



# **The Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill, 2025**

**Model Legislation**



Submitted to  
**Department of Women and Child Development  
Government of Karnataka**

Prepared by  
**Centre for the Study of Social Inclusion  
National Law School of India University  
Bengaluru**

Legislation Dedicated to  
Generation of Devadasi women and her family on this soil who sacrificed their life for the  
inhumane practice of Devadasi System  
&

**Centre for the Study of Social Inclusion, National Law School of India University, Bengaluru**

## Emancipatory pedagogy of Savitri Bai Phule & Dr. B.R. Ambedkar

The Content of this legislation is the result of seven month long research, consultation, discussion and dialogue process initiated by the Talasamudaayagala Adhyayana Kendra of National Law School of India University (NLSIU) in collaboration with Devadasi Community members, Government of Karnataka, NGOs, State Universities and Activists working for the empowerment and emancipation of Devadasi community members for erasing the Devadasi practice in its intent and practice.

For information;

Talasamudaayagala Adhyayana Kendra, Centre for the Study of Social Inclusion (CSSI), National Law School of India University, Nagarabhavi, Bengaluru-560242, Telephone: (080) 23160531/ 28/ 32, Email- [chandru.rvc@nls.ac.in](mailto:chandru.rvc@nls.ac.in)

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### **Advisers of Devadasi Policy, Legislation Research**

- Prof. Jogan Shankar, Former Vice Chancellor, Kuvempu University
- Prof. Japhet. S, Former Vice Chancellor, Bengaluru Central University
- Prof. R. Venkata Rao, Former Vice Chancellor, National Law School of India University
- Dr. Venkataiah, E, Advisor, Social Welfare Department, Government of Karnataka
- Ms. Padiyamma, Vimukta Devadasi Mahila Vedike, Kustagi
- Ms. Maliyamma, Vimukta Devadasi Mahila Vedike, Kustagi
- Shree. B.L.Patil, Founding President, Vimochana, Athani
- Shree. Daanappa Nilogal, Raichur
- Dr. Bhagyalakshmi, Sakhi, Hosapete
- Dr. C G Lakshmipathi, Professor, Department of Sociology, VHC Institute of Home Science, Maharani Cluster University, Bengaluru.

### **Officers, Government of Karnataka**

- Dr. Shamla Iqbal. Secretary to Government. Department of Women and Child Development and Empowerment of Differently Abled and Senior Citizens,
- Shri N. Mahesh Babu , K.A.S (Super Time Scale Managing Director, Karnataka State Women's Development Corporation
- Smt. Pushpalatha H , KAS (Super Time Scale), ), Former, Managing Director, Karnataka State Women's Development Corporation
- Dr. Nanjundaswamy M, IPS, Additional Commissioner of Police, Bengaluru
- Ms. Pankaja, M, Karnataka Women Development Corporation, Bengaluru

### **Activists**

- Mr. Bheri M.R
- Mr. Kotiganahalli Ramaiah
- Mr. Prashanth Danappa
- Ms. Shoba Gasti
- Ms. Malamma, Devadasi Vimochana Sangha, Karnataka

### **Field Researchers**

- Shree. Yamanappa, Koppala
- Shree. Chandulinga Kalaalbandi
- Ms. Shridevi, B, Raichur
- Ms. Yashoda Yellavva, Mudalagi
- Ms. Kamakshi, Hospete
- Mr. Sharif Bileyali, Gadag
- Ms. Durgarani, Hospete
- Mr. Manjunath, Kushtagi
- Mr. Yamanappa, Kushtagi

### **University officials**

- Prof. (Dr.) Sudhir Krishnaswamy, Vice Chancellor, National Law School of India University
- Prof. (Dr) Nigam Nuggehalli, Registrar, National Law School of India University

### **Devadasi Rehabilitation Project Officers**

- Mr. B.R. Madhusudhan, Dharwad
- Mr. Mokshapati, Davanagere
- Mr. M.K. Kulkarni, Belagavi
- Mr. Shanmugappa, Chitradurga
- Mr. S.N. Hiremath, Yadagiri
- Ms. Mahadevi B Madarakandi
- Mr. Gopal Naik, Raichur
- Mr. H.Y. Halagali, Bagalakote

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### **Journalists**

- Mr. Poornima Nataraj, Deccan Herald
- Anitha Pailoor, , Deccan Herald

- Mr. H M Subramanya, Prajavani
- Manjushree Kadakola, Prajavani
- Ms. Yogita, Prajavani
- Ms. Deepika, Times of India
- Sharath Srivatsa, The Hindu
- Rajesh rai chatla, Prajavani

#### **Legislation Drafting committee:**

- Prof. Babu Mathew, Chairperson, Public Policy Programme, National Law School of India University, Bengaluru
- Dr. Chandrashekar R,V, Coordinator, Drafting Committee, CSSI, Talasamudaayagala Adhyayana Kendra. National Law School of India University, Bengaluru
- Prof Pradeep Ramavath, J, Associate Professor, Centre for Livelihood and Entrepreneurship, School of Social Work, Tata Institute of Social Science, (TISS)
- Prof. Sony Pellisery, Director, Centre for the Study of Social Inclusion, National Law School of India University, Bengaluru
- Prof. Rajendra Y.J, Chairperson, PUCL- Karnataka.
- Mr. Samuel SathyaSeelan, Faculty, Department of Social Work, Post Graduation Centre, Ramanagara, Bengaluru University
- Mr. Avi Katpalia, 2<sup>nd</sup> Year, Master of Public Policy, National Law School of India University, Bengaluru
- Ms. Kavya Bharadkar, 1<sup>st</sup> Year, Master of Public Policy, National Law School of India University, Bengaluru
- Ms. Yogita Bangar, LLM, National Law School of India University, Bengaluru
- Ms. Linitha Mathew, 1<sup>st</sup> Year, Master of Public Policy, National Law School of India University, Bengaluru
- Ms. Deeksha Rao, 1<sup>st</sup> Year, Master of Public Policy, National Law School of India University, Bengaluru
- Mr. Abhishek Raj, 1<sup>st</sup> Year, Master of Public Policy, National Law School of India University, Bengaluru
- Mr. Vikrant Singh Kushwah, 1<sup>st</sup> Year, Master of Public Policy, National Law School of India University, Bengaluru

#### **NLSIU fraternity**

- Mr. Shabin John, Talasamudaayagala Adhyayana Kendra
- Ms. Shashikala, CSSEIP
- Mr asif. C, CSSEIP
- Ms. Laksmi, CSSEIP
- Mr. Niraj, CSSEIP

# **The Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill, 2025**

## **Model Legislation**

### **Explanatory Note**

Legislations have, in the past, been enacted to abolish the Devadasi practice in Karnataka (for example, Madras Devadasis (Prevention of Dedication) Act of 1947, the Karnataka Devadasis (Prohibition of Dedication) Act of 1982 and its Amendment in 2010). Despite these, the practice itself continues to thrive and evolve with times, retaining its spirit of oppression even as it undergoes change in associated rituals; so as to not be faced with punishment under contemporary law. This de facto existence of the practice despite its abolition and prohibition de jure points most prominently to the social acceptance it enjoys, as a result of which mere prohibitive law will not successfully eliminate it.

This Bill attempts to bring to an end the social prevalence of the Devadasi practice not merely by introducing deterrent penal provisions, but instead, by identifying both, the oppressed as well as the oppressors, and attempting to liberate all actors involved in the same through *conscientizacao*, that is consciousness raising. It acknowledges the futility of merely prohibiting this social evil without creating an adequate net of socio-economic protections that may ensure an alternate livelihood and prevent future exploitation of the most vulnerable. More importantly, it treats the community not as beneficiaries but as right-holders, and attempts to create agency among them through collectivisation and participation in emancipation.

An attempt has been made in the draft legislation attached herewith to employ the technique of continental and simple-language drafting, emulating, to an extent, the style of the Right to Information Act. This attempt has been motivated by the hopes of demystifying the law and making it more accessible to its intended beneficiaries and all government and non-government actors engaged in its application, whether lawyers or laypersons. As a beneficial legislation, the Bill will be applied in the interest of the devadasi community.

As such, it attempts to establish, through a separate enumeration of certain General Principles, some ground for clarity of interpretation in the form of guiding principles, especially in case of conflict of rights. Moreover, the Bill attempts to address the key priorities in rehabilitation of Devadasi women and their families as charters. The Charters (of Health, Land and Housing; and Immediate Rehabilitation) will further the rights-based and participatory approach contemplated under this Bill. Two major legal clarifications are discussed below so as to shed light on two peculiar divergences from the existing practice of family law for the welfare of the devadasi family.

Firstly, as regards the right of the child of a Devadasi to ascertain paternity of the father, there exists clear jurisprudence laid down by the Supreme Court pointing towards the constitutional validity of such a claim. In the popular judgment *Narayan Dutt Tiwari v. Rohit Shekhar* (2012) 12 SCC 554, the Delhi High Court held that while the father would not be physically compelled to provide a sample for DNA testing, (as such compulsion would constitute a violation of right to liberty and life) a refusal to provide such sample would be adequate grounds for drawing an adverse inference under Section 114 of the Indian Evidence Act.

The two member bench also cited with approval previous Supreme Court decisions (*Goutam Kundu v. State of West Bengal* (1993) 3 SCC 418 and *Bhabani Prasad Jena v. Convenor Secretary, Orissa State Commission for Women* AIR 2010 SC 2851) to hold that a child has right to knowledge of paternity for the sake of identity, and a submission of a DNA sample for a paternity test did not constitute a violation of the father's privacy. **Therefore, Section 5 of the Act.**

Secondly, while Section 16 of the Hindu Marriage Act extends legitimacy of birth (and thus right over property of both parents) to the issue born from void and voidable marriages, in trying to argue for such rights for children of Devadasis certain social factors are to be considered. Under the interpretation of the term, their birth is often either illegitimate, or has limited legitimacy (in case of second marriage). While Maintenance under Section 125 of the CrPC can be applied for, by all such children (in the age of minority when male, and until marriage if female,) the interpretation of Legitimacy gets in the way of them being entitled to inheritance and succession of property of the father.

A two Judge bench of the Supreme Court in *Revanasiddappa and anr. V. Mallikarjun* (2011) 11 SC 1 held that illegitimacy would not deny the right of a child to the property (self-acquired and ancestral, both) of the parents. While the specific parties were contending over the right of a child

born of a void marriage (limited legitimacy under Section 16 of the Hindu Marriage Act,) the Court in its findings remarked upon the changing conditions of society and the socio-economic background to illegitimacy of children.

It held that whatever the reason behind such illegitimacy, the children were themselves innocent of the same and therefore would not be excluded from the parents' estate. In discussing the social reformatory objective of the Hindu Marriage Act, the Court rejected the interpretation of Section 16 in previous decisions, stating that a beneficial law must not remain static and be subject to narrow interpretation. Reading Article 39(f) of the Constitution with Article 300A, the Court held that illegitimate children (born of void marriages) were entitled to the ancestral and self-acquired property of their parents.

Given the evil nature of the Devadasi practice, and the fundamental lack of consent and social capital even among the mothers at the time of conception of the children, a right to inherit the property of the father would greatly improve the standard of life of the child and restore dignity unto the family. More importantly, these children are born out of cohabitation occurring in the pursuance of a social practice that contemplates marriage to a deity to facilitate sexual relations with men, who should be held liable for the children born therefrom. **Hence, this provision (Section 8) in special law to override existing provisions of Hindu personal law.**



# **The Karnataka Devadasi (Prevention, Prohibition, Relief, and Rehabilitation) Bill, 2025**

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*A bill to conscientise society, liberate oppressed devadasi women from all forms of exploitation, her children from social taboo- through empowerment; to hold their biological fathers responsible in special law, provide for conclusive proof of paternity in this regard, facilitate effective and comprehensive rehabilitation of the victims by the State through the primary agency of the oppressed and promote measures for the total abolition of the Devadasi system.*

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## Chapter I

### PRELIMINARY

#### 1. Short title, extent, and commencement. -

- (1) This Act may be called the Karnataka Devadasis (Prevention, Prohibition, Relief, and Rehabilitation) Act, 2025.
- (2) It extends to the whole State of Karnataka.
- (3) It shall come into force on such date as the State Government may, by notification appoint.

#### 2. Definitions.- In this Act, unless the context otherwise requires,-

- (a) "conscientisation" means the process of unpacking dominant and oppressive thought currently prevailing in the devadasi system which results from the issues of power in relation to privilege and oppression in different spheres of influence.
- (b) "dedication" means the performance of any act or ceremony, by whatever name called, by which a woman is dedicated to the service of any deity, idol, object of worship, temple, other religious institutions or places of worship. Some of the rituals associated with dedication include—
  - (i) *muttukattu*, i.e. the ceremony tying the *muttu* chain on the neck of the devadasi;
  - (ii) *mudrehakuvudu*, i.e., the ceremony of symbolic tattooing or branding
  - (iii) *huniligemelittusuduvudui*, i.e. keeping a flower on the tongue and burning it
  - (iv) *devarigebiduvudu*, which is another name for dedication;
  - (v) *bettaleseve*, i.e. the naked procession carried out as part of the dedication;
  - (vi) *jaditumbuvadu*, i.e. the deflowering ceremony completed after dedication;
  - (vii) *joga or jogwa*, i.e. the custom of ritual begging with a basket usually on Tuesdays and Fridays;

Explanation: The filing of five affidavits from devadasi union is subject to the availability of the such an union and further subject to the availability of five devadasis.

(c) "devadasi" means a woman dedicated as defined in 'b'. , also referred to as *devadasi, Jogtin,, Rajadasi, Alankaradasi, Rudradasi, Devasule, Jogathi, Basavi, Nithyasumangali, Bhavin, Devali, Nayakasani, Rangasani, Gangasani, Muttukattikondavalu, DevaraSule, Kasabi, Patradavalu, Jogins* or by any other name. With regards to any subjective or factual inconsistency in definition of devadasi or in the rituals and practices used for identification, the Taluk Committee shall decide the same.

Some identifying features, which provide supplementary, but not stand-alone evidence of devadasi practises include -

(i) *jat*, i.e. matted hair;

(ii) *darshan* or *muttu*, i.e. string of beads worn around the neck or wrist;

(iii) *paradi* or *jag*, i.e. hand-held bamboo basket used as begging basket;

(iv) *suti-choundakorchowdki*, i.e. a chord music instrument;

(v) *bhandara*, i.e. yellow powder applied to the forehead;

(d) "devadasi children" means child of devadasi, of any age, whether legitimate or illegitimate;

(e) "devadasi family" consists of and is limited to devadasi and lineal descendants of devadasi up to second generation i.e., devadasi children and her grandchildren;

(f) "District Committee" means District Committee for Vigilance and Implementation as constituted under Section 17 of this Act;

(g) "free education" means that no member of the devadasi family shall be liable to pay any kind of fee or charges or expenses which may prevent him or her from pursuing and completing elementary and higher education, vocational, technical, professional education, etc.

(h) "land" means agricultural land, that is to say, land which is used or capable of being used for agricultural purposes or purposes subservient thereto and includes horticultural land, forest

land, garden land, pasture land, plantation and *tope* but does not include house-site or land used exclusively for non-agricultural purposes;

- (i) “notification” means a notification published in the Official Gazette of Karnataka;
  - (j) “prescribed” means prescribed by rules made under this Act;
  - (k) “promote” means to initiate into, draw into, facilitate and encourage by overt or covert deeds, the dedication of women as devadasis openly or in a clandestine manner, either by way of financial assistance or compulsion or forcible persuasion or by brain-washing or by omitting to perform duties mandated under this Act;
  - (l) “propagate” means whoever by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote any content in support of devadasi practice;
  - (m) “rules” means rules made under this Act;
  - (n) “schedules” mean the schedules appended to this Act;
  - (o) “State Committee” means State Committee for Vigilance and Implementation as constituted under Section 22 of this Act;
  - (p) “Taluk Committee” means Taluk Committee for Vigilance and Implementation as constituted under Section 13 of this Act;
  - (q) “temple” means a place by whatever designation known, used as a place of public religious worship having separate existence and dedicated to, or for the benefit of, or used as of right by the Hindu community, or any section thereof as a place of public religious worship, and includes a Mandira, Devasthan, Gudi, Samadhi, Gaddige, Shrine, Subshrine, Utsava Mantapa, tank or other appurtenances
- 3. General Principles.-** The State Government, the Committees constituted under this Act, and other agencies, as the case may be, while implementing the provisions of this Act shall be guided by the following fundamental principles, namely:—

- I ***Principle of conscientisation:*** To liberate both the oppressor and oppressed from the victimisation of the devadasi system through consciousness raising.
- II ***Principle of presumption of innocence:*** No criminal intent shall be attributed to a devadasi woman for any customary practice which she voluntarily or involuntarily may have been drawn into, with reference to the provisions of this Act.
- III ***Principle of participation:*** The children of devadasis shall have a right to be heard and to participate in all processes and decisions affecting their interest and their views shall be taken into consideration.
- IV ***Positive measures:*** All resources are to be mobilised, including those of state and community, for promoting the well-being, facilitating development of identity and providing an inclusive and enabling environment, to reduce vulnerabilities of devadasis and her family, and the need for intervention under this Act.
- V ***Principle of right to privacy and confidentiality:*** Every devadasi and her child shall have a right to protection of their privacy and confidentiality, by all means and throughout the judicial process.

## Chapter II

### RIGHTS OF DEVADASI FAMILY

- 4. **Coverage under the Act.-** The protections and benefits extended to all devadasi family. Hence, the protections and benefits under this Act shall apply to the devadasi family for livelihood or welfare, as assessed and verified by the designated authority.

**Explanation:** For the purposes of this provision, the term *immediate family or household* shall be limited to those persons residing with or directly dependent on the devadasi at the time of commencement of this Act or those who can demonstrate continuing socio-economic impact due to the devadasi system

- 5. Rights of a child to identify the father.**-(1) Any child born to a devadasi will have the right to ascertain the identity of the father. Such child may approach the taluk Committee to apply for recognition of such a paternal bond. If the biological father acknowledges such relationship in writing, the application may then be presented before the District Committee where the father must once again overtly and in writing acknowledge such a relationship.

(2) Upon refusal by the father to acknowledge paternal relationship, an application may be made to the District Court. The Court may review existing evidence and direct the use of biochemical tests such as the Deoxyribonucleic acid (DNA) test to ascertain the paternity of the person, the child has reason to believe is his biological father. The District Legal Services Authority may provide free legal aid and assistance to such a child.

- 6. Right to Maintenance.**- The child of a devadasi, or the devadasi acting on behalf of such a child, shall have the right to apply for maintenance under applicable provisions of law, including but not limited to the Bharatiya Nagarika Suraksha Sanhita, 2023 or any law that may replace or supplement it. Such applications shall be considered in accordance with law, based on evidence and circumstances presented before the competent court. The right to maintenance may be claimed by a male child until he attains majority, and by a female child until she attains majority or married.

- 7. Presumption of Legitimacy.**- For all purposes any child born to devadasi shall be deemed to be a legitimate child.

- 8. Right to Property.**-The child of a devadasi shall be entitled to inherit and succeed to the property of both parents. The person indicated as father under this Section will retain his right to disprove such a claim of paternity through appropriate biochemical evidence.

- 9. Right to Dignity of Devadasi Family.**- No child born to a devadasi shall be discriminated against on the basis that the father is unknown. The State shall ensure that no child of a devadasi is compelled to declare the name of their father when applying for key public goods

such as education, health and identity cards such as licenses, passport, PAN card, ration card, etc. Administrative reforms will be undertaken at all levels to ensure that the field for father's name is not mandatory for submission of any application.

**10. Right to Healthcare.**-The State will protect the right of every devadasi woman to good health and wellness. Every devadasi family upon identification, shall be entitled to a State sponsored integrated health check-up for all common health issues including but not limited to cardiac and pulmonary issues, anaemia and certain chronic and acute diseases incidental to marginalisation and sex work such as venereal and viral diseases.

### **Chapter III**

#### **PREVENTION AND PROHIBITION**

**11. Prohibition.**- Notwithstanding any custom or law to the contrary, the dedication of a woman as a devadasi, whether before or after the commencement of this Act, and whether she has consented to such dedication or not, is hereby declared unlawful, and any woman so dedicated shall not thereby be deemed to have become incapable of entering into a valid marriage.

**12. Prevention of dedication.**- (1)Notwithstanding anything to the contrary contained in this Act, if on an application of the devadasi Prohibition and Rehabilitation Officer or the Taluk or State

Committee, an Executive Magistrate is satisfied that a Dedication in contravention of this Act, has been arranged or is about to be solemnised, such Magistrate shall issue a prohibitory injunction against any person including a member of an organisation or an association of persons prohibiting or restraining from such dedication.

- (2) An application or a complaint under sub-section (1), may be made by any person having personal knowledge or reason to believe or a non-governmental organisation having reasonable information, relating to the likelihood of taking place of such dedication.
- (3) The Executive Magistrate may also take *suo-motu* cognisance on the basis of any reliable report or information or complaint as the case may be.
- (4) For the purpose of preventing en-mass dedication as devadasis on certain days such as full moon day during 'jathres', the concerned District Magistrate shall be deemed to be the Devadasi Prohibition and Rehabilitation Officer with all powers as are conferred on a Devadasi Prohibition and Rehabilitation Officer by or under this Act.
- (5) The District Magistrate shall also have additional powers to stop or prevent dedication and for this purpose, he may take all appropriate measures including use of the minimum force required.
- (6) No prohibitory injunction under sub-section (1) shall be issued against any person or member of any organisation or association of persons unless the magistrate concerned has previously given notice to such person, members of the organisation or association of persons, as the case may be, and has offered him or them an opportunity to show cause against the issue of the injunction.  
  
*Provided that* in the case of any urgency, the magistrate concerned shall have the power to issue an interim injunction without giving any notice under this subsection.
- (7) An injunction issued under sub-section (1) may be confirmed or vacated after giving notice and hearing the party against whom the injunction was issued.
- (8) The Executive Magistrate may either on its own motion or on the application of any person aggrieved, rescind or alter an injunction issued under sub-section (1).



- (9) Where an application is received under sub-section (1), the Executive Magistrate shall afford the applicant an opportunity of appearing before it either in person or by an advocate. After hearing the applicant, if the Executive Magistrate rejects the application wholly or in part, he shall record in writing its reasons for so doing.
- (10) Whoever knowing that an injunction has been issued under sub-section (1) against dedication disobeys such an order shall be punishable with imprisonment for a term exceeding upto two year and not less than one year and a fine which shall not be less than rupees one lakh.

## Chapter IV

### AUTHORITIES FOR IMPLEMENTATION

- 13. Taluk Committee for Vigilance and Implementation-** (1) The State Government shall constitute a committee at the Taluk level by notification in the Official Gazette in the districts indicated under Schedule I of this Act. The Committee will be a continuing body, term of members being three years post appointment.
- (2) Composition:** Each committee, constituted for a Taluk, shall consist of the following members, namely:-
- a) Tahsildar, who shall be the *ex-officio* Chairperson, and will hold the casting vote in case of a tie;
  - b) Four persons belonging to the devadasi community, which includes devadasi women and children residing in the Taluk. Two children, one male and one female must be there in

the committee. The devadasi union recognised in each Taluk shall elect and unanimously forward the names of four such candidates, whether or not members of the Union, to the Tahsildar for appointment. The nomination of four persons belonging to devadasi community is subject to their availability.

- c) The senior-most female police officer present at Taluka level,
- d) One social worker nominated by the chairperson, who has special knowledge, experience or expertise in relation to the devadasi practice and harms associated with it, residing within the same Taluk;
- e) Nodal officer from the Social Welfare Department,
- f) Representative from agriculture department at Taluk level- Assistant Director of Agriculture (ADA)
- g) Representatives from Education Department and Literacy Programme- Block Education
- h) Representative from the Women and Child Development Department; who will be the Executive Officer

Executive Officer will be the Member-Secretary of the Committee, but will not have any voting rights. In the absence of Tahsildar, the nodal officer of the Social Welfare Department will act as the chairperson of the committee.

*Provided that*, the Committee so composed of, will consist of at least four female members and at least two representatives belonging to the Scheduled Castes or Scheduled Tribes.

*Provided also* that the Union at Taluk level will reserve with itself the right to recall its members elected to the Committee. Such candidates will be duly replaced with other candidates by the Union.

- 14. (1) Meetings:** The Committee will meet once every two months, and special meetings shall also be convened when circumstances requiring the attention of the Committee arise. Special meetings may be convened by the Tahsildar on the recommendation of at least three members from the devadasi community. Meetings will be convened by the Tahsildar, with sevendays' notice for ordinary meetings and threedays' notice for special meetings.

- (2)Appointment:** Appointment shall be made by the State government within one month from the commencement of this Act and within two weeks of any vacancies arising thereafter.
- (3)Quorum:** The minimum quorum of the Committee for meeting is five, of which two members present are government representatives, and three from among the devadasi community and social worker subject to their have been appointed. Absence of any member will not vitiate the proceedings of the Committee.
- (4)Decision-making:** Ordinary decisions will be made on the basis of a simple majority of members present and voting. Special decisions regarding land, housing, employment, education, and health will be made on the basis of consensus of the Committee.
- (5)Honorarium:** Each member shall be paid an honorarium as may be prescribed by the State Government, as well as reimbursement of cost of travel from the village to the Taluk.

**15. Duties of the Taluk Committee for Vigilance and implementation:** It shall be the duty of each Taluk Committee to –

- (a) Identify devadasis and devadasi families through voluntary application or *suo-moto* procedure of the Committee and provide them with identity card within six months from the commencement of this Act;
- (b) The Taluk Committee shall also conduct survey once every three years to assess the number of devadasi present. This will be further evaluated by the District committee who shall then present a report based on the findings of the survey to the State Committee;
- (c) Correct discrepancies or omissions, if any, in the details mentioned in such cards. Rectifications shall be carried out within a period of one month.
- (d) Verify applications made under Section 31 for identification of devadasi families and reject *malafide* applications, if any, filed under this Act.
- (e) Undertake taluk-wide surveys to identify devadasi practices and make suitable recommendations to the State Government for their inclusion in Section 2(b) and 2(c) for identification of devadasis

- (f) Recognise cooperatives, collectives, platforms, and unions amongst the devadasi community. Such recognition shall be carried out according to the Rules specified under this Act.
- (g) Hold awareness programs and campaigns for people within the taluk regarding the ill-effects of devadasi practices.
- (h) Undertake comprehensive socio-economic rehabilitation measures for the victims of devadasi practices.
- (i) The committee shall take all necessary steps to set up a single window mechanism for devadasis where they can get information of all Central and State Government schemes they are eligible under, and required process to avail the benefits. Such a mechanism shall be established within the period of six months from the commencement of this Act. Grievances may be filed by any interested party with the District Committee for the non-performance of this duty.
- (j) Ensure that the right of the devadasi family to healthcare is fulfilled.
- (k) Look into any other matter incidental thereto or connected therewith for implementation of this Act.
- (l) Submit Action-taken Report (ATR) to the District Committee after the commencement of every subsequent meeting.
- (m) Nominate to the district committee the devadasi representatives from among the existing members of the taluk committee or someone from the talukas the committee may deem fit. The Taluk Committee shall reserve the right to recall such representatives. Such candidates will be duly replaced with other candidates by the Committee.

**16. Grievance Redressal Mechanism-** Any grievance related to the Taluk Committee will be taken under consideration by District Committee and the decision of district committee will be final in this regard.

**17. District Committee for Vigilance and Implementation-**(1) The State Government shall constitute a committee at the District level by notification in the Official Gazette in the districts indicated under Schedule I of this Act. The Committee will be a continuing body, term of members being three years post appointment.

**(2) Composition:** Each committee, constituted for a District under Schedule 1, shall consist of the following members, namely:-

- (a) Deputy Commissioner, who shall be the ex- officio Chairperson, and will regularly convene meetings every two months
- (b) Chief Executive Officer of the Zilla Panchayat, who shall be the Vice-Chairperson of the Committee
- (c) Superintendent of Police of the District
- (d) Representative, Urban Development Department
- (e) Representative, Tribal Welfare Department
- (f) Representative, Backward Classes Welfare Department
- (g) Representative, Housing Department
- (h) Representative, Health and Family Welfare Department
- (i) Representative, Education Department
- (j) District Social Welfare Officer
- (k) One representative from each Taluk belonging to the devadasi community (which includes devadasi women residing in the Taluk). These members will be nominated by the Taluk Committee for appointment. Such representative may or may not be a member of the Taluk Committee.
- (l) Subject to availability of devadasis in a given taluk, two adult children of devadasi mothers, not belonging to the same household, appointed by the Taluk Committee and residing within the district;

- (m) One female social worker or senior activist nominated by the chairperson, who has known credentials, special knowledge, experience or expertise in relation to the devadasi practices and harms associated with it, and residing within the district;
- (n) Deputy Director of Women and Child Development Department, who will serve as the Member-Secretary of the Committee, and prepare agenda papers for the meetings;

Provided that the Committee so composed, will have at least two representatives belonging to the community of Scheduled Castes or Scheduled Tribes.

**18. (1) Meetings:** The Committee will meet once every two months, and special meetings shall also be convened when circumstances requiring the attention of the Committee arise. Special meetings may be convened by the Deputy Commissioner on the recommendation of at least five members from the devadasi community. A notice of tendays is to be provided for ordinary meetings, and three days to be provided for special meetings.

**(2) Appointment:** Appointment shall be made by the State Government within one month from the commencement of this Act and within two weeks of any vacancies arising thereafter.

**(3) Quorum:** The minimum quorum of the Committee for meeting is one-third of the total members, of which at least four members present belong to the devadasi community. Absence of any member will not vitiate any proceedings of the Committee.

**(4) Decision-making:** Ordinary decisions will be made on the basis of a simple majority of members present and voting. Special decisions regarding land, housing, employment, education, and health will be made on the basis of consensus of the Committee.

**(5) Honorarium:** Each member shall be paid an honorarium as prescribed by the State Government, as well as reimbursement of cost of travel from the Taluk to the District.

**19. Duties of the District Committee for Vigilance and implementation:** It shall be the duty of each Committee to:

- (a) Oversee the functions of all Taluk level committees in the District; receive regular reports of proceedings, progress, action taken and performance in terms of rehabilitation. The District level Committee may review the taluk level committees in the performance of their duties.
- (b) Coordinate the functions of all concerned agencies with a view to channelize adequate credit for the rehabilitation of devadasi Families.
- (c) A Management Information System (MIS) shall be regularly maintained by the committee wherein all the relevant information, such as survey details, service delivery, grievances received and addressed, pendency of applications, penalties and actions taken are recorded.
- (d) The DPRO will report the progress made in the fulfilment of his duties under this Act, in a form prescribed by the Committee.
- (e) Receive individual complaints from any person or take *suo moto* cognizance of violations of this Act by any person or organisation and report them to the jurisdictional police for necessary action.

Explanation: This provision is without prejudice to the general powers and jurisdiction of the police to directly entertain such complaints.

- (f) Provide periodic training and conscientise the officers of the State Government, police officers and other such staff and personnel involved in the implementation of this Act.
- (g) Submit Action-taken Report (ATR) along with agenda papers to the State Committee at the commencement of every subsequent meeting.
- (h) Ensure that a comprehensive, integrated health check-up is carried out for all devadasi families opting for the same, take any measures necessary for the same.
- (i) Publicise the provisions of this Act through media including the television, radio and the print media at regular intervals to make the general public aware of the provisions of this Act.

- (j) Hear and decide appeals from the Taluka Level Committee decisions.
- (k) Look into any other matter incidental thereto or connected therewith for implementation of this Act.
- (l) Set-up sub-committees which will be headed by one of the devadasi woman member. These sub- committees will administer the Shelter Homes established under Section 46 (1) and (2).
- (m) Nominate to the State committee the devadasi representatives from among the existing members of the district committee, or someone from the district as the committee may deem fit. The district committee will reserve the right to recall candidates it nominates to the State Committee. The Committee may also appoint replacements for such representatives after recall.

**20. Grievance Redressal Mechanism-**Any grievance related to the District Committee will be taken under consideration by State Committee and the decision of State committee will be final in this regard.

**21. State Committee for Vigilance and Implementation.-**The State Government shall constitute a committee at the State level by notification in the Official Gazette. The Committee will be a continuing body, term of members being three years post appointment.

**(1) Composition:** The committee, shall consist of the following members, namely:-

- (a) Chief Secretary of State Government, who shall be the ex- officio Chairperson, or an officer deputed on her behalf,
- (b) Secretary of Women and Child Development –Vice Chairperson. The Vice-Chairperson will have the power to call for the State Committee meeting in the absence of the Chief Secretary
- (c) Representative, Housing Department
- (d) Representative, Rural Development and Panchayath Raj Department
- (e) Representative, Primary and Secondary Education Department
- (f) Representative, Higher Education Department
- (g) Representative, Skill Development, Entrepreneurship and Livelihood Department
- (h) Director General of Police or his/her representative



- (i) Representative, Tribal Welfare Department
- (j) Representative, Revenue Department
- (k) Representative, Urban Development Department
- (l) Representative, Backward Classes Welfare Department
- (m) Representative, Finance Department
- (n) Representative, Health Department
- (o) Director of Civil Rights Enforcement or his/her Representative
- (p) One representative from each District under Schedule 1 belonging to the devadasi community (which includes devadasi women and children residing in the District). This Schedule may be amended by the State Legislature when circumstances pointing to the same arise. The District Committee in each district shall elect and forward the names of such candidates to the Chief Secretary for appointment. Such member may or may not be a member of the District Committee. At least half of such representatives will be female.
- (q) Two social workers or senior activists with known credentials nominated by the Chairperson, who have special knowledge, experience or expertise in relation to devadasi practices and harms associated with it, and residing within the State.
- (r) Any officer, not below the rank of Joint Secretary of the Social Welfare Department;
- (s) Any officer, not below the rank of Joint Director in Department of Women and Child Development, who will serve as the Member-Secretary of the Committee and prepare agenda papers for its meetings,

Provided that the Committee so composed will consist of at least eight female members and at least two representatives belonging to the Scheduled Castes or Scheduled Tribes.

- 22. (1) Meetings:** The Committee will meet once every two months, and special meetings shall also be convened when circumstances requiring the attention of the Committee arise. Special meetings may be convened by the Chairperson on the recommendation of at least three members from the devadasi community. Meetings will be convened by the Chairperson, with fourteen days' notice for ordinary meetings and five days' notice for special meetings.
- (2) Appointment:** Appointment shall be made by the State Government within one month from the commencement of this Act and within two weeks of any vacancies arising thereafter.

- (3) **Quorum:** The minimum quorum of the Committee for meeting is one third of total members, of which at least four members present and voting belong to the devadasi community. No proceedings or decisions of the Committee will be vitiated merely by absence of any member.
- (4) **Decision-making:** Ordinary decisions will be made on the basis of a simple majority of members present and voting. Special decisions based on issues related to land, housing, employment, education, and health will be made on the basis of consensus.
- (5) **Honorarium:** Each member shall be paid an honorarium as prescribed by the State Government, as well as reimbursement of cost of travel from their residence to the venue of the meeting.

**23. Duties of the State Committee for vigilance and implementation:** It shall be the duty of the Committee to:

- a. Supervise the functioning of all District level committees in the State, receive regular reports of proceedings, progress, action taken and performance in terms of rehabilitation. The State level Committee may assist the district level committees in the performance of their duties.
- b. Issue appropriate directions to any persons, authorities or agencies to carry out the purposes of this Act, especially to prevent the violation of the provisions of this Act.
- c. Identify schemes and allocate budget accordingly by making sure that no scheme remains un-implemented for lack of funds.
- d. Create, by earmarking a specific portion of the sub-plan, a separate fund for the payment of living expenses.
- e. Steps to be taken to ensure full utilisation of sub-plan allocation, and in addition accessing the General Budget for costs relating to the implementation of the rehabilitation plan.
- f. Scrutinise and audit primary and higher education curricula in collaboration with the State Council for Educational Research and Training to further the development of scientific temper and recommend appropriate corrective measures.
- g. Coordinate the functions of all concerned agencies with a view to channelize adequate credit for the rehabilitation of devadasis.

- h. Provide the officers of the State Governments and other concerned persons including the police officers periodic training on the matters relating to the implementation of the provisions of the Act.
- i. Publicise the provisions of this Act through media including the television, radio and the print media at regular intervals to make the general public, children as well as their parents and guardians aware of the provisions of this Act.
- j. Make enquiries into allegations of wilful negligence of the duties under this Act by public officials.
- k. Ensure that the concerned departments for the charters provided under this Act prepare within a period of six months, comprehensive Standard Operating Procedures to ensure the access of rights thereunder to members of the devadasi family.
- l. Ensure that all devadasi children have access to free education during schooling and higher education, vocational, technical, professional education, etc.,
- m. Ensure that land and adequate housing is provided to the devadasi family as per the Charter of Land and Housing provided under this Act.
- n. Hear and decide appeals from decisions of District Level Committee.
- o. Look into any other matter incidental thereto or connected therewith for implementation of this Act.

**24. State Committee and District Committee for Vigilance and implementation to have certain powers of a civil court:** In exercising the functions conferred on the Committee under this Act, the Committee shall have all the powers of a civil court, while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely:-

- (a) Summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) proof of facts by affidavits; and
- (d) appointing commissions for examination of witnesses or documents and any other matter, as may be prescribed.

## **25. Devadasi Prohibition and Rehabilitation Officer**

**(1) Appointment of Devadasi Prohibition and Rehabilitation Officer (DPRO).-** The State Government shall appoint as many DPRO(s) as recommended by Taluk Committee, by notification in the official Gazette on deputation basis or nominate somebody, who is well-conversant with the devadasi issues, on adhoc basis. Preference shall be given to female candidates who are working with the Devadasi community in such appointment.

(1.1) At the District Level the DPRO shall be a Deputy Director Carder and at the Taluk level it shall be a Assistant Director Carder.

(2) The State Government may also request a respectable member of the locality with a record of social service or an officer of devadasi related non-government organisations to assist the Devadasi Prohibition and Rehabilitation Officer and such person, as the case may be, shall be bound to act accordingly. If the chosen member of the locality fails to assist the DPRO, then another respectable member of that locality may have to be chosen to assist the DPRO.

(3) It shall be the duty of the Devadasi Prohibition and Rehabilitation Officer:-

- (a) To prevent dedication by intervening and collecting evidences for the effective implementation as required under the punitive provisions of this legislation;
- (b) To advise either individual cases or counsel the residents of the locality generally not to promote, help, aid or allow the dedication of devadasi;
- (c) Implementation of various functions under this Act through a process of application and resolution of grievances. The DPRO shall collaborate with the Taluk Committee
- (d) To create awareness of the evil which results from dedication;
- (e) To sensitise the community on the issue of dedication
- (f) To take action to write the Panchnama report at the place of incident itself and obtain the signatures of witnesses;
- (g) To furnish such periodical returns and statistics in the prescribed manner as demanded by the District devadasi Committee;
- (h) To discharge such other functions and duties as may be assigned.
- (i) To assist the Taluk Committee in conducting the survey for identification of devadasis;
- (j) To overlook and monitor all the rehabilitation and relief functions as defined in the Act;
- (k) To perform any other function that the Taluk Committee may assign for the implementation of this Act

(4) To perform all the duties enlisted under Section 26 (3), the Taluk Committee will decide the time frame for DPRO.

26. The State Government may, by notification, in the Official Gazette, subject to such conditions and limitations, invest with the Devadasi Prohibition and Rehabilitation Officer such powers of a police officer as may be specified in the notification and the Devadasi Prohibition and Rehabilitation Officer shall exercise such powers subject to such conditions and limitations, as may be specified therein.
27. The Devadasi Prohibition and Rehabilitation Officer shall have the power to move the District Committee for rehabilitation of rescued woman.
28. The Devadasi Prohibition and Rehabilitation Officer shall be deemed to be a public servant within the meaning of Section 2(28) of Bharatiya Nyaya Sanhita, 2023.

## Chapter V

### IDENTIFICATION

29. **Identification and Preparation of Lists.**-(1) The Taluk Committee shall conduct survey as mentioned in Section 15(b) of the Act.
- (2) The number of devadasis in the State shall be categorised into separate lists from time to time. List I shall contain those that were identified in the surveys conducted by the State Government before the commencement of this Act. List II shall contain those that will be identified in the survey that shall be conducted after the commencement of this Act. Subsequent Lists shall be made as and when the surveys are conducted.
30. **Right to Identification:**(1) All members of devadasi family have a right to be recognised as such individually by the Taluk Committee in the Taluk where such dedication was carried out or where the woman resided as a practicing devadasi. Such identification may be carried out by the Committee *suomotu* or upon application by members of the devadasi family. Such identification will be followed by the issue of an identification card indicating their names, ages, residential address and generation (as devadasi (First Generation), child of devadasi (Second Generation) and grandchild of devadasi (Third Generation))

(2) **Common Identifiers:** The Committee will rely on, but not mechanically bind itself to, Sections 2(b) and (c) for the identification of a devadasi.

(3) The identity card issued by the Taluk Committee under this Act shall act as conclusive proof of entitlement to any benefits extended under this Act

**31. Identification of Children of devadasi:** Identification of the devadasi shall be deemed to identify her children and grandchildren (whether existing or born subsequently) as members of the devadasi family. In the event of death of the mother before the commencement of this Act, such children may apply to the Taluk Committee with five supporting affidavits from the devadasi union of their Taluk for recognition as a child of the devadasi. This is subject to the availability of devadasi union in a given Taluk.

## **Chapter VI**

### **CHARTER OF HEALTH**

**32. Right to Health:** The State shall protect the right of every devadasi woman to good health and wellness.

(1) Each devadasi woman shall have a right to be included as a deemed beneficiary to all existing State and National health programmes applicable to the State of Karnataka. Her application for coverage under such programme shall be made by the Taluk Committee on the basis of the Identification Card issued under this Act.

(2) The State shall bear all costs incurred for the treatment of all chronic and acute illness suffered by the devadasi including costs of diagnosis and post-treatment care. By providing allowance for conveyance, or passes for public transport, the State shall endeavour to ensure that factors such as the cost of transportation do not cause denial of treatment.

(3) The State shall identify and ensure that an environment of preventive care is maintained in the life of all devadasis, including but not limited to, provision of clean drinking water, sanitation, menstrual health, and maternity care.

(4) Every member of the devadasi family or devadasi will, upon identification, be entitled to a State sponsored integrated health check-up for all common health issues including but not

limited to cardiac and pulmonary issues, anaemia and venereal and viral diseases in accordance the right to privacy, dignity and confidentiality of the person. Such a health check-up may be carried out at an adequately equipped health facility on the production of the identification card issued under this Act. The Taluk committee shall inform the members of the devadasi family or devadasi in their jurisdiction about the same. The DPRO shall identify such facilities and arrange for transportation.

(5) The State shall ensure access to medical care at the sub-centre level and protect devadasi women from exploitation by private practitioners and from being subjected to catastrophic out-of-pocket expenses.

(6) The State shall rely only on tried-and-tested, medically sound and empirically safe medical treatments and procedures for preventive care, diagnostic care and treatment of devadasis.

(7) Alongside health education and awareness programmes about medical issues and relevant programmes and schemes, focus shall be laid on the mental health of members of the devadasi community. Clinical or behavioural psychologists shall be identified in all districts for counselling devadasis and their children.

(8) The Department of Health shall, ensure the effective implementation of the provisions outlined in this chapter. These shall include identification, outreach, diagnostic and preventive care, mental health support, and integration with existing state and national health programmes, ensuring dignity, privacy, and accessibility for all identified devadasis and their families.

## Chapter VII

### CHARTER OF LAND AND HOUSING

- 33. Access to Land:** (1) The State shall give preference to those devadasis who are dependent on agricultural occupation by allocation agricultural land under the existing schemes of the development corporations, subject to availability of land or rehabilitation schemes. Such allocation shall be undertaken on a priority basis in accordance with rules notified under this Act.
- (2) In the event of the death of a devadasi before the allotment of land, the benefit of such preference shall be extend to one eligible dependent member of her family, as verified and recorded by the Taluk Committee.
- (3) Any land granted under this provision shall not be sold, transferred, or acquired by the government as long as any surviving listed member of the devadasi family is alive.
- (4) The provisions of Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) Act, 1978 shall *mutatis mutandis* apply to the allotment of land made to the devadasis under section 42(2) of the Act.
- (5) To encourage sustainable livelihoods, the State shall give preferential consideration to registered collectives of devadasis for the allocation of land suitable for collective or cooperative farming, subject to availability under existing government schemes. On receiving an application from not less than 10 identified devadasis in a village, the Taluk Committee may facilitate the allotment of consolidated landholdings. The development of model farms focusing on organic methods, traditional crops, food processing, and collective decision-making shall be promoted on such land.



**34. Right to Housing:** (1) The State shall provide every devadasi adequate housing of appropriate size that meets satisfactory standards of hygiene, comfort and preserves personal and family privacy. In the event of death of the devadasi before the allocation of adequate housing, right to such benefit shall devolve unto the surviving members of the devadasi family only.

(2)– The devadasis families and the deceased devadasi surviving family members, put together, shall be allotted a appropriate residential plot and shall be provided with sufficient financial assistance for meeting the cost of building ‘adequate housing’ as defined under Schedule II of this Act, subject to eligibility and willingness of the devadasi, and to the provisions of the relevant scheme of the Central Government or the State Government or the Concerned local authority.

(3)The State Government when constructing houses for devadasi family shall ensure that minimum criteria of adequate housing as listed under Schedule II of this Act are met and shall mandatorily involve devadasi community/Taluk Committee in all stages of implementation of such housing schemes.

(4)The State Government must enact Rules and take other measures to achieve the progressive realization of this right within one year of commencement of this Act.

(5) Measures must be taken to achieve all policy prescriptions adopted by the Government of Karnataka in their Karnataka Affordable Housing Policy, 2016.

(6) Standard Operating Procedure shall be formulated within six months by the Secretary, Department of Land Revenue to ensure all the above.

## **Chapter VIII**

### **CHARTER OF IMMEDIATE RELIEF**

**35. Immediate Relief and Protection.-** (1) Any minor devadasi in need of immediate relief and protection shall, on application made under prescribed rules to Taluk Committee/DPRO be provided shelter in Children's Home as per the mandatory requirements of the Juvenile Justice Act, 2015 for immediate rehabilitation.

(2) Any devadasi woman above the age of eighteen years along with her minor children, if any, in need of immediate relief and protection shall, on application made under prescribed Rules to the Taluk Committee, is provided shelter in Special Homes to be set up by State Government or in the existing Special Homes to be identified by the State Government within one year of commencement of this Act.

(3) The minimum facilities to be provided in these Special Homes shall be as prescribed under Schedule III of this Act.

(4) Every Special Home shall have a Management Committee to be headed by a devadasi woman nominated by Sub Committee of District Committee as constituted under Section 19(1), to be set up in a manner as may be prescribed, to manage the institution and monitor the Special Homes.

(5) Standard Operating Procedure shall be formulated within six months by the Secretary, Department of Women and Child Development to ensure all the above.

## Chapter IX

### CHARTER OF REHABILITATION

**36. Rehabilitation and Resettlement:** (1) Members of the devadasi family can avail the following entitlements by making an application before the District Committee for the same. The State Government shall formulate Rules for the same within six months from the commencement of this Act. The benefits provided under this Act must be made available to the devadasi family within one year of such application.

(2) Special priorities should be given to devadasi families in all schemes implemented by all Departments of the State government.

**37. Living Expenses:** Devadasi women shall be given monthly living expenses as may be prescribed under relevant state government scheme. The quantum of such living expenses should. Funds shall be allocated towards the same by the State Committee and disbursed through the Taluk Committee. The living expenses shall meet the minimum requirements for the fulfilment of all basic needs. The State Committee need to review the living expenses.

**38. Skill Development:** The devadasi woman and other adult members of her family shall be given, subject to eligibility and willingness, training in a livelihood skill, and shall be paid a monthly stipend of not less than half of minimum wage, during the period of such training.

**39. Antyodaya Card:** The State Government shall ensure the entitlement of Antyodaya Anna Yojana (AAY) card to all the devadasi families. As Aadhar is mandatory to issue new ration cards or to add a beneficiary to an existing ration card the Devadasi and family members should be provided an Aadhar card, in case they do not have an Aadhar card. The process for identification and issuing AAY ration cards to Devadasis their family members should be made through Taluk Committee, District Committee and the State Committee.

**40. Education of Devadasi Children:** The State Government shall make provision to provide priority admission to the devadasi children and grandchildren in Government-run Residential Schools and Government Schools. The State shall ensure that all costs including tuition, accommodation, nutrition and associated expenses are provided through the grant of need-based

scholarships, which shall be instituted within one year from the date of commencement of this Act. The State will bore all the Higher Education, Professional and Technical courses enrolled by the Devadasi children.

**41. Employment:** To create sustainable alternate livelihood options

- a. The Government shall take necessary steps to ensure the alternative livelihood opportunities for devadasi families as a vulnerable group. This may include special facilitation cells, pre-recruitment training, and representation in special recruitment drives for employment opportunities and need based skill development trainings for alternative employment opportunities.
- b. The Government shall promote alternate livelihoods for devadasi families by implementing measures to create capacity by extension of formal credit schemes, innovation, and entrepreneurship schemes. Other things remaining the same, the members of devadasi families must be given priority in government contracts, government supplies, purchase and public procurement, industrial and small scale industries.

**42. Marriage** -The State shall formulate a scheme to financially incentivise marriages where one of the spouses belongs to a devadasi family. Such financial incentive must be allotted to such couples in accordance with Rules notified under this Act.

## **Chapter X**

### **AWARENESS**

**43. Awareness Programmes**

- (1) The State Government, shall take necessary measures to ensure that appropriate educational and awareness campaigns be undertaken for sensitising people, especially in vulnerable sections of society, to the ill-effects of the devadasi practice.
- (2) In particular, and without prejudice to the generality of the foregoing clause, such measures may provide for all or any of the following matters, namely :—
  - (a) The awareness programmes for devadasi community and the society at large will include campaigns for creating legal and social awareness with special focus on health awareness campaigns for devadasi community.
  - (b) The Taluk Committees and the District Committees shall be responsible for conducting social and legal awareness programs at respective levels with help from academicians, social workers and civil society organisations. Awareness campaigns conducted should aim at improving the status of devadasi community in the society by targeting common people through activities like street plays, screening of movies, exhibitions, pamphlets etc.
  - (c) The Awareness Programmes shall also include in the campaign, information about the help lines that are at disposal of women in need of rescue and rehabilitation
  - (d) The District Committee may collaborate with the District Legal Service Authority and legal services cells of all law colleges situated in Karnataka to help Taluk Committees to conduct legal awareness programmes in each taluk. The aim of such legal awareness programmes shall be:
    - (i) Imparting basic understanding of legal provisions and benefits under this Act, and also other Acts like The Right of Children to Free and Compulsory Education Act, 2009, Juvenile Justice (Care and Protection of Children) Act, 2015, The Protection of Children from Sexual Offences Act, 2012 etc.
    - (ii) Deterring the practice of dedication and sexual exploitation in the society at large through awareness programmes on punitive measures under the Act.
  - (e) Health awareness campaigns for the devadasi community will be conducted by Taluk Committee and District Committee in collaboration with concerned health department officials, to integrate awareness with health camps, with special focus on awareness about sexually transmitted diseases and other occupational diseases associated with the devadasi practice.

(f) Citizen's Charter of all department of State Government shall include the rights and benefits given to devadasis under this Act.

(g) All existing and future programmes for Masters in Social Work and Legal Education affiliated to every University in Karnataka shall be included in the awareness efforts under this Act.

(h) The District Committee shall convene a convergence meeting of all stakeholders once in every six months. The resolutions passed in these meetings shall be updated to Management Information System (MIS) within two weeks from the meeting.

(i) Recommendation shall be made by the State Government to concerned authorities to include a chapter on devadasi practices in school curricula, to sensitise and conscientise children and develop among them scientific temper, humanism and the spirit of inquiry and reform, a fundamental duty of every citizen under Article 51A(h) of the Constitution of India.

(j) The State Government, in consultation with the Directors of State Administrative Academy and State Police Academy, shall conduct periodic workshop and training programs to sensitize and train all newly inducted officers on the devadasi practice and matters relating to the implementation of the provisions of this Act.

(k) Special measures should be taken to conduct awareness programmes near temple premises where dedication ceremonies usually take place.

(l) The State Government with the help of concerned authorities shall undertake training of Panchayat officials on elimination of devadasi practice within their respective jurisdiction and implementation of the provisions of this Act.

Awareness efforts towards the eradication of the devadasi practise shall also aim to liberate the members of the devadasi family from the pernicious practice of devadasi.

## **Chapter XI**

### **PUNISHMENT AND PENALTIES**

**44. Punishment for Dedication-**(1) Any person who, after the commencement of this Act,-

- (a) Performs, permits, takes part in, or abets, or who, allows in the premises under his control, the performance of any ceremony or act for dedicating a woman as a devadasi or any ceremony or act connected therewith shall, on conviction, be punishable with imprisonment for a term which shall not be less than two years but may extend to a period of five years and shall be liable to fine of not less than rupees one lakh. (b) promotes or propagates the practice of devadasi shall, on conviction, be punished with imprisonment for a term which shall not be

less than one year but may extend to a period of five years and shall also be liable to fine not less than rupees fifty thousand.

- (c) Whoever, having already been convicted of an offence under this Act is convicted for the second offence or any offence subsequent to the second offence, shall be punishable with imprisonment for a term which may extend to a period of seven year, but shall not be less than two years and shall also be liable to fine of not less than rupees two lakhs.

**45. Dedication done at the temple premises.-** (1) If any dedication as defined under the Act is discovered to have been performed within the temple premises, then a notice will be issued to the concerned Temple Committee by the Taluk Committee

- (2) On the conviction of such members of the Temple Committee, their names shall be published in the local newspapers as per Section 58.

**46. Publication of fact of conviction**

- (1) Where any person is convicted of any offence punishable under this Act, it shall be competent for the court convicting such offender to cause the name and place of residence of such person to be published by the police in the local newspapers where such offence is taken place together with the fact that such offender has been convicted under this Act and such other particulars as court deems fit and appropriate to be allowed to be published.

- (2) No such publication under sub-section (1) shall be made until the appeal, if any, filed against such order of conviction is finally disposed of.

**48. Limitation not to apply for taking cognizance.-** Nothing in Chapter XXXVIII of the Bharatiya Nagarika Suraksha Sanhita, 2023 shall apply to any offence under this Act.

**49. Offence to be cognizable and non bailable.-** Notwithstanding anything contained in the Bharatiya Nagarika Suraksha Sanhita, 2023, every offence under this Act shall be cognizable and non-bailable.

**50. Proceedings to be held in camera.-** If the Magistrate considers that the circumstances of the case so warrant, and if the member of the devadasi family who is party to the proceedings so desires, the magistrate may conduct the proceedings under this Act in camera.



**51. Jurisdiction to try offences.-** No court inferior to that of a Metropolitan Magistrate or Judicial Magistrate of a First Class shall try any offence punishable under this Act.

## **Chapter XII**

### **MISCELLANEOUS**

**51. Act to override other laws.-** Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

**52. Application of other laws.-**The provisions of this Act shall be applied in such a manner so as to not deny to the devadasi family any scheme, programme, Rule or law more beneficial than those under this Act. Any offense under this Act, already covered by any other law, shall be tried under such law, if it attracts the higher punishment prescribed by such other law in force.

**53. Protection of action taken in good faith.**-No suit, prosecution, or other legal proceedings shall lie against the Government or any person for any action taken in good faith .

**54. Power to make rules.-**

- (1) The State Government may, after previous publication and by notification in the official Gazette, make rules for carrying out the purposes of this Act.
- (2) Without prejudice to the generality of the power conferred by sub-section (1) such rules may provide,-
  - (a) for the manner of investigation of offences under this Act ;
  - (b) for welfare and rehabilitation of devadasis;
  - (c) for any other matter which in the opinion of the State Government has to be prescribed.
- (3) Every rule made under this section shall be laid as soon as may be after it is made, before each house of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the sessions immediately following the session or the successive sessions aforesaid.

**55. Power to amend the Schedule.-**

- (1) The State Government may by notification published in the Official Gazette add, amend or alter the schedule.
- (2) Every such notification issued under sub-section (1), shall laid before each house of the State Legislature.

**56. Power to remove difficulties**

- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary for removing the difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature.

## **57. Repeal**

(1) The Karnataka Devadasis (Prohibition of Dedication) Act, 1982 and The Karnataka Devadasis (Prohibition of Dedication) (Amendment) Act, 2009 are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Acts shall be deemed to have been done or taken under the corresponding provisions of this Act.

## **SCHEDULE I**

### **Districts under this Act where the devadasi practice has been identified**

1. Bagalkote
2. Bellary
3. Belagavi
4. Bijapur
5. Chitradurga
6. Davanagere
7. Dharwad
8. Gadag
9. Gulbarga

10. Haveri
11. Koppala
12. Raichur
13. Shimoga
14. Yadgir
15. Vijaynagar

## **SCHEDULE II**

### **SCHEDULE FOR HOUSING**

Adequate housing must provide more than four walls and a roof. A number of conditions must be met before particular forms of shelter can be considered to constitute “adequate housing.” These elements are just as fundamental as the basic supply and availability of housing. For housing to be adequate, it must, at a minimum, meet the following criteria:

1. Accessibility: Housing is not adequate if the specific needs of disadvantaged and marginalized groups within devadasi families are not taken into account (such as the persons with disabilities);
2. Availability of services, materials, facilities and infrastructure: An adequate house must contain certain facilities essential for health, security, comfort and nutrition. All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, potable drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, food storage, waste disposal, site drainage and emergency services;

3. Location: Housing is not adequate if it is cut off from employment opportunities, health-care services, schools, childcare centres and other social facilities, or if located in polluted or dangerous areas.

### **SCHEDULE III**

#### **SHELTER HOME**

The services that shall be provided in Special Homes under this Act in the process of rehabilitation and re-integration of devadasi, shall be in such manner as may be prescribed, which should include the following minimum requirements—

- i. basic requirements such as food, shelter, clothing and medical attention as per the prescribed standards;
- ii. equipment such as wheel-chairs, prosthetic devices, hearing aids, braille kits, or any other suitable aids and appliances as required, for children with special needs;
- iii. appropriate education, including supplementary education, special education, and appropriate education for children with special needs;
- iv. Provided that for children between the age of six to fourteen years, the provisions of the Right of Children to Free and Compulsory Education Act, 2009 shall apply;
- v. skill development;
- vi. occupational therapy and life skill education;
- vii. mental health interventions, including counselling specific to the need of the devadasi;

- viii. recreational activities including sports and cultural activities;
- ix. legal aid where required;
- x. referral services for education, vocational training, de-addiction, treatment of diseases where required;
- xi. birth registration;
- xii. assistance for obtaining the proof of identity, where required; and
- xiii. any other service that may reasonably be provided in order to ensure the well-being of the devadasi, either directly by the State Government, registered or fit individuals or institutions or through referral services.