



## Devadasis System Still Prevalent

The National Law School of India University (NLSIU), Bengaluru, and the Tata Institute of Social Sciences (TISS) in Mumbai have studied the exploitative system of Devadasis.

- Though widely believed to have been abandoned decades ago, the practice has not died down completely in several parts of the country.
- The study paints a grim picture of the apathetic approach of the legislature and enforcement agencies to crack down on the practice, particularly prevalent among oppressed communities of north Karnataka.

### What is the Devadasis System?

- It is the **practice of dedicating young girls to temples as an offering to appease the gods**. This practice persists mainly in south India especially in the states of Karnataka and Tamil Nadu.

### Findings of the Report

- **Legal Framework**
  - Karnataka is yet to draft State Rules for the **Karnataka Devadasi (Prohibition of Dedication) Act, 1982 (KDPD Act)** despite three decades of the Act being in existence.
  - Dedicated children are not explicitly recognized as children in need of care and protection under **the Juvenile Justice Act 2015 (JJ Act)**, despite the involvement of family and relatives in their sexual exploitation.
  - **Immoral Traffic Prevention Act, 1956 (ITPA Act) and Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill 2018** does not recognize dedicated girls as victims of trafficking for sexual purposes.
- **Offenses**
  - 92% of the respondents were **dedicated when they were minors** (4-12 years - 53%; 13-18 years - 39%). Girls who are forced to become Devdasis are **sexually exploited**. 50% of the respondents were **sexually abused as minors**.
  - **Superstitious beliefs, community pressure, disability, tradition, and continuation of lineage** among others are some of the reasons behind the continued practice.
  - Special **children, with physical or mental disabilities**, are more **vulnerable** to be dedicated as devadasis.
  - Very **low reporting of cases of Devadasi dedication** was found, only four cases filed under the KDPD Act (between 2011-2017).
- **Awareness**
  - Only **48% of the Devadasis** and the community **knew of the legislation** banning dedication.
  - **NGOs have no understanding** of the provisions under KDPD Act or the knowledge of how to use the Protection of Children from Sexual Offences (POCSO) Act 2012, Juvenile Justice Act or Indian Penal Code in cases of dedication.
  - In most cases, **the law enforcement agencies were unaware that the practice of devadasis** dedication is taking place.

### Issues and Challenges

- **Society's acceptance: Devadasi dedication** and the resulting sexual abuse of these girl children are **accepted and celebrated by society**. Those willing to report also **fear the backlash of the society** and community and refrain from reporting.
- **Ineffective awareness programmes: Awareness generation** about the provisions of the legislation, in communities where the prevalence of dedication is high, **is absent**. Even those awareness programmes conducted fail to bring any behavioral change within the community.
- **Lack of Police Action:** The **police are failing to take Suo Motu action** in cases of dedication and are not registering cases coming to them due to pressure from the community.
- **Non-cooperative victims: Unwillingness of the victims to report against their parents** or relatives becomes a big challenge. Even if the case is registered, there is a high probability of the victim turning hostile.
- **Inadequate preventive measures:** The functionaries and the law enforcement agencies are not taking any measures to prevent dedication from taking place and focus only on schemes to be given to the older Devadasis.
- **Lack of coordination:** There is a **lack of coordination between the various departments, agencies, and functionaries** which is leading to ineffective efforts to stop the practice of Devadasi dedication.
- **Poor implementation of legislation:** There are several provisions under different laws (POCSO, ITPA, JJ Act, IPC) that would be relevant in the case of the dedication of a girl. However, there is a lack of application of all these legislations.
- **Health Risks:** The devadasis who are forced into prostitution become vulnerable to sexually transmitted diseases like AIDS.

## Recommendations

- **Police**
  - **Police can take Suo Motu action** against a person when there is a complaint or reliable information.
  - The police should to **proactively engage with vulnerable communities** and act on the information at hand.
  - Dedication cases must come under the purview of IPC and ITPA even after the girl/woman is dedicated and initiated into sex, to acknowledge the continuous sexual violence, and provide rescue and rehabilitation services.
- **Department of Women and Child Development**
  - Department must conduct the periodical survey, to better understand the prevalence and trend of Devadasis System and provide rehabilitation to those affected.
  - Gainful employment options must be made available for younger Devadasis women through vocational training programmes.
  - Girl children of Devadasi women must be identified and provided scholarships until they turn 18 years of age.
  - Devadasi Dedication Prohibition Officer must map the locations within the district that are prone to Devadasi dedication and must proactively rescue the dedicated child.
- **Legal Services Authority**
  - District legal services authority must prioritize legal awareness programmes on Devadasi dedication Act.
  - The community must be made aware of multiple reporting mechanisms, such as approaching the Childline, District Magistrate, police, and District Legal Services Authority.
- **Department of Education**
  - Enrolment drives should be conducted to ensure all children are in school, and to prevent children from being pushed into child labor, child marriage, or dedicated as Devadasis.
  - Adults should be educated not to give in to superstitious beliefs.
- **Law Reforms**
  - KDPD Act 1982, Indian Penal Code 1860, Juvenile Justice Act 2015, Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill 2018 must be adequately amended to address the issue of Devadasis.
- **Community Vigilante**
  - Young girls who have been dedicated as Devadasis should be identified and their groups should be formed. They should be given training and encouraged to stop dedication from taking place in their villages.

- Youth groups, Panchayat members, Kishori group and women's self-help groups must be made vigilant about the continuance of Devadasi dedication practice.

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