

Devadasis (Prohibition Of Dedication) Act, 1982**1 of 1984****[11 January 1984]**

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Devadasis (Prohibition Of Dedication) Act, 1982**1 of 1984****[11 January 1984]**

An Act to prevent dedication of women as devadasis in the State of Karnataka. WHEREAS the practice of dedicating women as devadasis to deities, idols, objects of worship, temples and other religious institutions or places of worship exists in certain parts of the State of Karnataka ; AND whereas such practice leads women so dedicated to a life of prostitution; AND whereas it is expedient to put an end to the practice ; BE it enacted by the Karnataka State Legislature in the Thirty-third Year of the Republic of India as follows :- 1. First published in the Karnataka Gazette Extraordinary on the Thirty-first day of January, 1984.

1. Short Title And Extent :-

(1) This Act may be called the Karnataka Devadasis (Prohibition of Dedication) Act, 1982.

(2) It extends to the whole State of Karnataka.

2. Definitions :-

In this Act, unless the context otherwise requires,-

- (a) "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 ;
- (b) "devadasi" means a woman so dedicated ;
- (c) "temple" means a place by whatever designation known, dedicated to, or used as a place of religious worship ;
- (d) "woman" means a female of any age.

3. Dedication As Devadasi To Be Unlawful :-

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, void and to be of no effect and any woman so dedicated shall not thereby be deemed to have become incapable of entering into a valid marriage.

4. Marriage Of Devadasi :-

Notwithstanding any custom or rule of any law to the contrary, no marriage contracted by a woman shall be invalid and no issue of such marriage shall be considered as illegitimate by reasons only of such woman being a devadasi.

5. Penalty :-

Any person who, after the commencement of this Act, performs, permits, takes part in, or abets 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 of either description for a term which may extend to three years and with fine which may extend to two thousand rupees:

Provided that where the person referred to in this section is the parent or guardian or a relative of the woman so dedicated, he shall be punishable with imprisonment of either description which may extend to five years but which shall not be less than two years and with fine which may extend to five thousand rupees but which shall not be less than two thousand rupees.

Explanation.- A person referred to in this section shall include the woman in respect of whom such ceremony or act is performed.

6. Protection Of Action Taken In Good Faith :-

No suit, prosecution, or other legal proceedings shall lie against the Government or any person for anything which is in good faith done or intended to be done under this Act.

7. 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 custody, care, protection, 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, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall from the date on which the modification or annulment is notified by the State Government in the official Gazette have effect only in such modified form or be of no effect, as the case may be ; so however, the modification, or annulment shall be without prejudice to the validity of anything previously done under that rule.

8. Repeal :-

The Bombay Devadasis Protection Act, 1934, (Bombay Act 10 of 1934) and the Madras Devadasis (Prevention of Dedication) Act, 1947 (Madras Act 31 of 1947) are hereby repealed :

Provided that section 6 of the Karnataka General Clauses Act, 1899 (Karnataka Act 3 of 1899) shall be applicable as if the said enactments are repealed and re-enacted by this Act.