



## BEYOND PROHIBITION: LEGITIMACY, INHERITANCE, AND RIGHTS UNDER KARNATAKA'S DEVADASI BILL, 2025

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### ABSTRACT

*The Devadasi system, once a respected religious and cultural tradition, gradually turned into a system of stigma and exploitation. It began as a practice where women dedicated their lives to serving in temples, honouring the gods through dance, music, and devotion. These women, known as Devadasis, were highly regarded and even considered married to the deity. They were given wealth, status, and a place in society as they were responsible for maintaining the temples and performing rituals. Over time, however, this system changed. Due to colonial rule, temple poverty, and the strong influence of patriarchal systems, many Devadasis were forced into exploitative situations, including sex work. By the late 20th century, the practice was seen as a violation of human rights. Although this law was amended in 2010, it remained primarily focused on punishment and did not address the deeper needs of those affected, leading to the continued suffering of thousands of women and children who were trapped in cycles of poverty and exclusion. In 2025, the Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill<sup>1</sup> was introduced, marking a significant change. This new law goes beyond just banning the practice. It now provides enforceable rights for Devadasi women and their children—ranging from welfare and education to recognition of paternity, inheritance, and social legitimacy. The aim is to not only stop the practice but also to make amends by restoring dignity and rights through restorative justice, inclusive governance, and legal protections. However, the success of this bill depends on strong enforcement, quick justice, and comprehensive surveys to ensure no Devadasi family is overlooked.*

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<sup>1</sup> Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill 2025 (India, Karnataka Legislative Assembly)

**Keywords:** Devadasi System, Karnataka Devadasi Bill 2025, Inheritance and Legitimacy, Restorative Justice.

## INTRODUCTION

Devadasi, meaning “servant of God,” comes from the Tamil term "Tevrtyal," derived from the words "Das" (servant) and "Dev" (God). Around 1400 years ago, the Devadasi tradition began, bringing about excellence in dance, music, devotion, and other forms of art. The practice started as a revered way of dedicating trained dancers to temples to honour the gods through art and worship. These women, known as Devadasis, were highly respected and were thought of as being married to the deity, treated as if they were the goddess herself. Devadasis were responsible for taking care of temples, learning classical Indian dances like Bharatanatyam, and performing rituals. They were considered auspicious, and their patrons gained higher social status. Dance and music were an essential part of daily temple rituals. Over time, the practice became a serious threat to a woman’s dignity. Immoral individuals began to exploit them, and the condition of the Devadasis greatly declined. Today, the Devadasi Pratha is often compared to prostitution. In this practice, lower caste unmarried girls were randomly given to temples. Without education, many were forced to live lives worse than those of beggars. Recognising this as a violation of human rights, Karnataka banned the Devadasi system in 1982<sup>2</sup> and Andhra Pradesh in 1988.<sup>3</sup> Yet, thousands of women in both states still live as Devadasis. Many NGOs, social activists, and the National Human Rights Commission are working to end this practice. Acknowledging the ineffectiveness of the 1982 Devadasi (Prohibition of Dedication) Act, the Karnataka government introduced the Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill in 2025. This bill goes beyond just prohibition and focuses on social rehabilitation and inheritance rights to protect their status in society, marking a shift towards restorative justice and social equality. The 1982 law failed because it only focused on criminalising the practice without providing real protection or rights. Weak enforcement and lack of awareness meant the practice continued in secret, leaving Devadasi women and their children without real security or rights.

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<sup>2</sup> The Karnataka Devadasis (Prohibition of Dedication) Act 1982.

<sup>3</sup> The Andhra Pradesh Devadasis (Prohibition of Dedication) Act 1988.

## HISTORICAL TRACES OF THE DEVADASI SYSTEM

Some historians believe the tradition started around the 6th century during the Keshari dynasty.<sup>4</sup> While the exact origin date is uncertain, we know what the Devadasi Pratha looked like at its peak in India's temples. This understanding comes from ancient inscriptions and literary works.

## INSCRIPTIONS AND HISTORICAL EVIDENCE

### Wealth and Status of Devadasis

**Chola Dynasty Records:** Inscriptions from Chola rulers show that Devadasis were wealthy and supported by the rulers.<sup>5</sup>

**872 A.D. Sadayar Temple (Tanjavur):** Records indicate that a Devadasi donated 56 grams of pure gold to the temple.

**1119 A.D. Manakul Mahadev Temple:** A Devadasi bought land with her own money and donated it to the temple.

**1213 A.D. Kaal Hasteshwar Temple (Tanjavur):** A Devadasi, along with temple managers, acquired tax-free land from the king for the temple—indicating political influence.

**1014 A.D. Rajarajeshwar Temple:** The names of 400 Devadasis were inscribed on its walls as shareholders of the temple.

These records show that Devadasis were not only financially well-off but also held political significance, enjoying ownership rights and high status.

## DEVADASIS IN ANCIENT LITERATURE

The earliest literary description of women dancing in temples appears in Kalidasa's *Meghadūta* (4th century).<sup>6</sup> However, these women are described as Vaishyas (courtesans), not Devadasis. Between the 4th and 8th centuries, there is no direct mention of Devadasis in literature.

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<sup>4</sup> Kumkum Sangari and S Vaid, 'Recasting Women: Essays in Indian Colonial History' (Rutgers UP 1990).

<sup>5</sup> Nilakanta Sastri, K.A., *The Cholas* (University of Madras 1935, reprint 1984).

<sup>6</sup> Kane, P.V., *History of Dharmasastra*, Vol. IV (Bhandarkar Oriental Research Institute 1953)

## 8th–12th Century References

**Rajatarangini (12th century, Kashmir):** Written by poet Kalhana, this historical text describes women in temples as “guardians of the temples” (Devadasis), not Vaishyas.<sup>7</sup>

**Periya Puranam (Tamil literature):** Describes the wife of the Shaivite saint Sundar Murthy in terms that match the Devadasi tradition.<sup>8</sup>

The Tamil term Patilalar, used for her, was also found in inscriptions referring to Devadasis—indicating a respected position.

## THE HIGH-STATUS ERA (8TH–13TH CENTURY)

During this time, Devadasis held the same status as temple managers or priests. They had political roles, participated in land dealings, and came from all classes—upper and lower castes alike. There is no historical evidence of them being treated as prostitutes during this period.

**Religious and Cultural Significance:** In Sanatan Dharma, every worldly practice—from dance to drama—was tied to spirituality. Activities like performing music, plays, and dance were considered paths to connect with the divine. A Devadasi's role was to:

- Serve the deity as a symbolic "bride" of God.<sup>9</sup>
- Preserve and promote performing arts such as Bharatanatyam and temple music.
- Teach these arts to society as an act of devotion.

Artists were highly respected for their sacred contributions, whether they were instrumentalists (called "Pandit"), singers, or dancers. Notably, famous Indian artists like the grandmother of Lata Mangeshkar and M.S. Subbulakshmi had their roots in the Devadasi tradition.

## DECLINE OF THE DEVADASI SYSTEM

The decline of the Devadasi system was due to various socio-economic changes, including foreign invasions and the consequent financial decline of temples. As temple funding decreased, the importance of Devadasis declined, leading to their exploitation and association

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<sup>7</sup> Kalhana, *Rajatarangini: A Chronicle of the Kings of Kashmir*, translated by M.A. Stein (Motilal Banarsidass 1961).

<sup>8</sup> Dehejia, Vidya, *Slaves of the Lord: The Path of the Tamil Saints* (Munshiram Manoharlal 1988)

<sup>9</sup> Dr. V. Bharathi Harishankar and Dr. M. Priyamvada, *Exploitation of Women as Devadasis and its Associated Evils* (National Commission for Women, New Delhi ) <http://ncwapps.nic.in> accessed 16 August 2025.

with prostitution. The decline of traditional teachings and the rise of Western influences further marginalised Devadasis. The lack of educational opportunities for women led to the continuation of poverty and exploitation within the system. Today, the Devadasi practice is often viewed as a violation of human rights, prompting legal prohibitions in certain states. In modern society, the relevance of the Devadasi system is questioned, as many traditional practices have become outdated. By the late 20th century, the condition of Devadasis was seen as a serious human rights violation. Karnataka in 1982 and Andhra Pradesh in 1988 banned the system. Today, there is little justification for its continuation, as the arts can be learned through other means, and temple culture has changed significantly. Devadasi Pratha began as a respected religious and cultural tradition but declined due to loss of purpose, economic collapse of temples, and societal changes.

### **FROM SACRED TO STIGMA**

The system was not immediately abolished; instead, it led to a long period in which Devadasi women were in a difficult situation: they had lost their previous religious status but were still affected by caste hierarchy and ritualistic devotion. Because of this change, the practice—once seen as a sacred calling—became more widely recognised as systematic exploitation. Devadasi women lacked institutional protection by the late 19th and early 20th centuries as colonial modernity changed Indian society and temple patronage declined. Many were forced to turn to sex work for income, which led to the system being associated with prostitution. An additional layer of marginalisation came from the moral stigma associated with this change. Devadasis, who once held cultural significance, were ostracised, and their future generations faced social exclusion and denial of education and employment. At this point, social reformers started to take action, with figures like Raja Ram Mohan Roy and Govind Ranade criticising the transformation of the Devadasi tradition. However, it was women like Mutthulakshmi Reddy and Mu Ramaswami Ammal who became powerful voices against the oppressive system. The anti-nautch movement began in 1882, challenging the system and leading to legislation abolishing the dedication of women to temples.<sup>10</sup> Figures like Ammu Swaminathan helped Devadasi women escape their circumstances. Mutthulakshmi Reddy, whose mother was a Devadasi, fought tirelessly for women's rights and played a crucial role in legislative reforms.

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<sup>10</sup> S Angaleswari, 'The Anti-Nautch Agitation in Madras Presidency' (2018) 5(4) Shanlax International Journal of Arts, Science and Humanities 57.

Mu. Ramaswami Ammal also gained attention when she escaped her life as a Devadasi to marry for love. Together, they led movements that challenged societal norms.

## CONTEMPORARY EFFORTS

Today, individuals like Sattamma Jatthi of Karnataka are helping former Devadasis reintegrate into mainstream society. Sattamma, a former Devadasi herself, founded the Mahila Abhivrudhi Mattu Samrakshana Samsthe (MASS), which has helped thousands of women escape the system and live with dignity. Dalit women faced double discrimination within the system, suffering both as 'untouchables' and as women. The intersection of caste and patriarchy placed them at the bottom of the hierarchy, subjecting them to severe violence and exploitation. The Devadasi system serves as a stark reminder of the complexities of tradition, power, and exploitation. While the system is officially outlawed, its legacy continues to affect many women today. In 2022, the National Human Rights Commission took notice of reports highlighting the continued existence of the Devadasi system, particularly in South India. They described it as an evil practice subjecting women to sexual exploitation and issued notices to the central and six state governments, seeking detailed reports on actions taken to prevent the system and rehabilitate affected women.

## CREATING THE CONDITIONS FOR LAWFUL PROHIBITION

The state could not afford to ignore the issue in this socio-political environment. With the Karnataka Devadasis (Prohibition of Dedication) Act, 1982,<sup>11</sup> Karnataka became the first state to enact legislation specifically prohibiting the practice. In 1988, Andhra Pradesh followed suit, and Maharashtra passed similar legislation. The focus shifted from preserving tradition to rescuing women from systematic exploitation and reintegrating them into society.

The Karnataka Devadasis (Prohibition of Dedication) Act, 1982, enforced in 1984, made it illegal for a woman to be dedicated as a Devadasi and imposed penalties on those involved in the practice. The act primarily focused on criminalising the dedication of women as Devadasis, regardless of consent or custom. It validated the marriage of former Devadasis and children from such marriages. It also required the state government to rescue and rehabilitate affected women through shelter, counselling, and economic support. However, the act was amended in 2010 to address limited implementation. The Amending Act 1 of 2010<sup>12</sup> introduced Section

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<sup>11</sup> Karnataka Devadasis (Prohibition of Dedication) Act 1982 (Karnataka Act No 1 of 1984).

<sup>12</sup> Karnataka Devadasis (Prohibition of Dedication) (Amendment) Act 2010 (Karnataka Act No 1 of 2010)

3C, which explicitly made offences under this Act cognizable and non-bailable, an effort to strengthen and ensure stricter legal action against offenders. The act also expanded the meaning of "dedication," now covering not only rituals but also any hidden forms of dedication, implying that the law still applies even if the ceremony did not traditionally take place. In reality, these modifications merely strengthened the punitive aspect of the law without significantly enhancing rehabilitation or social reintegration, despite their stated goal of filling gaps.

The main constraint was this imbalance. While the law banned the act of dedication, it did little to break the intergenerational cycle of stigma, poverty, and exploitation that continued to trap Devadasi women and their children. Critics argued that prohibition without enforceable rights meant the system survived in disguised forms. This early critique from the 1980s and 1990s would later inform the framing of the Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill, 2025, which for the first time attempted to pair criminalisation with a comprehensive rights and welfare framework.

### **THE 2025 KARNATAKA DEVADASI BILL: A SHIFT BASED ON RIGHTS**

The Devadasi system actually endures much longer than the law and documentation indicate. About 40,600 Devadasis were recorded in the last official government surveys, which were carried out in 2008.<sup>13</sup> However, researchers and NGOs estimate that the real number is over 80,000, indicating that tens of thousands of women are still not visible to state support systems. Concerned by these disparities, the National Human Rights Commission (NHRC) published notices in 2022 claiming that more than 70,000 women in Karnataka alone still identify as Devadasis.<sup>14</sup>

According to NGOs on the ground, dedications have simply moved underground rather than disappeared. Secret ceremonies are performed in private homes rather than temples in areas like Ballari. An NGO operating in the area, Sneha, has documented instances in which girls as young as twelve were committed in secret, away from the public eye, but with the same lasting effects. To guarantee that everyone impacted is counted and included in rehabilitation programs, the Karnataka State Human Rights Commission ordered a thorough re-survey of Devadasi women in June 2025, with no age restrictions. In order to prevent Devadasi children

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<sup>13</sup> Karnataka State Women's Development Corporation, *Devadasi Rehabilitation Project Survey Report* (2008)

<sup>14</sup> NHRC, *Press Release on Devadasi System* (14 October 2022) <[www.nhrc.nic.in](http://www.nhrc.nic.in)> accessed 17 August 2025.



from being excluded from schools or banks due to the absence of a paternal name, activists are working to reform the welfare and education systems at the same time. The Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill, 2025, was introduced against this social backdrop. The Bill aims to combine prohibition with enforceable rights, a model more akin to restorative justice than criminalisation alone, in contrast to previous laws that mainly relied on punitive deterrence.

## STRUCTURE AND KEY PROVISIONS

**Scope and Overriding Effect:** The Bill expressly supersedes other contradictory laws and is applicable throughout Karnataka. Its repeal of the 1982 Act, above all, signals a departure from models that rely solely on prohibition.

**More Explicit Definitions:** It expands on important terms. While "Devadasi family" offers protection to dependents and children, "dedication" encompasses both overt and covert practices. The legislation closes the gaps that previously permitted covert forms of the practice to continue by identifying and characterising these categories.

**Chapter on Rights for Devadasi Families:** The development of a rights framework is a key innovation. Access to health, education, housing, and welfare programs is a statutory right, not a charity, for Devadasi women and their families. The historical neglect that denied basic services and pensions to thousands of women is directly addressed by this.

**Prevention and Prohibition:** Strong prohibitions are still included in the bill. District Prohibition Officers (DPROs) and magistrates have the authority to issue injunctions to stop dedication ceremonies, even in advance. Temple administration is in charge of stopping these kinds of rituals on their grounds, and violations are still punishable by law and not subject to bail.

**Architecture of Administration:** Through committees at the Taluk, District, and State levels, implementation is decentralised. These committees are responsible for ensuring rehabilitation, keeping registers, and conducting surveys. In order to recognise Devadasi women's agency in forming policy, they are also required to identify and confer with their unions and collectives. The paternalism of previous frameworks stands in stark contrast to this participatory model.



## RIGHTS OF CHILDREN: INHERITANCE, LEGITIMACY, AND PATERNITY

The chapter on children's rights contains some of the most revolutionary clauses.

**The Paternity Pathway:** A Devadasi child may request paternity recognition from the Taluk Committee. If rejected, they may petition the District Court, which might mandate a DNA test. The District Legal Services Authority (DLSA) is required by the Bill to offer free legal aid for these types of proceedings. This gives kids a formal, state-backed way to express their identity rights, which was not possible under earlier legislation.

**Section 7: Presumption of Legitimacy:** According to the Bill, "any child born to a Devadasi shall be deemed legitimate." Centuries of stigma, during which these children were labelled "illegitimate" and denied social and legal recognition, are overturned by this straightforward yet revolutionary provision.

Even more startling is the Bill's provision that "a child of a Devadasi shall be entitled to inherit and succeed to the property of both parents" (Section 8). This supersedes clauses that contradicted the Hindu Succession Act of 1956,<sup>15</sup> which placed a strong emphasis on marital status and legitimacy when determining inheritance rights. The Bill provides significant redress for generations denied property and status by guaranteeing equal succession regardless of marital recognition.

### RELATION TO CURRENT LAWS

- Under the Hindu Succession Act, children born outside marriage faced strict limits. This is expressly overridden by the 2025 Bill, which gives Devadasi children equal rights.
- DNA tests are admissible under the Indian Evidence Act,<sup>16</sup> but the Bill incorporates them as a statutory pathway, providing courts with more authority.
- By explicitly granting District Courts the authority to consider such applications, the CrPC<sup>17</sup>/Family Courts Act<sup>18</sup> resolves jurisdictional overlaps.

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<sup>15</sup> The Hindu Succession Act 1956.

<sup>16</sup> The Indian Evidence Act 1872, s 45.

<sup>17</sup> The Code of Criminal Procedure 1973.

<sup>18</sup> The Family Courts Act 1984.

In India, very few laws combine affirmative inheritance rights with criminalisation. Because of this, the Bill is a first for the country and has both material and symbolic meaning.

### A RESTORATIVE-JUSTICE PERSPECTIVE

In addition to punishing harm, restorative justice aims to identify victims, make amends, and reintegrate them into society. Several RJ features are included in the 2025 Bill:

- **Repair of Harm:** The Bill recognises the historical injustice of exclusion from family and property by ensuring legitimacy and inheritance.
- **Acknowledgement:** Women and children are protected from stigma by in-camera procedures and privacy safeguards, which uphold their dignity.
- Discretionary but enforceable, guaranteeing equal citizenship for Devadasi families.<sup>19</sup>
- **Community Voice:** To give Devadasi women a voice in implementation, committees must confer with collectives and unions.

The 1982 Act, on the other hand, was a prohibition without authority that was solely punitive. In accordance with Articles 14, 15, 21, and 23 of the Constitution, the 2025 Bill changes the paradigm to rights-based recognition, which is more in line with substantive equality.

### CRITICAL ANALYSIS

#### Strengths:

- A clear assurance of inheritance and legitimacy.
- Free legal aid and a straightforward process for proving paternity.
- Consistency with other laws is ensured by the overriding clause.
- Including collectives and unions in the decision-making process.

#### Defects:

- Evidentiary Challenges: Courts may experience delays, and fathers may object to DNA testing. Without precise deadlines, the process could take years.
- Administrative bottlenecks: Taluk Committees might be underequipped and untrained.

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<sup>19</sup> The Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill 2025, cl 7–8.

- Survey Exclusions: Women under 45 are excluded from registrations, which may deprive younger women and their children of benefits, according to current discussions.
- Temple Liability: When dedications take place in homes, it may be difficult to enforce provisions that penalise temple committees.

## **SUGGESTIONS**

- State-funded DNA testing with stringent SOPs and presumptions against fathers who decline.
- District Courts have fast-tracked lists for cases involving paternity and inheritance.
- Every child's application undergoes automatic DLSA onboarding.
- Committees report to the public annually, and impacted women have access to grievance portals.

## **CONCLUSION**

A constitutional shift toward substantive equality is reflected in the Karnataka Devadasi (Prevention, Prohibition, Relief and Rehabilitation) Bill, 2025. It aims to address both the practice and its generational effects by combining prohibition with enforceable rights to legitimacy, inheritance, and welfare. Devadasi women and their children are acknowledged for the first time as having rights and not merely as recipients of government assistance. However, the Bill's promise is contingent upon its execution. Its transformative provisions run the risk of being under-implemented in the absence of prompt DNA testing, efficient committees, and inclusive surveys. But if these procedural guarantees are implemented, the Bill might serve as a model for restorative justice in law, mending past wrongs and giving tens of thousands of Karnataka women and children a respectable future.