujarat High Court, relying on the words fair and reasonable, awarded a lump sum payment to the divorced wife as maintenance. The position of ambiguity was finally settled by another landmark judgment in 2001, called Daniel Latifi v. Union of India.

Daniel Latifi v Union of India²⁶:- In this case, a writ was filed under Article 32 challenging the constitutional validity

²¹ <http://www.thehindu.com/thehindu/2003/08/10/stories/2003081000221500.htm> last accessed on March 21, 2016.

²² <http://www.youthkiawaaz.com/2012/06/the-shah-bano-case-a-landmark-case-in-indian-family-law/> last visited on March 26, 2016

²³ <http://www.lawteacher.net/indian-law/essays/daniel-latifi-v-union-of-india.php> last accessed on March 26, 2016

²⁴ Ibid

²⁵ <http://www.divorcelawyers.co.in/maintenance-concept-practice-for-muslim-women/> last accessed on March 24, 2016

²⁶ AIR 2001 SC 3958

of the Act. The case was heard by a bench comprising of Mr. G.B. Pattanaik, Mr. S. Rajendra Babu, Mr. D.P. Mohapatra, Mr. Doraiswamy Raju and Mr. Shivaraj V. Patil. In this case the constitutional validity of the Act was upheld and an interpretation of the provisions of the Act was given by looking into the Preamble, Statement of Objectives and Reasons of the Act. Huge reliance was placed on the judgment in the Shah Bano case as well. The court stated that, one, the Act does not violate Articles 14, 15 and 21 and hence, is not ultra vires. Further it stated that "the legislature does not want to enact unconstitutional laws." The court went on to interpret the Act, and the Supreme Court stated "that a construction that results in making an Act ultra vires has to be leftover and one that upholds the validity of the Act preferred." The court²⁷ made the following interpretations as under, Firstly, interpreting the meaning of the term "within" used under section 3(1) (a) of the Act read with the terms fair and reasonable, the court arrived at the conclusion that the maintenance, being fair and reasonable, should exceed the iddat period but must be made within the iddat period. Such maintenance made during iddat period should be for her entire lifespan that is the time after the expiration of iddat period as well. The liability of the husband, therefore, is not limited to the iddat period thereafter. Hence, this Act is not in contravention of section 125 of Criminal Procedural Code of India. The court stated the following which comprehensively explains the position:- "the word 'provision' indicates that something is provided in advance for meeting the needs. In other words, at the time of divorce the Muslim husband is required to contemplate the future needs and make preparatory arrangements in advance for meeting those needs in near future. Reasonable and fair provision for needs may include provision for her residence, her food, her cloths, and other articles. The expression "within" should be read as "during" or "for" and this cannot be done because words cannot be construed contrary to their meaning as the word "within" would mean "on or before", "not beyond" and, therefore, it was held that the Act would mean that on or before the expiration of the iddat period, the husband is bound to make and pay a maintenance to the wife and if he fails to abide by, then the wife is entitled to recover it by filing an application before the Magistrate as provided in Section 3(3) but nowhere the Parliament has provided that reasonable and fair provision and maintenance is limited only for the iddat period and not beyond it. It would extend to the whole life of the divorced wife unless she gets married for divorce."²⁸ The above clarifies the position of law as settled by the case, quite comprehensively. It further stated that if a woman doesn't remarry she has the remedy under section 4 of the Act against her relatives in proportion of the properties they shall inherit after her death. If the relatives are not in a position to give maintenance, the judicial body can order the WAKF Board to pay for the maintenance of the woman. Effects of Daniel Latifi Judgment:- Daniel Latifi judgment basically revived the principles settled in Shah Bano case that, the husband's liability to maintain his wife doesn't end with the iddat period itself. But, it explained this principle, not as contravening the Act which was enacted as a cause of the Shah Bano case but as a commentary on that Act. Also, the Act is consistent with section 125 of the

²⁷ Syed Khalid Rashid, MUSLIM LAW, Eastern Book Company, 4th Ed.
²⁸ Main Text of Daniel Latifi v. Union of India Judgment

Criminal Procedural Code of India and hence, there is no conflict between the both. Hence, the position of law is that, the provisions of the Act fundamentally originated from principles set forth in the Shah Bano case. The same has not been changed till now, and continues to govern matters that are related to maintenance of Muslim women after dissolution of marriage. The principle has been seconded by the Supreme Court once again in *Iqbal Bano v. State of U.P.*²⁹ In the case the court reiterated the position that divorced women are entitled for maintenance beyond the Iddat period and stated that provisions of the Act do not infringe Article 14, 15 & 21 of the Indian Constitution. The court further observed that “right under Section 125 of Cr. P.C. extinguishes only when she receives “fair or reasonable” payment under Sec. 3 of the Muslim Women Act. The wife will be entitled to receive maintenance under Sec. 125 of Cr.P.C. until the husband accomplishes his obligation under Sec. 3 of Muslim Women (Protection of Rights on Divorce) Act, 1986.³⁰ This was once again restated in the recent judgement in *Shabana Bano v. Imran Khan*³¹ that after the expiry of iddat, a divorced Muslim woman can seek maintenance under S.125 Criminal Procedural Code of India as long as she doesn’t re-marry. Hence, the position as laid down in the Daniel Latifi case is the well-settled position and has not undergone any change.

CONCLUSION

We see that under Muslim law, maintenance post divorce has been a controversial subject matter. Initially, there were two sources from which the right to maintenance of a divorced Muslim woman emerge- these were section 125 of Criminal Procedural Code of India and the Muslim Personal Law. There was a conflict between the two since, under Criminal Procedural Code of India, the right of a woman to claim maintenance was beyond the iddat period and under Muslim Personal Law, the husband was obliged to pay maintenance only during the iddat period. To resolve this, section 127 was inserted in Criminal Procedural Code of India, but this was unsuccessful in resolving the conflict and being an alternate for maintenance. In this context, the famous Shah Bano Case was decided, which settled the position of law. The case gave precedence to Criminal Procedural Code of India over Muslim Personal Law, and stated that if the divorced woman does not have the means to maintain herself, then it is the obligation of the husband to maintain her for her entire lifetime, and hence, well beyond the period of iddat. The judgment caused a lot of unrest among traditional Islamic groups, which saw this as an infringement on their personal law. Coming under pressure, the then government enacted the Muslim Women (Protection Of Rights On Divorce) Act, 1986. This act stated that the husband is required to provide fair and reasonable maintenance within the iddat period. This led to a lot of ambiguity and a sense of confusion prevailed over the interpretation of the terms specified. This confusion was finally sorted out by another landmark judgment, *Daniel Latifi v. Union of India*. In this case, the Supreme Court upheld the constitutional validity

29 AIR 2007 SC 2215

30 Flavia Agnes, “FAMILY LAW: VOLUME II-MARRIAGE, DIVORCE, AND MATRIMONIAL LITIGATION”, Oxford University Press, 2011

31 AIR 2010 SC 305

of the Act and stated that the same does not infringe Article 14,15 and 21 of the Indian Constitution. Interpreting the terms, the Court said that the husband is obliged to provide for maintenance of the divorced woman even beyond iddat period, since the term fair and reasonable provision implied this kind of interpretation. The term within was interpreted to mean that such a maintenance should be made within the iddat period. However, the obligation does not terminate with the Iddat period. Therefore, the case is credited for serving twin purpose of maintaining the constitutional validity of the Act and reiterating the position which was settled in the Shah Bano Case. This position has been seconded by Court in various instances and stands unchanged.also increases the risk for caries. Ignorance of oral hygiene by patients due to their medical conditions and indulgent attitude of parents towards their children’s sugar intake are among the factors that further promote dental caries.¹²

Individuals with medical problems and those considered to be at high risk for dental caries need special care and should be checked in less than 6 months. Parents should be incorporated into oral hygiene education of their children and, tooth brushing in preschool children should be performed under parental supervision. Patients should be informed about rinsing the mouth after each use of inhaler. It is also recommended to use fluoride – containing mouthwash after brushing of teeth.¹²

Asthma and Dental Erosion

Saliva is considered as one of the main neutralizing factors in the pathogenesis of dental erosion. McDerra et al., Al-Dlaigan et al. and Sivasuthamparam et al. reported that children with asthma are at an increased risk of developing dental erosion as medications used to treat asthma can reduce salivary protection against extrinsic or intrinsic acids. There can be an increase in incidence of dry mouth in asthmatics due to the effects of mouth breathing which leads to increase in the consumption of drinks with a low pH and high titratable acidity to compensate oral dehydration which may result in dental erosion.¹⁰

There is evidence that medicines taken by dry powder inhaler may cause tooth erosion by changing the chemical environment of the mouth. Increased incidence of gastroesophageal reflux disease may also be responsible for dental erosion in asthmatic individuals. Medications used to treat asthma may also be one of the factors that promote gastroesophageal reflux development.¹²

Asthma and Periodontal Disease

The association between asthma and periodontal disease can be both attributed to the side effects of asthma medications and explained by the pathological activation of the immune and inflammatory mechanisms triggered by asthma. Hyypa indicated that gingivitis in asthmatic children develops due to an altered immune response as well as dehydration of the alveolar mucosa related with mouth breathing. Hanania et al. in their study showed that regular use of conventional doses of ICS by patients with asthma can suppress the adrenal function and decrease bone density in a dose-related fashion. Systemic bone loss caused by these drugs, especially when high doses

are used for a long time, may have an impact on the onset and progression of periodontal disease.¹⁰

Dysphonia

Dysphonia, or hoarseness, is a common adverse effect of ICS on larynx. It has been estimated to occur in 5 – 50% of patients using ICS. The extent of dysphonia is dependent on vocal stress and ICS dose, and dyskinesia of muscles that control vocal cord tension. Steroid-induced myopathy affecting the vocal cord muscles may, in some cases, result in bilateral adductor fold deformity with bowing of the folds on phonation.¹³

Pharyngitis

Pharyngitis is one of the most common local side effects associated with currently available ICS. The incidence of pharyngitis ranges from 4-25%. Pharyngitis is generally accompanied with the symptoms of pain, irritation, or soreness in the throat. Dysphagia is common with pharyngitis, and throat pain is often aggravated by swallowing (odynophagia).¹³

gCough

Although bronchospasm and persistent cough are rare side effects of ICS, reflex cough during inhalation is common. Cough is most likely caused by an irritant effect of inhaled excipients in the ICS formulation (e.g. fluorocarbons or detergents) or from a nonspecific direct irritant effect of ICS.¹³

Recommendations for prevention of adverse effects

Persistent asthma can be effectively controlled with currently available ICS. Dental practitioner recommendations for asthmatic patients can be listed as follows:

- Asthmatic individuals are in the group of people who are in need for special care and, thereby, dental visit frequency can be increased
- Asthmatic children and their parents should be informed about the impacts of the asthma medications on oral health
- Patients should be informed that they should rinse their mouth thoroughly with mouthwashes with a neutral pH, or sodium bicarbonate, milk or neutral sodium fluoride containing solutions after the use of inhaler
- Measuring bone mineral density can be recommended for patients using inhaled corticosteroids
- A spacer can be added to the inhaler in order to decrease the deposition of the medication in the mouth.¹²

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