



**KARNATAKA INSTITUTE FOR LAW
AND PARLIAMENTARY REFORM
BENGALURU**

105

DRAFT MODEL BILLS

Volume-1

COMPILED BY : PROF. C. S. PATIL

From Director's Desk

A meeting of experts was held under the Chairmanship of Sri.H.K.Patil, Hon'ble Minister for Law, Justice and Human Rights and Parliamentary Affairs and Legislation and Tourism, who is also Vice President of KILPAR to decide upon the activities which the institute has to take up on priority. Undertaking research in to the problems of the society where there are no laws or laws are not satisfactory and suggest new legislation and law reforms to be adopted was one of the activities which was recommended to be taken up immediately. The Director was tasked with the responsibility of contacting the legal experts, both professionals and academicians and call a meeting. The meeting was held on 21-2-2025. It was presided over by Sri.H.K.Patil, Hon'ble Law Minister. He emphasised that KILPAR through research teams constituted for the purpose should undertake review of laws made by the government, make suggestions of new laws to be enacted and take guidance from judgements. The Minister observed that Model Bills Banks should be created, draft Bills should be posted on the website, it should come to the public domain so that there can be public debate on them. A target of preparing 100 draft Bills was set. Ten research teams with principal investigators were constituted to undertake the exercise. The modalities to be followed by the teams were also circulated.

Accordingly the Karnataka Institute for Law and Parliamentary Reform embarked upon the project of drafting Model Bills in socially relevant areas and keep them ready for adoption whenever necessary. The objective was to address problems afflicting the contemporary society and provide remedy. Subsequently two meetings of the research teams were conducted on 27th and 28th February 2025 to narrow down upon the areas where new legislations and law reform are necessary. The research teams conducted research in their chosen areas and submitted their research reports along with draft Bills to KILPAR. These drafts were considered by a Committee consisting of Sri.G.Sridhar, Secretary to the Government, Department of Parliamentary Affairs and Legislation, GOK, Sri.K.L.Ashok, Additional Secretary, Department of Law, Justice and Human Rights, GOK and Prof.C.S.Patil, Director KILPAR in four meetings and approved with suggestions to make minor changes. A total of 104 Draft Bills are compiled team-wise and submitted herewith.

Bengaluru
24-10-2025

(C.S.Patil)
Director

The Karnataka Institute for Law and Parliamentary Reform (KILPAR), Bengaluru

105 Draft Model Bills

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Dr. Sanjeeve Gowda G.S., Assistant Professor, V.V.Pura Law College, Bengaluru		
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Mr. Vasanth Aditya J., Kreetam Law Associates, Bengaluru

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**KARNATAKA WORKPLACE EQUALITY AND DIGNITY
(PROHIBITION OF CASTS DISCRIMINATION) BILL, 2025**

Whereas the Constitution affirms the resolve to secure to all its citizens equality of status and opportunity and to promote among all fraternity, assuring the dignity of the individual;

And Whereas Articles 14 and 15 of the Constitution of India guarantee the right to equality before the law and prohibit discrimination on grounds of religion, race, caste, sex, or place of birth;

And Whereas Article 21 guarantees the right to life and personal liberty, which includes the right to live with dignity and free from discrimination;

And Whereas the Supreme Court has held that the right to overcome caste-based barriers is an integral part of the fundamental right to life under Article 21, which encompasses the right to a life of equality, self-respect and dignity without fear of discrimination or exclusion;

And Whereas discrimination on the basis of caste fundamentally violates the rights guaranteed under Articles 14, 15, 19, and 21 of the Constitution and amounts to the denial of full citizenship, freedom, and personhood;

And Whereas Article 46 of the Constitution directs the State to promote, with special care, the educational and economic interests of Scheduled Castes and Scheduled Tribes and to protect them from social injustice and all forms of exploitation;

And Whereas India, as a signatory to several international human rights conventions—including the International Labour Organization’s Discrimination (Employment and Occupation) Convention, 1958, and the International Convention on the Elimination of All Forms of Racial Discrimination, 1966 — is bound to eliminate all forms of discrimination and ensure equality in employment and occupation;

And Whereas caste-based discrimination in employment continues to persist, in the public and the private sector, resulting in systemic exclusion, wage inequality, lack of mobility, and also has impacts on poverty;

And Whereas the persistence of caste-based discrimination in employment and at the workplace reflects structural inequality and underscores the urgent need for enforceable legal protections, affirmative action, and institutional accountability to ensure substantive equality;

NOW, THEREFORE, in recognition of these constitutional mandates, international obligations, and the urgent need to eliminate caste-based discrimination in all spheres of life, particularly in employment and the workplace, it is expedient to enact a comprehensive legislation to prohibit, prevent, and redress discrimination based on caste or occupation and to ensure the realization of equality, dignity, and justice for all citizens.

CHAPTER I
PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Workplace Equality and Dignity (Prohibition of Caste Discrimination) Bill, 2025

(2) It extends to the whole of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(1) “Aggrieved Person” means a person belonging to the Schedule Caste or Schedule Tribe community who alleges to have been subjected to any act of caste discrimination or harassment in the workplace;

(2) “Caste Discrimination” means any distinction, exclusion, restriction or preference based on caste which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of all rights, or impairing equality of treatment in the workplace.¹

(3) “Atrocity” means any act described under Section (3) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and as amended from time to time.

(4) “Employee” means any person employed, whether directly or through any agency, for wages in any establishment, whether the terms of employment be express or implied, and whether wages are paid directly or indirectly from the employer

(5) "Employer" means the owner of an establishment to which this Act, for the time being, applies and includes-

(a) in a factory, any person named under clause (f) of sub-section (1) of section 7 of the Factories Act, 1948 (Central Act LXIII of 1948) as manager of the factory;

(b) in any industry or establishment under the control of any ministry or department of either the Central or State Government, the authority appointed by such Government in this behalf, or where no authority is so appointed, the head of the ministry or department;

(c) in any other industry or establishment, any person, responsible to the owner for the supervision and control of the Industry;

(6) “Harassment” includes any Act any hostile or abusive behaviour, or harmful inter-personal aggression expressed by verbal or non-verbal, spoken or written, recorded, visual, or digital, including content posted on online platforms, academic tools, or social media websites that expresses a social meaning that humiliates, indignifies, demeans or threatens, an individual or group individuals, belonging to Scheduled Castes or Scheduled Tribes

¹This definition has been adapted from the definition of racial discrimination as provided under the International Convention on the Elimination of All Forms of Racial Discrimination

Provided that, if such harassment against women belonging to Scheduled Castes or Scheduled Tribes, is sexual in nature, it prima facie amounts to sexual harassment as defined in the 'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013,' and it shall also be considered as caste-based harassment for the purpose of this Act.

(7) "Respondent" means any person or body of persons not belonging to Scheduled Castes or Scheduled Tribes, against whom the aggrieved person has made a complaint under Sections 3 or 4;

(10) "Scheduled Castes" shall have reference to the Scheduled Castes specified in the Constitution (Scheduled Castes) Order, 1950 made under Article 341 of the Constitution of India and as amended from time to time.

(11) "Scheduled Tribes" shall have reference to the Scheduled Tribes specified in the Constitution (Scheduled Tribes) Order, 1950 made under Article 342 of the Constitution of India and as amended from time to time.

(12) "Workplace" means any physical and digital spaces where employees associate for the purpose of work and includes including campuses, canteens, transport facilities, any place visited by the employee arising out of or during the course of employment including transportation by the employer for undertaking such journey.

CHAPTER II

PROHIBITION AGAINST ATROCITIES, DISCRIMINATION AND HARASSMENT

3. Prohibition against atrocity, discrimination and harassment.-No person shall be subject to any caste discrimination or harassment in the workplace in any matter relating to employment including, but not limited to, recruitment, wages, employment benefits, promotion and any other issues.

4. Prohibition of atrocities.- No person shall be subject to any act of atrocity in any establishment.

5. Modification of Service Rules.- Every employer shall amend the applicable service rules, standing orders, or employment regulations to include caste-based discrimination and atrocity as acts of misconduct.

CHAPTER III

DUTIES OF EMPLOYER

6. Duties of employer,-Every employer shall,—

- (a) provide a safe working environment at the workplace free from atrocity, discrimination and harassment;
- (b) implement all measures for providing a safe working environment and to ensure that no person is discriminated or harassed on the basis of caste in any matter relating to employment including, but not limited to, infrastructure adjustments, recruitment, employment benefits, promotion and other related issues

- (c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of the Act
- (d) provide necessary facilities to the Enquiry Committee
- (e) provide assistance to the aggrieved person if he/she so chooses to file a complaint in relation to the offence under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and/or Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- (f) treat caste discrimination, harassment and atrocity as a misconduct under the service rules and initiate action for such misconduct;
- (g) take all other steps that are necessary to ensure compliance with the provisions of this Act

CHAPTER IV

ENQUIRY COMMITTEE AND COMPLAINTS

7. Enquiry Committee,- (1) Every employer shall establish a Enquiry committee, which shall consist of the following persons:

- (a) A Presiding Officer, who shall be a senior-level employee from a marginalised or underrepresented community, preferably from the Scheduled Castes, employed at the workplace
 - (b) Not less than two members from among the employees, preferably individuals who have demonstrated commitment to anti-caste work, social justice, or who possess legal or social science knowledge on harassment, discrimination, constitutional rights and labour law.
 - (c) One external member from any organization working on social justice, caste-based discrimination and labour rights.
- Provided that at least one-half of the total members so nominated shall be from Scheduled Castes or Scheduled Tribes.
- (2) The Presiding Officer and every Member of the Enquiry Committee shall hold office for such period, not exceeding three years, from the date of their nomination as may be specified by the employer.
 - (3) The Member appointed from amongst the non-governmental organisations or associations shall be paid such fees or allowances for holding the proceedings of the Enquiry Committee, by the employer, as may be prescribed.
 - (4) Where the Presiding Officer or any Member of the Enquiry Committee, —
 - (a) has been convicted for an offence or an enquiry into an offence under any law for the time being in force is pending against him; or
 - (b) he has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
 - (c) has so abused his position as to render his continuance in office prejudicial to the public interest, such Presiding Officer or Member, as the case may be,

shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.

8. Complaint before the Committee.- (1) Any aggrieved person may make, in writing, a complaint of caste discrimination or harassment or atrocity at the workplace to the Enquiry Committee

- (2) The Enquiry Committee shall conduct an enquiry into the complaint in accordance with the provisions of the service rules applicable to the respondent and where no such rules exist, in such manner as may be prescribed
- (3) For the purpose of making an enquiry, the Enquiry Committee, as the case may be, shall have the same powers as are vested in a civil court the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit 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 documents; and
 - (c) any other matter which may be prescribed.
- (4) The enquiry under sub-section (1) shall be completed within a period of ninety days.

9. Action during pendency of enquiry.- (1) During the pendency of an enquiry on a request made by the aggrieved person, the Enquiry Committee, as the case may be, may recommend to the employer to,—

- (a) transfer the respondent to any other workplace; or
 - (b) grant leave to the aggrieved person up to a period of three months; or
 - (c) grant such other relief to the aggrieved person as may be prescribed.
- (2) The leave granted to the aggrieved person under this section shall be in addition to the leave she would be otherwise entitled.
 - (3) On the recommendation of the Enquiry Committee, the employer shall implement the recommendations and send the report of such implementation to the Enquiry Committee.

10. Enquiry report.- (1) On the completion of an enquiry under this Act, the Enquiry Committee shall provide a report of its findings to the employer, within a period of ten days from the date of completion of the enquiry and such report be made available to the concerned parties.

- (2) Where the Enquiry Committee arrives at the conclusion that the allegation against the respondent has not been proved, it shall recommend to the employer and the District Officer that no action is required to be taken in the matter.
- (3) Where the Enquiry Committee arrives at the conclusion that the allegation against the respondent has been proved, it shall recommend to the employer or the District Officer, as the case may be,—

- (a) to take action as a misconduct in accordance with the provisions of the service rules applicable to the respondent or where no such service rules have been made, in such manner as may be prescribed;
- (b) to deduct, notwithstanding anything in the service rules applicable to the respondent, from the salary or wages of the respondent such sum as it may consider appropriate to be paid to the aggrieved person, as it may determine

Provided that in case the employer is unable to make such deduction from the salary of the respondent due to his being absent from duty or cessation of employment it may direct to the respondent to pay such sum to the aggrieved person:

Provided further that in case the respondent fails to pay the sum referred to, the Enquiry Committee may forward the order for recovery of the sum as an arrear of land revenue to the concerned District Officer.

- (4) The employer or the District Officer shall act upon the recommendation within sixty days of the receipt of the Enquiry Committee report.

11. Prohibition of Victimization.- No aggrieved person who has filed a complaint under this Act shall be subjected to any form of retaliation, including but not limited to disciplinary action, transfer, demotion, suspension, denial of promotion, or termination, nor shall there be any change in the conditions of service to the complainant's disadvantage, whether during the pendency of the proceedings or thereafter.

12. Prohibition of publication or making known contents of complaint and enquiry proceedings.-

Notwithstanding anything contained in the Right to Information Act, 2005 (22 of 2005), the following shall not be published, disclosed, communicated, or made known to the public, press, or media in any manner,-

- (a) the contents of any complaint made under Section 7;
- (b) the identity and addresses of the aggrieved person or witnesses;
- (c) any information relating to the conciliation and enquiry proceedings; and
- (d) the findings or recommendations of the Enquiry Committee.

Provided that information regarding the outcome of the proceedings or the justice secured to any victim of caste-based discrimination or atrocity under this Act may be disseminated only with the prior written consent of the aggrieved person.

13. Penalty for publication or making known contents of complaint and enquiry proceedings.- Where any person entrusted with the duty to handle or deal with the complaint, enquiry or any recommendations or action to be taken under the provisions of this Act, contravenes the provisions of Section 12, he shall be liable for penalty in accordance with the provisions of the service rules applicable to the said person or where no such service rules exist, in such manner as may be prescribed.

CHAPTER V
LOCAL COMPLAINTS COMMITTEE

14. Constitution and jurisdiction of Local Committee.- (1) The State Government shall constitute in each district, a committee to be known as the Local Committee to receive complaints from a aggrieved person of caste discrimination or harassment in establishments where the Enquiry Committee is not established or if the complaint is against the employer himself.

- (2) The jurisdiction of the Local Committee shall extend to the areas of the district where it is constituted.
- (3) The Local Committee shall consist of the following members to be nominated by the State Government, namely: —
 - (a) a Chairperson to be nominated from amongst eminent persons in the field of social work and committed to the schedule castes and schedule tribes
 - (b) two Members, to be nominated from amongst such organisations or associations committed to the cause of schedule castes and schedule tribes:
 - (c) the concerned officer dealing with the social welfare in the district, shall be a member *ex officio*.
- (4) The Chairperson and every Member of the Local Committee shall hold office for such period, not exceeding three years, from the date of their appointment as may be specified by the District Officer.
- (5) Where the Chairperson or any Member of the Local Committee,-
 - (a) contravenes the provisions of this Act; or
 - (b) has been convicted for an offence or an inquiry into an offence under any law for the time being in force is pending against him; or
 - (c) has been found guilty in any disciplinary proceedings or a disciplinary proceeding is pending against him; or
 - (d) has so abused his position as to render his continuance in office prejudicial to the public interest, such Chairperson or Member, as the case may be, shall be removed from the Committee and the vacancy so created or any casual vacancy shall be filled by fresh nomination in accordance with the provisions of this section.
- (6) The Chairperson or Members of the Local Committee other than the Members nominated under clauses (b) and (d) of sub-section (1) shall be entitled to such fees or allowances for holding the proceedings of the Local Committee as may be prescribed.
- (7) The provisions under Chapter III shall be applicable to the Local Complaints Committee in the same manner that it applies to the Enquiry Committee.

CHAPTER VI
MONITORING OF IMPLEMENTATION

15. Monitoring of Implementation of the Act.- The Karnataka State Commission for the Scheduled Castes and the Schedules Tribes constituted under the Karnataka State Commission for the Scheduled Castes and the Schedules Tribes Act, 2002, shall, in addition to the functions assigned to them under the said Act, also monitor the implementation of the provisions of this Act, in such manner, as may be prescribed.

16. Committee to Submit Annual Report.- (1) The Enquiry Committee, as the case may be, shall, in each calendar year, prepare, in such form and at such time as may be prescribed, an annual report and submit the same to the employer

(2) The Employer shall compile the information as per sub-section (1) and submit the same to the Karnataka State Commission for the Scheduled Castes and the Schedules Tribes

(3) The Karnataka State Commission for the Scheduled Castes and the Schedules Tribes shall compile the date and submit the same to the State along with recommendations, which shall be maintained by the State

17. State Government to Take Measures to Publicise the Act.- The State Government shall take steps to,-

(a) develop relevant information, education, communication, and training materials, and organise awareness programmes to advance public understanding of the provisions of this Act;

(b) formulate orientation and training programmes for the members of the Local Committee.

18. Power to Call for Information and Inspection of Records.- (1) The appropriate Government, being satisfied that it is necessary in the public interest or in the interest of women employees at a workplace, may, by order in writing,—

(a) Call upon any employer or Deputy Commission to furnish in writing such information relating to caste discrimination or atrocities as it may require;

(b) authorise any officer to inspect the records and workplace in relation to caste atrocity, discrimination or harassment, who shall submit a report of such inspection within the period specified in the order.

(2) Every employer and District Officer shall produce on demand, before the officer making the inspection, all information, records, and other documents in their custody having a bearing on the subject matter of such inspection.

CHAPTER VII
PENALTIES

19. Penalty for Non-Compliance with Provisions of the Act.-

(1) Where an employer,—

(a) fails to constitute an Enquiry Committee as mandated under this Act

(b) contravenes, attempts to contravene, or abets contravention of other provisions of this Act or any rules made there under they shall be punishable with a fine which may extend to fifty thousand rupees.

(2) If any employer, after having been previously convicted of an offence punishable under this Act, subsequently commits and is convicted of the same offence, they shall be liable to,—

(a) twice the punishment which might have been imposed on a first conviction, subject to the maximum punishment provided for the same offence: Provided that where a higher punishment is prescribed under any other law for the time being in force for the same offence, the court shall take due cognizance of the same while awarding punishment;

(b) cancellation of their licence, withdrawal or non-renewal of approval, or cancellation of registration, as the case may be, by the Government or local authority required for carrying on the business or activity.

CHAPTER VIII MISCELLANEOUS

20. Act not in derogation of any other law.- The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

21. Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of the 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 session 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 thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(3) All notifications issued under this act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

KARNATAKA FREEDOM OF CHOICE IN MARRIAGE AND ASSOCIATION AND PREVENTION AND PROHIBITION OF CRIMES IN THE NAME OF HONOUR AND TREDITION BILL -2025

Whereas the Constitution of India guarantees to all persons the fundamental rights to equality before the law and equal protection of the laws (Article 14), the right to life and personal liberty (Article 21), and the freedoms of expression, association, and movement (Article 19);

And whereas these rights include the autonomy of all persons to choose their partners, to enter into marriage or relationships of their own volition, and to lead lives with dignity, free from violence, coercion, or discrimination;

And whereas the Constitution recognizes the liberty and autonomy which inheres in each individual and includes the ability to take decisions on aspects which define one's personhood and identity. This includes the choice of a partner whether within or outside marriage

And whereas an alarming increase in violence, harassment, threats, and social ostracism—often perpetrated in the name of “honour,” custom, caste, religion, or community—is being directed against individuals, especially young couples, who exercise their right to marry or form relationships of their choice;

And whereas such violence disproportionately affects women, who are denied agency and subjected to patriarchal control over their choices, and men from marginalized communities, especially Dalits who are targeted when their relationships cross caste or communal boundaries;

And whereas endogamy operates as a structural mechanism designed to preserve the caste system, and inter-caste marriages serve as essential instruments for dismantling its rigid and oppressive framework and for advancing the constitutional principle of fraternity;

And whereas the Constitution of India enshrines the principle of fraternity as essential to securing the dignity of the individual and the unity and integrity of the nation, and this principle demands the eradication of caste-based discrimination and the promotion of social solidarity through the recognition and protection of inter-caste and inter-faith relationships;

And whereas such acts constitute a grave violation of constitutional rights and human dignity, and must be recognized not as private or familial matters, but as serious criminal offences warranting legal intervention and protection;

And whereas it is necessary that proactive steps be taken to prevent the commission of such acts and to establish comprehensive protective measures, including preventive, remedial, and

rehabilitative mechanisms, to safeguard individuals and to ensure that State authorities are under a legal obligation to respond effectively and uphold the constitutional rights to dignity, liberty, and equality.

Now therefore, it is expedient to enact a law to affirm and protect the liberty, dignity, and autonomy of all persons; to prevent crimes committed in the name of “honour” and tradition; to penalize any conduct that interferes with individual freedom of choice in marriage and relationships; and to provide legal safeguards, remedies, and institutional mechanisms for prevention, redressal, and rehabilitation.

To be enacted by the Karnataka State Legislature as follows:

CHAPTER I

1. Title, extent and commencement.- (1) This Act may be called the Karnataka Freedom of Choice in Marriage and Association and Prevention and Prohibition of Crimes in the name of Honour and Tradition Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions.- (a) “Association” means any person joining another person as a partner, friend or companion or to have a relationship with another person.

(b) Caste / Community groups” include the religious community groups consisting of people of the same lineage, religion or caste, which may be called by any name, which pass orders without any legal authority, against persons for acts of inter-caste or interfaith marriages and associations and have exercised their choice against the wishes of their elders or community members.

(c) “Marriage” includes a marriage that has been solemnized under any law and a marriage that is proposed or intended.

(d) “Person” means a person who has completed 18 years of age.

(e) “Social and economic boycott” includes all such acts as are calculated to lead to the boycott or enforcement of social or economic sanctions and includes the following acts, namely:

(i) Bringing pressure on the couple or their families or relatives to leave the village or area of residence concerned:

(ii) A refusal to permit a person to render to other person or receive from him any customary service or to abstain from social relations that one would maintain with other person or to isolate him from others.

(iii) Indulging in any conduct which will impede or is likely to impede, access to markers, community facilities, places of worship or any other necessities of life.

(iv) Divesting or dispossessing the couple or their families of any land or property belonging to them or imposing of fine or penalty of any kind.

- (v) A refusal to deal with, work for hire or do business.
 - (vi) To deny opportunities including access to services or contractual opportunities for rendering service for consideration: or to refuse to do anything on the terms on which things would be commonly done in the ordinary course of business or
 - (vii) to abstain from any professional or business relations.
 - (viii) to refuse to do anything on the terms on which things would be commonly done in the ordinary course of business;
 - (ix) to abstain from the professional or business relations that one would maintain with other person;
- (f) Words and expressions used but not defined in this Act and defined in the Bharatiya Nyaya Sanhitha, 2023, or Bharatiya Nagarik Suraksha Sanhitha, 2023 shall have the meanings assigned to them respectively in the Bharatiya Nyaya Sanhitha, 2023, or Bharatiya Nagari Suraksha Sanhitha, 2023

CHAPTER II FREEDOM TO MARRY AND OF ASSOCIATION

- 3. Freedom to Marry and of Association.-** (1) All persons shall have the right to autonomy over their own lives, including the rights to liberty, freedom of expression, bodily integrity, movement, association and relationship. This shall include the right of all persons to choose their own partners, to marry, or to associate with any person of their choice
- (2) Without prejudice to the generality of Clause (1), it is hereby declared that any two persons who are otherwise eligible to marry have a right to marry any person of their choice without any hindrance from anyone including the parents and family members of both the parties.
- (3) The consent of the person's parents, family, religious community, caste or clan is not necessary once the two adult individuals agree to enter into a marriage or a relationship.
- (4) Any action to prevent the exercise of the rights referred to in sub-section (1) and (2) by any person or a group of persons shall amount to an offence under the provisions of this Act.
- 4. Declaration by a Couple of intention to be together.-** Any two persons desirous of marrying each other or being in relationship with each other or associating with each other shall be entitled to declare their age and willingness to be together, in oral or in writing to the District magistrate or any Nodal officer as designed for this purpose by the District Magistrate, who shall send the said information to the nearest police station and no action shall be taken by the police and / or any other authority or at the

instance of any other party, including the family members or relatives or community members of either party or any third party, against the said couple.

Provided that such declaration such not be a pre-condition for the persons to exercise their rights under Section 3 of this Act

CHAPTER III PROHOBOTION OF CRIMES IN THE NAME OF ‘HONOUR’

- 5. Prohibition of Crimes in the name of Hono ur or Tradition.-** (1) No person or persons shall commit any acts in the name of caste, culture, custom, religion, tradition or so-called “honour” or tradition against any person or persons on the ground that the person has transgressed cultural, religious, social or traditional norms or customs of appropriate behaviour.
- (2) Without prejudice to the generality of sub-section (1), Acts which would amount to crimes in the name of honour and tradition would include but are not limited to,-
- (i) Causing death, physical harm or injury to either partner in the couple or anyone connected with them
 - (ii) Harassing the couple or either to them not to meet or associate with or live with each other, either physically or through any means of communication.
 - (iii) Abducting the victim and / or their partner or anyone associated with them.
 - (iv) Imposing social and economic boycott on the couple or their family or anyone associated with them.
 - (v) Excommunicating, ostra cization or forcible removal or displacement / eviction of the couple or their family or relatives from the village, town or area they live in.
 - (vi) Asking the couple or anyone associated with them or harbouring them to pay a fine.
 - (vii) Threatening the couple or either of them or their family or anyone associated with them of retributive action of any kind whatsoever
 - (viii) Individually or collectively exhorting or bringing pressure directly or indirectly upon any person or persons to prevent or disapprove of the marriage or association which is objected to, or to generate an environment of hostility towards such couple or either of them or their supporters.
 - (ix) Committing any atrocity as defined under the SC/ST Prevention of Atrocities Act, 1989
 - (x) Forcibly declaring the couple who have got married as brother and sister.
 - (xi) Any other act or acts of harassment or intimidation, whether physical or mental or psychological against the person, the couple or persons supporting them.
 - (xii) Confining any person illegally, or placing them under house arrest.
 - (xiii) Confiscation of a person’s phone, laptop and any means of communication.

- (xiv) Freezing the bank accounts of the couple or either of them.
- (xv) Causing the termination of the job of the couple or either of them by their employer.
- (xvi) Committing act of sexual violence or sexual harassment against any person.
- (xvii) Forcing or causing an abortion or miscarriage on any woman.
- (xviii) Forced marriage of either or both persons against their consent.
- (xix) Forced dissolution of marriage of the couple against their consent.
- (xx) Spreading hatred or defaming the couple and the family with false information among the locality or community.

6. Prohibition of Unlawful Assembly.- No person or any group of two or more persons shall gather, assemble, congregate at any time with the view or intention to deliberate on, or condemning any marriage or association of any person or persons on the ground that such marriage or association has dishonoured the caste, tribe, community, religion, tradition or is against the wishes of the family or community and this would also include marriage or association of persons when their sexual orientation or gender identity is not accepted by their family or community.

7. Power of court to issue injunctions.- (1) Any person having exercised or intending to exercise any of their rights under Section 3 of this Act may approach a Civil Court on an apprehension that there will be any interference in the exercise of such rights from their parents, family members or any other persons, and seek an injunction preventing such interference and may also seek an order of protection.

(2) On such Application, the Court shall issue an injunction against any person or persons including their parents, family, relatives or any other member and restrain them from interfering with the rights of the persons and an order of protection directing the jurisdictional police to protect the person or persons concerned.

Provided that in the case of any urgency, the Court shall have the power to issue an ad-interim and ex-parte injunction and order of protection, before the issuance of notice

(3) On the issuance of the order of protection, it shall be the responsibility of the police to ensure complete protection to the person or persons concerned and to take all steps of precaution prescribed under this Act.

(4) Whoever knowing that an injunction has been issued under the sub-section (1) against him disobeys such injunction shall be punishable with imprisonment of either description for a term which may extend to two years or with fine which may extend to one lakh rupees or with both: Provided that no women shall be punishable with imprisonment.

CHAPTER IV
OFFENCES AND PENALTIES

8. Killing in the name of ‘Honour’.- Whoever causes death through any means or commits any such act that results in death of a couple or either of them or any person in the name of ‘honour’ shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and with fine which may extend to five lakh rupees.

9. Grievous Hurt and Injury.- (1) Whoever causes grievous hurt to a couple or either of them in the name of honour shall be punished with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to imprisonment for life and with fine which may extend to three lakh rupees.

(2) Whoever causes simple hurt to a couple or either of them in the name of ‘honour’ shall be punished with rigorous imprisonment for a term which shall not be less than three years, but which may extend to five years and with fine which may extend to two lakh rupees.

Explanation: The Expression ‘grievous hurt’ and ‘simple hurt’ shall have the same meaning as is given to it in section 116 and 114 of the BharatiyaNyayaSanhitha, 2023.

10. Crimes in the name of Honour or Tradition and any other act to prevent exercise of rights under Section 3.- (1) Whoever causes any crimes in the name of “honour” or tradition as defined in Section 5 (1), not amounting to killing in the name of “honour” or grievous hurt and injury, shall be punishable with imprisonment of a term not less than two years but which may extend to five years shall also be liable to fine which may extend to one lakh rupees.

(2) Any person or persons who commit any act not defined in Section 8, 9 and 10 of this Act to prevent the exercise of the rights referred to in sub-section (1) and (2) by any person or a group of persons shall be punishable with imprisonment of a term not less than two years but which may extend to five years shall also be liable to fine which may extend to one lakh rupees

11. Criminal Intimidation.- Any person or persons including any member of an unlawful assembly indulges in criminal intimidation of any person or persons for their marriage or association or any of their relatives or supporters, shall be punishable with imprisonment for a term not less than three years but which may extend to five years and shall also be liable to fine which may extend to two lakh rupees:

Provided that if the threat be to cause harm or injury of the description referred to in Section 351(3) of the BharatiyaNyaya Sanhita, 2023 the maximum imprisonment shall extend to seven years.

Explanation: The expression ‘criminal intimidation’ shall have the same meaning as is given to it in section 351(1) of the BharatiyaNyayaSanhita, 2023.

12. **Unlawful assembly.-** Any person or persons participating in any unlawful assembly as described in Section 6 including every member participating therein directly or indirectly, shall be punishable with imprisonment for a term not less than six months but which may extend to five years and shall also be liable to fine which may extend to one lakh rupees.
13. **Tampering with Evidence.-** Whoever knowingly or having reason to believe that an offence has been committed under this chapter causes any evidence of the commission of that offence to disappear with the intention of screening the offender from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false shall be punishable with the punishment provided for that offence;
14. **Punishment for abetment, attempt or conspiracy.-** Whoever abets, attempts or conspires to commit an offence under this Act or encourages or assists the suicide of any person shall be punished in the same manner as if he had himself committed that offence.
15. **Offences to be cognizable, non-bailable and non- compoundable.-** Notwithstanding anything contained in the BharathiyaNagarikSurakshaSanhitha, 2023, all the offences under this Act shall be cognizable, non-bailable and non-compoundable.

CHAPTER V RIGHTS OF VICTIMS AND WITNESSES

16. **Rights of Persons exercising their rights under Section 3 and victims of any offence under this Act.-** Any person exercising their rights under Section 3 or being a victim under this Act shall have the right
 - (1) To seek protection for themselves, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.
 - (2) To be treated with fairness, respect and dignity and with due regard to any special need that arises because of the victims age or gender or educational disadvantage or poverty.

- (3) To reasonable, accurate, and timely notice of any Court proceeding including any bail proceeding and the Public Prosecutor or the State Government shall inform such person about any proceedings under this Act.
- (4) To be heard in any proceeding under this Act in respect of bail, discharge, release, parole, conviction or sentence of an accused or any connected proceedings or arguments and file Appeal against acquittal, written submission on conviction, acquittal or sentencing and for this purpose to engage a legal counsel of their choice.
- (5) Notwithstanding anything contained in the Bharathiya Nagarik Suraksha Sanhitha, 2023, the Court trying a case under this Act shall provide to a victim, her dependent, informant or witnesses,—
 - (i) Complete protection to secure the ends of justice;
 - (ii) Travelling and maintenance expenses during investigation, inquiry and trial;
 - (iii) Social-economic rehabilitation during investigation, inquiry and trial including relocation where necessary.
- (6) Without prejudice to the generality of the provisions of sub-section (5), the concerned Special Court may, on an application made by a victim or his dependent, informant or witness in any proceedings before it or by the Special Public Prosecutor in relation to such victim, informant or witness or on its own motion, take such measures including,—
 - (a) concealing the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to the public;
 - (b) issuing directions for non-disclosure of the identity and addresses of the witnesses;
 - (c) take immediate action in respect of any complaint relating to harassment of a victim, informant or witness and on the same day, if necessary, pass appropriate orders for protection:

Provided that inquiry or investigation into the complaint received under clause (c) shall be tried separately from the main case by such Court and concluded within a period of two months from the date of receipt of the complaint:

Provided further that where the complaint under clause (c) is against any public servant, the Court shall restrain such public servant from interfering with the victim, informant or witness, as the case may be, in any matter related or unrelated to the pending case, except with the permission of the Court.

- (7) The Court shall periodically review the protection being offered to victims and witnesses and pass appropriate orders to modify any protection measures if necessary.

CHAPTER VI DUTIES AND RESPONSIBILITIES OF THE STATE

- 17. Duty to provide Protection and Provision of Safe-houses.-** (1) It shall be the duty and responsibility of the State to make arrangements for the protection of victims, their dependents, and witnesses against any kind of intimidation or coercion or inducement or violence or threats of violence.
 - (2) Any person / persons can make complaints, file representations or letters to the Sub Divisional Magistrate or the District Magistrate or the jurisdictional police seeking protection from any person or any unlawful assembly who are likely to or who have been objecting to any marriage or association.
 - (3) Upon receiving such complaint or representation, the Sub-Divisional Magistrate or District Magistrate shall immediately take appropriate steps to provide protection to the said person, including giving appropriate directions for the same to the police. The police if they receive such a complaint, or request for protection, shall immediately and not later than 6 hours, provide protection and safety measures to the said persons, in such manner as they deem fit, but not limited to finding a shelter home or by any other means.
 - (4) It shall be the duty of the State Governments to provide homes for couples in need of shelter and a safe place to stay. There should be adequate security for the protection of these couples in these shelter homes, with due regard to their privacy. In the safe houses, the couple shall have access and the facilities to meet with their lawyers or members from any NGO providing them support and assistance.
 - (5) The State Government shall establish a safe house at each District Headquarter for persons whose rights under Section 3 of the Act are under threat.
 - (6) It shall be the duty of the State Government to frame a scheme for protection and rehabilitation of victims and witnesses under this Act and such scheme may include provision of immediate relief in cash or kind to victims, to provide relief in respect of death or injury or damage to property; to arrange food or water or clothing or shelter or medical aid or transport facilities or daily allowances to victims; to provide the maintenance expenses to victims; to provide protection to victims or their dependents and witnesses from intimidation and harassment and any other measures.

- 18. Duty of Public Servant.-** (1) The Duties of public servant shall include -to record the complaint of any person, informant, victim or witnesses in regard to any offence under this Act or any kind of intimidation, coercion or inducement or violence or threats of violence, whether given orally or in writing
- (2) to read out to an informant the information given orally, and reduced to writing by the officer in charge of the police station, before taking the signature of the informant;
 - (3) to register a complaint or a First Information Report under this Act and other relevant provisions and to register it under appropriate sections of this Act;
 - (4) to furnish a copy of the information so recorded forthwith to the informant;
 - (5) to record the statement of the victims or witnesses;
 - (6) to conduct the investigation and file charge sheet in the Special Court or the Exclusive Special Court within a period of sixty days, and to explain the delay if any, in writing;
 - (7) to correctly prepare, frame and translate any document or electronic record;
 - (8) to respect the rights of all persons under this Act and take no action that undermines any such right
 - (9) to perform any other duty specified in this Act or the rules made thereunder
- 2) No public servant shall engage in any act that directly or indirectly impedes, restricts, or undermines any person's right to exercise their rights under this Act.

19. Power to prohibit certain acts and taking preventive measures.- If information about any proposed unlawful assembly or gathering in respect of crimes to be committed against any particular couple or persons in the name of honour or tradition, comes to the knowledge of any police officer or any officer of the District Administration, they shall:

- (i) forthwith intimate the jurisdictional Deputy Superintendent of Police and Superintendent of Police.
- (ii) The District Magistrate shall immediately issue an order prohibiting the convening of such unlawful assembly and the doing of any act towards the commission of any offence under this Act by any person in any area specified thereunder and such order shall be immediately published in a local newspaper and delivered to such persons of the said unlawful assembly;
- (iii) The Sub-Divisional Magistrate or District Magistrate may take such steps as may be necessary to give effect to such order including by giving appropriate directions to the police authorities concerned.
- (iv) The District Magistrate shall also take such steps as may be necessary to ensure the safety of the persons targeted pursuant to the illegal decisions taken by the unlawful assembly including preventive and prohibitory actions under the BNSS.

- (v) The District Magistrate/Superintendent of Police shall deal with the complaint regarding threat administered to such couple/family with utmost sensitivity. If necessary, they may be provided logistical support for solemnizing their marriage and/or for being duly registered under police protection, if they so desire. After the marriage, if the couple so desire, they can be provided accommodation on payment of nominal charges in the safe house initially for a period of one month to be extended on monthly basis but not exceeding one year in aggregate, depending on their threat assessment on a case-to-case basis.

20. Failure to perform duty under the Act.- (1) Whoever, being a public servant, wilfully neglects his duties required to be performed by him under this Act and the rules made thereunder, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.

- (2) Any failure by either the police or district officer/officials to comply with the aforesaid directions shall be considered as an act of deliberate negligence and/or misconduct for which departmental action must be taken under the service rules which will be completed within 6 months.

21. Mandatory Reporting.- (1) All State government officers are required and empowered to assist the police in the execution of the provisions of this Act or any rule or order made hereunder.

- (2) All village officers and such other officers as may be specified by the Deputy Commissioner in relation to any area and the inhabitants of such area shall, if they have reason to believe or have the knowledge that any of the offences mentioned under this Act are about to be, or have been committed in the area shall mandatorily report such fact to the nearest police station forthwith.

- (3) Whoever contravenes the provisions of sub-section (1) or sub-section (2) shall be punishable with imprisonment of either description for a term which may extend to two years and shall also be liable to fine.

22. Duties of the State Government to ensure effective Implementation of the Act.-

- (1) The State Governments should forthwith identify Districts, Sub-Divisions and/or villages where instances of crimes in the name of honour or tradition have been reported in the last five years.

- (2) The Secretary, Home Department of the concerned States shall issue directives/advisories to the Superintendent of Police of the concerned Districts for ensuring that the Officers In charge of the Police Stations of the identified areas are extra cautious if any instance of inter-caste or inter-religious marriage within their jurisdiction comes to their notice.

- (3) The Home Department of the State Governments shall take measures to create awareness and sensitize law enforcement agencies, government departments and the police by involving all the stake holders to identify the measures for prevention of crimes in the name of honour and to implement this legislation;
- (4) The State Governments shall create a Special Cell for prevention of crimes in the name of 'honour' or "tradition" in every District comprising of the Superintendent of Police, the District Social Welfare Officer to receive petitions/complaints of harassment of and threat to couples of inter-caste or inter-faith marriages and any person exercising their right under Section 3 of the Act
- (5) These Special Cells shall establish a 24-hour helpline to receive and register such complaints and to provide necessary assistance/advice and protection to the couple.
- (6) Constitution of Monitoring committees: -
 - (i) In each district within the State, the District Magistrate shall set up a monitoring committee to review the implementation of the provisions of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by the District Administration.
 - (ii) The district-level monitoring committee shall consist of the elected Members of the State Legislative Assembly and Legislative Council, Superintendent of Police, three Group 'A' officers/Gazette officers of the State Government and 3 members having association with non-Government Organizations.
 - (iii) The District-level committee shall meet at least once in three months.
- (7) The State Government shall take all measures as may be necessary for the effective implementation of this Act. Such measures may include:
 - (i) The provision for adequate facilities, including legal aid, to the persons subjected to honour crimes to enable them to avail themselves of justice;
 - (ii) The provision for travelling and maintenance expenses to victims and witnesses in honour crimes during investigation and trial of offences under this Act;
 - (iii) provision for a periodic survey of the working of the provisions of this Act with a view to suggesting measures for the better implementation of the provision of this Act;

CHAPTER VII
SPECIAL FAST TRACK COURTS

23. Establishment of Special Fast Track Courts.- (1) The State Government, may after consultation with the concerned High Court, by notification, designate a District Courts as Special Fast Track Court for the purpose of trying the cases pertaining to crimes in the name of honour and offences under this Act.

(2) Such Special Fast Track Court shall exercise all jurisdiction exercisable by the District Court under any law for the time being in force in respect of any proceedings under this Act.

Provided that the Courts so established or specified shall have power to directly take cognizance of offences under this Act.

(3) It shall be the duty of the State Government to establish adequate number of Courts to ensure that cases under this Act are disposed of within a period of two months, as far as possible.

(4) The concerned District judge presiding over a designated Special Fast Track Court shall receive prior training on this Act, in the manner as may be prescribed under the Rules.

(5) In every trial in the Special Court, the proceedings shall be continued from day-to-day until all the witnesses in attendance have been examined, unless the Special Court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded in writing

Provided that when the trial relates to an offence under this Act, the trial shall, as far as possible, be completed within a period of two months from the date of filing of the charge sheet.

24. Appeals.- (1)Notwithstanding anything contained in the Bharathiya Nagarik Suraksha Sanhitha, 2023, or in any other law an appeal shall lie from every judgment or order under this Act to the High Court.

(2) Every appeal under this Section shall be preferred within a period of ninety from the date of the judgment or order under this Act.

Provided that the High Court may entertain an appeal after the expiry of the said period of Ninety days if it is satisfied that the appellatant had sufficient cause for not preferring the appeal within the period of ninety days:

(3) Every appeal preferred under sub-section (1) shall, as far as possible, be disposed of within a period of three months from the date of admission of the appeal.

CHAPTER VIII
MISCELLANEOUS

- 25. Application of Bharathiya Nagarik Suraksha Sanhitha, 2023.-** Save as otherwise provided in this Act, the provisions of the Bharathiya Nagarik Suraksha Sanhitha, 2023 shall apply to the proceedings under this Act.
- 26. 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.
- 27. Power to make rules.-** (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.
- (2) Every rule made under this Act 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 session immediately following the session or the successive sessions aforesaid, both the Legislative Assembly and Legislative council agree in making any modification in the rule or both agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE KARNATAKA CONFERMENT OF PERMANENT STATES TO WORKMEN BILL, 2025

Whereas a large number of workers across sectors are employed and termed as temporary, contractual, or daily wage workers, despite performing regular, perennial, and continuous work over extended periods; and such terminology is deliberately used to deny them their rightful entitlements, including job security, fair wages, and access to social security and other protections under labour law;

And whereas this systemic practice has led to widespread exploitation and has been used as a tool to undermine the dignity of labour and circumvent the rights guaranteed under labour laws;

And whereas such denial of rights to workers violates the fundamental principles enshrined in the Constitution of India, including the right to equality under Article 14, the right to equal opportunity in public employment under Article 16, the right to life with dignity under Article 21, and the prohibition of forced labour under Article 23;

And whereas the Supreme Court has repeatedly condemned the continued engagement of workers in non-permanent arrangements for regular work as a means to avoid regularisation and lawful obligations;

And whereas it is necessary to confer permanent employment status to such workers to ensure that their rights are protected;

Now therefore, in fulfilment of the constitutional mandate, it is necessary to enact a law to confer permanent status on all workers who have worked for more than 180 days and to ensure to them their rights

A Bill to confer permanent employment status to workers currently engaged on temporary, contract, or daily wage basis who have been performing regular and continuous work for extended periods. This aims to end the widespread exploitation and job insecurity faced by such workers, ensuring they receive fair wages, social security, and the full protection of labour laws. By formalizing their status, the Bill seeks to promote dignity, stability, and equitable treatment in the workplace, aligning with constitutional principles and Supreme Court directives that condemn the misuse of temporary employment to deny workers their rightful benefits.

CHAPTER I

- 1. Short title, extent, application and commencement.-** (1) This Act may be called the Karnataka Conferment of Permanent Status to Workmen Act, 2025.
 - (2) It extends to the State of Karnataka
 - (3) It applies to all industries and establishments, public and private.

- (4) It shall come into force on such date as the Government may, by notification, appoint.

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

- (1) "employer" means the owner of an establishment to which this Act, for the time being, applies and includes-
- (a) in a factory, any person named under clause (f) of sub-section (1) of section 7 of the Factories Act, 1948 (Central Act LXIII of 1948) as manager of the factory;
 - (b) in any industry or establishment under the control of any ministry or department of either the Central or State Government, the authority appointed by such Government in this behalf, or where no authority is so appointed, the head of the ministry or department;
 - (c) in any other industry or establishment, any person, responsible to the owner for the supervision and control of the Industry;
- (4) "establishment" means a commercial or trading or banking or insurance establishment, an establishment or administrative service in which persons employed are mainly engaged in office work, a hotel, restaurant, boarding or eating house, a cafe or any other refreshment house, a hospital or nursing home, a theatre or any other place of public amusement or entertainment or a gig or platform based establishment, or any establishment carrying out journalistic or printing work
- (5) "Industry" means any business, trade, undertaking, manufacture, shop or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen;
- (6) "workman" means any person who is employed in any kind of work, manual, skilled, semi-skilled or unskilled, manual, operational, supervisory, managerial, administrative, technical or clerical or otherwise, in or in connection with the work of an industry or a commercial establishment, for hire or reward, whether the terms of employment be express or implied, and whether wages are paid directly or indirectly from the employer, and includes:
- (i) a badli workman, a fixed-term employee, a contract workman, an employee, trainee, a workman working under any scheme, or any other workman including irrespective of the designation assigned
 - (ii) any person employed by or through a contractor in or in connection with the work of the establishment;

CHAPTER II

3. **Conferment of permanent status to workmen.-** (1) Notwithstanding anything contained in any law for the time being in force every workman who is in continuous service for a period of One hundred and Eighty days in a period of twelve calendar months in an Industry or establishment shall be made permanent.
- (2) On the conferment of permanent status the workman shall be provided all benefits on par with other permanent workmen and the date of his initial appointment shall be considered as the date of his appointment for all purposes.
- (3) An workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike, which is not illegal, or a lock-out, or a cessation of work which is not due to any fault on the part of the workman.

Explanation

- (a) For the purposes of computing the continuous service referred to in sub-sections (1) and (2), a workman shall be deemed to be in continuous service during the days on which (i) he has been laid-off under an agreement or as permitted by standing orders made under the Industrial Employment (Standing Orders) Act, 1946 (Central Act XX of 1946) or under any other law applicable to the Industry; (ii) he has been on leave with full wages, earned in the course of this employment; and (iv) in the case of a female, she has been on maternity leave as under the Maternity Benefits Act, 1961 amended from time to time.
- (b) For the purpose of this section, law includes any judgment, decree or order of any court or other authority, award, agreement, settlement, instrument or contract of service whether made before or after the commencement of this Act.

CHAPTER III

4. **Appointment, Powers and duties of Inspectors.-** (1) The State government may, by notification, appoint such persons or such class of persons as they think fit to be Inspectors for the purpose of this Act within such local limits as the State Government may specify.
- (4) Any Inspector appointed under Section 4 may, for the purpose of inquiring into the correctness of any information furnished in connection with this Act or for the purpose of ascertaining whether any of the provisions of this Act have been complied with or for any other purpose to ensure the implementation of the Act may:
- (a) require an employer to furnish such information as he may consider necessary

- (b) at any reasonable time and with such assistance, if any, as he may think fit, enter and search any establishment or any premises connected therewith and require any one found in charge thereof to produce before him for examination any accounts, books, registers and other documents relating to the employment of persons
- (c) make copies of, or take extracts from, any book, register or other document maintained in relation to the establishment and, where he has reason to believe that any offence under this Act has been committed by an employer, seize with such assistance as he may think fit, such book, register or other document or portions thereof as he may consider relevant in respect of that offence;
- (d) Take the evidence of such person as he may deem necessary, for carrying out the purposes of this Act; and
- (e) exercise such other powers as may be necessary for carrying out the purposes of this Act.

CHAPTER IV

- 5. Disputes arising out of failure to confer Permanent Status.-** (1) In the case of a dispute regarding the failure to confer permanent status or any other rights under this Act, the workman concerned may apply to the Industrial Tribunal constituted under the Industrial Disputes Act, 1947 for adjudication of the dispute.
- (2) Such adjudication shall be completed by the Industrial Tribunal within a period of six months from the filing of the dispute.
- (5) An application filed under sub section (1) above would be deemed to be an 'industrial dispute' under the provisions of the Industrial Disputes Act, 1947
- 6. Prohibition on Discharge or Dismissal.-** (1) Every employer is responsible to take immediate steps to implement the provisions of this Act from date of notification and confer all benefits of permanency of workmen eligible under this Act.
- (2) It shall be unlawful for an employer to discharge or dismiss or in any way terminate a workman eligible to conferment of permanency or with a view to deny her the conferment of permanency under this Act or to vary to her disadvantage any of the conditions of her service.

CHAPTER V

- 7. Penalties.-** (1) Every employer who contravenes the provisions of Section 3 and Section 6 shall be punishable with imprisonment for a term which may extend to one year, or with fine of One Lakh rupees, or with both.
- (2) Whoever, for the purpose of avoiding the implementation of the Act knowingly makes or causes to be made any false statement or false representation shall be

punishable with imprisonment for a term which may extend to one year, or with fine of Fifty thousand rupees, or with both.

(3) Whoever contravenes or makes default in complying with any provision of this Act shall, if no other penalty is elsewhere provided by or under this Act for such contravention or non-compliance, be punishable with imprisonment which may extend to six months and shall also be liable to fine which may extend to five thousand rupees.

(4) No prosecution for an offence punishable under the section shall be instituted except with the previous sanction of the prescribed authority.

8. Offences by companies.- (1) If the person committing an offence is a company, every person, who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director or manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:

For the purposes of this section,—

(a) “company” means any body corporate and includes a firm and other association of individuals; and

(b) “director” in relation to a firm, means a partner in the firm.

9. Cognizance of offence.- No Court inferior to that of a metropolitan magistrate or a judicial magistrate of the first class shall try any offence under this Act.

10. Provisions of this Act to override other laws.-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 instrument having effect by virtue of any such law.

11. Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made under this Act 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 session 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 thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

- (1) All notifications issued under this act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

THE KARNATAKA RIGHT TO ADEQUATE AND DIGNIFIED HOUSING BILL - 2025

Whereas the right to adequate and dignified housing has been recognized as a fundamental right under Article 19(1)(e) and a facet of inseparable meaningful right to life as available under Article 21 of the Constitution of India.

Whereas the fundamental right to housing includes adequate living space, safe and decent structure, clean and decent surroundings, sufficient light, pure air and water, electricity, sanitation and other civic amenities like roads etc. so as to have easy access to his daily avocation.

Whereas there is a positive duty on the State to secure for its citizens a permanent shelter so as to physically, mentally and intellectually equip to improve his excellence as a useful citizen as enjoined in the Fundamental Duties and to be useful citizen and equal participant in democracy

Whereas, forced evictions are a gross violation of human rights, and must be henceforth prohibited and only *participatory in situ development* based on the free and prior informed consent of the community

Whereas the Directive Principles of State Policy as laid down in the Constitution mandates that the State shall strive to promote the welfare of the people by securing and protecting a social order in which justice, social, economic and political, shall inform all the institutions of the national life. Further the State is to strive to minimize the inequalities in income, and endeavour to eliminate inequalities in status, facilities and opportunities, not only amongst individuals but also amongst groups of people residing in different areas or engaged in different vocations.

Now, Therefore, in recognition of the constitutional guarantees of equality, dignity, and the right to life under the Constitution of India; India's international human rights obligations, including the right to adequate housing; and the urgent need to eliminate homelessness, and the marginalisation of persons living in slums and informal settlements, it is expedient to enact a comprehensive legislation to recognise, protect, and fulfil the right to adequate and dignified housing for all, and to prohibit all forms of forced evictions

CHAPTER I

- 1. Short title, extent, application and commencement.-** (1) This Act may be called the Karnataka Right To Adequate And Dignified Housing Bill, 2025
- (2) It extends to the State of Karnataka
- (3) It shall come into force on such date as the Government may, by notification, appoint.

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

- (a) “Adequate and dignified Housing” shall include housing that provides adequate privacy, adequate space, adequate security, adequate drinking water, lighting and ventilation, adequate basic infrastructure and suitable location with regard to work and livelihood and other basic facilities
- (b) “Forced eviction” means the coerced or involuntary permanent or temporary removal of individuals or communities from the homes or land which they occupy irrespective of the title of the land
- (c) “Karnataka Slum Development Board”, means the Board formed under the Karnataka Slum Development Act, 1973
- (d) “Slum” means any area declared as such under the Karnataka Slum Areas (Improvement and Clearance) Act, 1973, or any area that satisfies the conditions prescribed therein, whether declared as a slum or not.

CHAPTER II RIGHT TO ADEQUATE HOUSING

3. Recognition of Right to Housing.- Every person shall have the right to adequate and dignified housing.

4. Duties of the State Government . (1) It shall be the duty of the State Government to provide and ensure that all persons in Karnataka have adequate and dignified housing.

- (2) The State Government shall formulate and implement a comprehensive plan for the entire State, for the realisation of the right to adequate and dignified housing for all persons, in accordance with the provisions of this Act and the standards prescribed therein.
- (3) The plan shall give particular focus to ensuring the right to adequate and dignified housing for all persons not owning a house, including those residing in slums and informal settlements, in accordance with the principles and standards laid down under this Act.
- (4) The draft of the plan prepared under sub-section (2) shall be published by the State Government in such manner as may be prescribed, inviting objections and suggestions from the public.
- (5) The State Government shall consider all objections and suggestions received within the prescribed time and, after making such modifications as it deems appropriate, finalise and notify the plan.
- (6) The State shall allocate adequate funds for housing and related services in annual budgets.

CHAPTER III
PRIORITY OBLIGATIONS OF THE STATE GOVERNMENT IN REGARD
TO SLUMS AND INFORMAL SETTLEMENTS:

5. Obligation of the State Government in regard to Slums and informal settlements.-

- (1) Notwithstanding the generality of the provisions of Section 4, it shall be the priority obligation of the State Government to ensure that all persons residing in slums and informal settlements are provided with adequate and dignified housing, in accordance with the standards and entitlements specified under this Act.
- (2) The State Government shall provide absolute title to all persons residing in slums conferring ownership over the land on which they reside. Title of ownership for the said land shall be issued by the Deputy Commissioner to the head of the house hold under procedure prescribed.
- (3) In cases where the land occupied by a slum is privately owned, the State Government shall initiate proceedings for the acquisition of such land, and upon acquisition, shall ensure that title is granted to the residents of the slum.
- (4) The State Government shall ensure that all slums are provided with basic civic infrastructure and essential services, including but not limited to clean drinking water, sanitation, electricity, waste management, drainage, roads, and access to health and education facilities.
- (5) No person residing in a slum shall be evicted, whether from public or private land.
- (6) The State Government shall take any and all steps in regard to a slum only on consultation and concurrence of the residents of the slum.

6. Identification of slums.- (1) In order to enable to the State Government to perform its duty under Section 4, it shall be the duty of the Karnataka Slum Development Board to furnish the details of all slums declared under Section 3 of the Karnataka Slum Development Act.

- (2) The Karnataka Slum Development Board shall identify all areas that fit the criteria of a slum, that have not been declared as a slum under the Karnataka Slum Development Act and include it in the list of slums to be maintained by them.
- (3) The survey shall be carried out in urban as well as rural areas.
- (4) The Karnataka Slum Development Board shall conduct periodic surveys to identify new slums.

7. Application by person, community.- (1) Any person, family or community residing in a slum may submit an application to the Karnataka Slum Development Board seeking that the area or their home be identified.

- (2) One receipt of such an application the Karnataka Slum Development Board shall inspect the area within a period of one week of receipt of the application and shall include the name into the list of slums.

8. List of slum and residents of a slum.- (1) The Karnataka Slum Development Board shall maintain a list of slums which shall include the areas declared under the Karnataka Slum Development Act and the areas identified as a slum under this Act.

- (2) The Karnataka Slum Development Board shall identify the list of persons and families residing in the slum and a list of the same shall be made available to all residents of the Slum.

9. Prohibition on Forced Evictions.- (1) Notwithstanding any law in force, forced evictions of individuals, families, or communities residing in slums are strictly prohibited.

- (2) No slum, nor any dwelling within a slum, shall be subject to eviction, demolition, or displacement, except in accordance with due process of law and the provisions of this Act.
- (3) In the event of any eviction carried out in violation of this section, the affected individual or family shall be restored to possession of the house, and shall be entitled to compensation as may be prescribed under the rules framed under this Act.

10. Repatriation and Restitution.- (1) The Karnataka Slum Development Board, in coordination with the concerned Urban Local Bodies shall undertake a comprehensive survey to identify all persons or families who have been subjected to forced evictions from slums at any time prior to the commencement of this Act. The said survey shall be completed within a period of six months from the date of commencement of this Act.

- (2) The survey shall be widely publicised through appropriate means, and all affected persons or families shall be given an opportunity to submit applications for inclusion in the survey list.
- (3) The Karnataka Slum Development Board, along with the Urban Local Body, shall conduct a survey to assess the present status of the lands from which such persons or families were evicted, with a view to identifying lands that remain vacant or unutilised.
- (4) Upon completion and finalisation of both surveys, the State Government shall, within a period of six months, facilitate the in situ rehabilitation of persons or families evicted from lands that are still lying vacant. Such persons shall be granted the right to return and reside on the said lands, and this right shall be recognised and protected under this Act.
- (5) In cases where the land from which persons or families were evicted is no longer vacant or otherwise unavailable, the State Government shall ensure their

rehabilitation on alternative land of equal or better quality and in locations that are as close as possible to the original place of residence.

CHAPTER IV HOUSING FOR PERSONS WITHOUT THEIR OWN HOME

11. Housing for persons without their own houses.- (1) Every person who is homeless or without their own house and living in rented premises, shall be entitled to submit an application to the Local Body seeking for adequate and dignified housing as guaranteed under this Act.

Provided in the case of urban homeless persons, the provision of housing shall be done in accordance with the GO No. UDD 81 MNG (P), Bengaluru dated 29.05.2014 titled “Operational Guidelines for Urban Homeless Shelters”.

Explanation: A person without their own house includes persons residing in rented premises, leased premises, and who do not possess any house property in their name.

- (2) On receipt of such an application the Local Body shall conduct such enquiry as may be prescribed within a period of 3 months to ascertain the entitlement of the person, and after such enquiry shall include their name into the list of persons entitled to adequate and dignified housing.
- (3) It shall be the duty of the State Government to ensure that the persons so identified to adequate and dignified housing are provided the same within a period of 3 years from the application in sub-section (1).
- (4) The State Government shall ensure that concerned state agencies including the Bangalore Development Authority, Karnataka Housing Board and the Local bodies formulate schemes and plans for housing, from time to time, to ensure that persons without their own houses are provided adequate and dignified housing and all basic amenities.

CHAPTER V REGULARISATION OF HOUSES

12. Regularisation of houses on Local Body or any state-owned or government lands.-

- (1) The State Government shall regularise the houses of all persons on local body or state-owned or any other government land.
- (2) Any person having their house on local body or state-owned or any other government land shall be entitled to submit an application for regularisation to the Local Body.
- (3) On receipt of such an application the Local Body shall inspect the area within a period of one week of receipt of the application and shall include the name into the list maintained by the Local Body of houses to be regularised.
- (4) The Local Body shall submit the list of houses to be regularised to the Deputy Commissioner at regular intervals of three months. On receipt of the same, the Deputy Commissioner shall ensure the regularisation of the said houses in the manner

prescribed, and title of ownership for the said house shall be issued by the Deputy Commissioner to the head of the house hold under procedure prescribed.

- (5) No person residing in a house on local body or state-owned or any other government land, shall be evicted.
- (6) The Local Body shall undertake a comprehensive survey to identify all persons whose houses have been subjected to forced evictions at any time prior to the commencement of this Act. The said survey shall be completed within a period of six months from the date of commencement of this Act. The survey shall be widely publicised through appropriate means, and all affected persons or families shall be given an opportunity to submit applications for inclusion in the survey list. The Local Body shall also conduct a survey to assess the present status of the lands from which such persons or families were evicted, with a view to identifying lands that remain vacant or unutilised.
- (7) Upon completion and finalisation of both surveys, the State Government shall, within a period of six months, facilitate the in situ rehabilitation of persons or families evicted from lands that are still lying vacant. Such persons shall be granted the right to return and reside on the said lands, and this right shall be recognised and protected under this Act. In cases where the land from which persons or families were evicted is no longer vacant or otherwise unavailable, the State Government shall ensure their rehabilitation on alternative land of equal or better quality and in locations that are as close as possible to the original place of residence.

CHAPTER VI MONITORING AND ACCOUNTABILITY

13. Constitution of State Housing Rights Monitoring Committee.-(1) The State Government shall, by notification, constitute a State Housing Rights Monitoring Committee to oversee and ensure the effective implementation of the provisions of this Act.

(2) The Committee shall consist of the following members:

- (a) Minister for Housing
- (b) Principal Secretary, Department of Housing
- (c) Principal Secretary, Department of Social Welfare
- (d) Principal Secretary, Department of Women and Child Development
- (e) Chairperson, Karnataka Slum Development Board
- (f) Not less than three representatives from the Scheduled Castes and Scheduled Tribes communities, with experience in the field of housing rights
- (g) Not less than three individuals with experience in the welfare of slum residents, preferably persons residing in slums

(3) The Committee shall be constituted in such a manner as to ensure adequate representation of women, members of the SC/ST communities, and residents of informal settlements or slums.

- (4) The terms of appointment, tenure, and procedure for meetings of the Committee shall be prescribed by rules framed under this Act.

14. Functions of the State Housing Rights Monitoring Committee.- (1) The State Housing Rights Monitoring Committee shall perform the following functions:

- (a) Monitor the implementation of the provisions of this Act across the State.
- (b) Enquire into whether all persons, particularly those residing in slums and below poverty line, are ensured the right to adequate and dignified housing in accordance with the provisions of this Act.
- (c) Enquire into complaints of violations of any provision of this Act, either suo motu or upon receipt of a written complaint from any individual or organisation.
- (d) Prepare and publish an annual report on the status of housing rights in the State, including details of implementation, violations, challenges, and recommendations for improvement. The report shall be made available to the public and submitted to the State Government.
- (e) Assist the Karnataka Slum Development Board in its survey to identify all persons or families who have been subjected to forced evictions from slums at any time prior to the commencement of this Act.
- (f) Make recommendations to the State Government for policy and legislative reforms necessary to advance the right to housing and prevent its violation.
- (g) Advise the State Government on any matter related to the implementation of this Act and recommend policy or legislative measures to strengthen the right to adequate and dignified housing.
- (h) to co-ordinate the functions of all concerned agencies with a view to channelise adequate credit for the provision of adequate and dignified housing

15. Constitution of District Housing Rights Monitoring Committee.- (1) The State Government shall constitute a District Housing Rights Monitoring Committee in each district.

(2) The Committee shall consist of the following members,-

- (a) Deputy Commissioner of the District
- (b) Representative of the Department of Housing at the district level
- (c) Representative of the Department of Social Welfare at the district level
- (d) Representative of the Department of Women and Child Development district level
- (e) Not less than three representatives from the Scheduled Castes and Scheduled Tribes communities, with experience in the field of housing rights
- (f) Not less than three individuals with experience in the welfare of slum residents, preferably persons residing in slums

- (3) The composition of the Committee shall ensure adequate representation of women, Scheduled Castes, Scheduled Tribes, and persons from slum communities.
- (4) The tenure, and procedures of the Committee shall be prescribed by rules made under this Act.

16. Duties of District Housing Rights Monitoring Committee.- (1) The District Housing Rights Monitoring Committee shall perform the following functions,-

- (a) Monitor the implementation of the provisions of this Act across the District
- (b) Enquire into whether all persons, particularly those residing in slums and below poverty line, are ensured the right to adequate and dignified housing in accordance with the provisions of this Act.
- (c) Oversee the provision of adequate and dignified housing to all
- (d) Enquire into complaints of violations of any provision of this Act, either suo motu or upon receipt of a written complaint from any individual or organisation.
- (e) Assist the Karnataka Slum Development Board in its survey to identify all persons or families who have been subjected to forced evictions from slums at any time prior to the commencement of this Act.
- (f) Prepare and publish an annual report on the status of housing rights in the State, including details of implementation, violations, challenges, and recommendations for improvement. The report shall be made available to the public and submitted to the State Government.
- (g) Make recommendations to the State Government for policy and legislative reforms necessary to advance the right to housing and prevent its violation.
- (h) Advise the State Government on any matter related to the implementation of this Act and recommend policy or legislative measures to strengthen the right to adequate and dignified housing.
- (i) to co-ordinate the functions of all concerned agencies with a view to channelise adequate credit for the provision of adequate and dignified housing

CHAPTER VII RESERVATION OF LAND

17. Reservation of land.- (1) The State Government shall mandate that in all housing projects undertaken, financed, or approved by any authority, agency, or body under its control, a minimum of 25% of the total number of housing units shall be earmarked for allocation to persons entitled to adequate and dignified housing.

- (2) The allocation of housing units under sub-section (1) shall be made in accordance with the following order of priority:
 - (a) Persons who were evicted from slums prior to the commencement of this Act and who have not been rehabilitated in accordance with the provisions of this Act.

- (b) Persons who do not own any house.
- (c) Powrakarmikas
- (d) Devadasis
- (e) Sanitation Workers and Safai Karamcharis
- (f) Sex workers
- (g) Persons belonging to Schedule Caste and Schedule Tribes

CHAPTER VIII GUIDING PRINCIPLES

18. Principle of Consent and Community Involvement.- (1) In the implementation of the provisions of this Act, the State Government, and all other authorities, boards, and committees constituted or acting under this Act, shall be guided by the principle of free, prior, and informed consent. They shall ensure the active participation and meaningful involvement of the affected individuals, families, and communities in all decisions that affect their housing, land, and livelihoods.

(2) All actions under the Act shall be undertaken only through participatory in situ development, based on the free, prior, and informed consent of the affected community.

Explanation: For the purposes of this section, "free, prior, and informed consent" shall mean consent obtained without coercion, intimidation, or manipulation, with full disclosure of relevant information, and prior to the initiation of any action affecting the affected persons or communities.

CHAPTER IX PENALTIES

19. Penalties for Forcible evictions.- Any person who forcibly evicts any person in contravention of Section 9 of this act shall be punishable with imprisonment for a term which may extend to one year, or with fine of one Lakh rupees, or with both.

20. Cognizance of offence.- No Court inferior to that of a metropolitan magistrate or a judicial magistrate of the first class shall try any offence under this Act.

21. Provisions of this Act to override other laws.- The provisions of this Act shall have effect, notwithstanding any judgment or decree of any court of law or anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law.

22. Power of State Government to issue directions.- (1) The State Government may, from time to time, issue to Local Bodies, Karnataka Slum Development Board, Bengaluru

Development Authority, Karnataka Housing Board or other authorities, as to the carrying into execution of any of the provisions of this Act or of any order or direction made thereunder, such directions as it may think necessary in the interest of providing and ensuring adequate and dignified housing for all.

(2) Without prejudice to the foregoing provisions, the Local Bodies, Karnataka Slum Development Board, Bengaluru Development Authority, Karnataka Housing Board or other authorities shall, in exercise of its powers or the performance of its functions, be bound by such directions as the State Government may give in writing to it from time to time:

(3) The State Government may issue such guidelines to the concerned authority, as it deems fit for the purposes of implementation of the provisions of the Act.

23. Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Every rule made under this Act 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 session 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 thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(3) All notifications issued under this act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

THE KARNATAKA SANITATION AND HOUSEKEEPING WORKERS (RECOGNITION, PROTECTION AND WELFARE) BILL -2025

Whereas the Constitution of India guarantees to all citizens the right to equality, dignity, and the right to a life with humane conditions of work, and

Whereas sanitation and housekeeping workers, a majority of whom belong to historically marginalised communities, continue to face discrimination, indignity, and insecure and hazardous working conditions without adequate legal protection,

And Whereas it is necessary to enact a comprehensive legislation to secure their rights, improve their working and living conditions, and to uplift their social status

CHAPTER 1 PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Sanitation and Housekeeping Workers

(Recognition, Protection, and Welfare) Act, 2025

(2) It extends to the whole of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) “Sanitation worker” means any person engaged on a permanent, temporary, contractual, daily wage, or casual basis in cleaning, waste collection, sewer and septic tank maintenance, toilet cleaning, street sweeping, housekeeping, waste transportation, or any other form of sanitation-related work, whether in public or private establishments, commercial or otherwise, irrespective of the designation assigned.

(b) "employer" means the owner of an establishment to which this Act, for the time being, applies and includes,-

(1) in a factory, any person named under clause (f) of sub-section (1) of section 7 of the Factories Act, 1948 (Central Act LXIII of 1948) as manager of the factory;

(2) in any industry or establishment or public sector undertaking or company under the control of the State Government, the authority appointed by such Government in this behalf, or where no authority is so appointed, he head of the department;

(3) in any other industry or establishment, any person, responsible to the owner for the supervision and control of the Industry;

CHAPTER II EMPLOYMENT SECURITY AND REGULARISATION

3. Conferment of permanent status.- (a) Notwithstanding anything contained in any law for the time being in force every sanitation worker who is in continuous service for a period of One hundred and Eighty days in a period of twelve calendar months in an Industry or establishment shall be made permanent.

(b) On the conferment of permanent status the sanitation workman shall be provided all benefits on par with other permanent workmen and the date of their initial appointment shall be considered as the date of their appointment for all purposes.

Explanation: - For the purpose of this section, law includes any judgment, decree or order of any court or other authority, award, agreement, settlement, instrument or contract of service whether made before or after the commencement of this Act.

CHAPTER III UPHOLDING DIGNITY OF SANITATION WORKERS AND PROTECTION AGAINST ATROCITIES

4. Protection against Caste Atrocities.- (1) No sanitation worker shall be subject to any atrocity in the workplace.

(2) It shall be the responsibility of the employer to ensure that no sanitation worker shall be subject to any form of caste based atrocity.

Explanation: - For the purpose of this section, atrocity shall be as defined under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 as amended from time to time

5. Duty of the Employer.- Every employer shall –

(a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;

(b) display at any conspicuous place in the workplace, the penal consequences of committing atrocities

(c) organise workshops and awareness programmes at regular intervals for sensitising the employees with the provisions of this Act

(d) provide assistance to the sanitation workers if she/he so chooses to file a complaint in relation to the commission of any atrocity

(e) treat the commission of atrocity as a misconduct under the service rules and initiate action for such misconduct

CHAPTER IV
WORKING CONDITIONS S AND OCCU[ATIONAL SAFETY

6. Safe Working Conditions.- (1) The employer shall be provide to all sanitation workers Personal Protective Equipment (PPE), safety training, and health checkups as prescribed in the Rules

(2) The employer shall ensure the provision of clean toilets, potable water, first aid, and restrooms.

CHAPTER V
WELFARE PROVISIONS

7. Provision of Adequate and Dignified Housing.- (1) It shall be the duty of the State Government to ensure that all sanitation workers are provided the right to adequate and dignified housing, along with absolute title to such housing.

(2) In ensuring the provision of adequate and dignified housing, the State Government shall take necessary steps to prevent segregation and shall promote inclusive, integrated housing development.

(3) All sanitation workers who are desirous of securing adequate and dignified housing shall be entitled to apply in the prescribed form. Upon such application, it shall be the duty of the State Government to ensure the provision of housing in accordance with the rights guaranteed under this section.

Explanation: For the purposes of this section, *adequate and dignified housing* shall include housing that ensures adequate privacy, sufficient space, security of tenure, access to safe drinking water, proper lighting and ventilation, basic infrastructure, and a suitable location in relation to the worker's place of employment, livelihood, and access to essential services.

8. Provision of Education.- (1) It shall be the duty of the State Government to ensure that the children of all sanitation workers shall have the right to free and quality education from primary education to higher education.

(2) The State Government shall frame rules to ensure the provision of education to children of sanitation workers.

(3) All sanitation workers who are desirous of securing education for themselves or their children shall be entitled to apply in the prescribed form. Upon such application, it shall be the duty of the State Government to ensure the provision of education in accordance with the rights guaranteed under this section.

CHAPTER VI SKILL DEVELOPMENT AND OCCUPATIONAL MOBILITY

9. Skill Development and Occupational Mobility.- (1) The State Government shall formulate and implement training programmes for sanitation workers to enable mobility into alternative occupations.

(2) The State Government shall ensure that the sanitation workers are ensured payment of wages during the period of training programmes.

(3) The State Government shall take all necessary steps to ensure that posts held by sanitation workers in State and public institutions are made eligible for promotion.

Explanation: For the purpose of this Section, State shall have the same meaning as State under Article 12 of the Constitution.

10. Authorities who may be specified for implementing provisions of this Act.-The State Government may confer such powers and impose such duties on local authority and District Magistrate as may be necessary to ensure that the provisions of this Act are properly carried out, and a local authority and the District Magistrate may specify the subordinate officers, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed, and the local limits within which such powers or duties shall be carried out by the officer or officers so specified.

11. Monitoring the implementation of this Act.-The State Commission for Safai Karamcharis constituted under the Karnataka State Commission for Safai Karamcharis Act, 2013 , shall, in addition to the functions assigned to them under the said Act, also monitor the implementation of the provisions of this Act, in such manner, as may be prescribed.

CHAPTER V OFFENCES AND PENALTIES

12. Penalties.- (1) Every employer who contravenes the provisions of this Act shall be punishable with fine up to One Lakh rupees.

(2) Whoever contravenes or makes default in complying with any provision of this Act shall, if no other penalty is elsewhere provided by or under this Act for such contravention or non-compliance, be punishable with imprisonment which may extend to six months and shall also be liable to fine which may extend to five thousand rupees.

(3) No prosecution for an offence punishable under the section shall be instituted except with the previous sanction of the prescribed authority.

13. Offences by companies.- (1) If the person committing an offence is a company, every person, who at the time the offence was committed was in charge of, and was responsible to,

the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

- (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director or manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:

For the purposes of this section,—

- (a) “company” means any body corporate and includes a firm and other association of individuals; and
(b) “director” in relation to a firm, means a partner in the firm.

14. Cognizance of offence.- No Court inferior to that of a metropolitan magistrate or a judicial magistrate of the first class shall try any offence under this Act.

15. Non-Derogation.- The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

16. Provisions of this Act to override other laws.-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 instrument having effect by virtue of any such law.

17. Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

- (2) Every rule made under this Act 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 session 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 thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.
- (3) All notifications issued under this act shall, unless they are expressed to come into force on a particular day, come into force on the day on which they are published.

KARNATAKA DOMESTIC WORKERS PROTECTION BILL, 2025

A BILL to provide for recognition and regulation of labour undertaken by Domestic Workers; to ensure fair labour practices, dignified working conditions and social security protections for Domestic workers within the State of Karnataka; to constitute within the State a State Domestic Workers Protection Board and District Domestic Workers Protection Boards; to mandate registration of Domestic Workers, Employers and Service Providers with the State and District Boards; and to establish a Domestic Workers Social Security Fund to further these purposes and related matters.

Be it enacted by the Karnataka state Legislature in the 76th year of the Republic of India, as follows:-

CHAPTER 1 PRELIMINARY

1. **Short Title, Extent and Commencement.**- (1) This Act may be called the Karnataka Domestic Workers Protection Act, 2025.
 - (2) It extends to the whole of the State of Karnataka.
 - (3) It applies to all domestic work performed within the territorial limits of the State of Karnataka.
 - (4) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. **Definitions.**- In this Act, unless the context otherwise requires, -
 - (a) “beneficiaries” means every domestic worker registered as a beneficiary under this Act;
 - (b) “child” means a person who has not completed eighteen years of age;
 - (c) “District board” means the District Domestic Workers Protection and Social Security Board established under Section 6 of the Act;
 - (d) “Domestic Work” means work performed in or for a household or households;
Explanation: Household means any residential place where the Domestic Worker works.
 - (e) “Domestic Worker” means any person engaged in domestic work within the employment relationship;
And shall include:
 - (i) “Replacement worker” means a person who is working as a replacement for the domestic worker for a short and specific period of time as agreed with the domestic worker and employer.
 - (ii) “Full Time Worker” means a person who is employed as a domestic worker in a single household for working hours as specified in section 22(4);
 - (iii) “Live-in-Worker” means a person employed as a domestic worker who lives in the employer’s premises’

- (iv) “Part Time Worker” means a person who is employed as a domestic worker for less than prescribed daily working hours of that of a full time workers, whether employed in single or multiple households.
- (f) Domestic Workers’ Social Security Fund means the fund established under Section 21 of the Act;
- (g) “discrimination” means any form of differential or prejudicial treatment on the basis of caste, class, race, region, language, colour, sex, creed and religion, nature of work or age at the place of work;
- (h) “employer” means any person, authority, management that engage the domestic worker to do any work in a household whether part time or full time either directly or through service provider/agent and who has an ultimate control over the affairs of the household which includes any other person to whom such affairs of the household are entrusted and in relation to contract labour, the principal employer;
- (i) “employment agreement” means an agreement that lays down conditions of employment between the employer and domestic worker;
- (j) “forced labour” means compelling a person to offer his services as a domestic worker against his will;
- (k) “notification” means a notification published in the Official Gazette;
- (l) “prescribed” means prescribed by the rules made under the Act by the State Government.
- (m) “service provider” means any voluntary association or placement agency or company registered under any law for the time being in force, which espouses the cause of domestic workers or provides or engages them in employment with the principal employer but excludes those collectives or cooperatives that are created by the workers themselves as a means of collective bargaining;
 Explanation.— “Placement Agency” means any agency, bureau, contractor or person(s) registered under this Act which provides or engages in employment of domestic workers or which facilitates the placement of domestic help for prospective employers and includes such agency or person offering services through any print, electronic or any form of communication.
- (n) “state board” means the State Advisory Committee for Domestic Workers established under Section 4 of the Act;
- (o) “state government” means the Government of Karnataka;
- (p) “trafficking” means to recruit, transport, transfer, harbour, or receive a person by means of abuse of power or taking advantage of his position of vulnerability by threat or use of force or coercion, abduction, fraud, deception; and that includes giving or receiving of payments or benefits to achieve the consent of such person having control over another person;
- (q) “workplace” means any household or a place where a domestic worker works as per the terms of the employment agreement;

(r) “wages” means all emoluments which are earned by an employee while on duty or on leave in accordance with the terms and conditions of his employment and which are paid or are payable to him in cash and includes dearness allowance but does not include any bonus, commission, or any other allowance declared not to be wages by the State Government by notification..

3. Act not in derogation of other laws.- The provisions of this Act shall be in addition to, and not in derogation of the provisions of any other law, for the time being in force.

CHAPTER II IMPLEMENTING AUTHORITIES UNDER THE ACT

4. Constitution of the Karnataka State Board.- (1) The State Government, by notification, constitute the Karnataka State Board also known as the State Advisory Committee to advise upon such matters arising out of the administration of this Act or relating to the application of provisions of this Act or coordination of the work of various Boards as the State Government may refer to it for advice and exercise the powers conferred on, and perform the functions assigned to it, under this Act.

(2) The members of the State Board shall be appointed by the State Government and shall be of such number and chosen in such manner as may be prescribed:

Provided that, the State Board, shall include an equal number of members representing the employers, domestic workers, and the members representing State Government which shall not exceed one third of its total number of members.

(3) The Chairperson of the State Board shall be one of the members appointed to represent the State Government, nominated in this behalf by the State Government.

(4) The State Government shall publish in the Official Gazette, the names of all the members of the State Board.

(5) The meetings of the State Board and the procedure to be followed throughout shall be such as may be prescribed by the regulations.

(6) The term of office of members of the State Board shall be such as may be prescribed.

(7) The member of the State Board (not being a member representing the State Government) shall receive traveling and daily allowances for attending meetings of the Committee at such rates as may be prescribed.

5. Functions of the State Board.- The State Board shall perform the following functions:

(1) The State Board shall, with the previous approval of the State Government, make regulations in consistent with this Act and the rules made there under for all or any of the matters to be provide under this Act by regulations and generally for all

- other matters for which provision is in the opinion of the Board, necessary for the exercise of its powers and the discharge of its functions under this Act.
- (2) Review and monitor the District Board constituted for the State and take appropriate measures to ensure its proper and effective implementation.
 - (3) Allocate funds to the District Boards, administer the Domestic Workers Welfare Fund and periodically allocate such amounts to the District Boards as may be considered necessary.
 - (4) Prescribe the fees to be charged from the Employers, Service Providers/Placement Agencies and Domestic Workers from time to time.
 - (5) Prescribe fee for registration as beneficiaries under the Fund and rate per mensem for the beneficiaries of the fund.
 - (6) Implement such schemes and welfare measures as formulated in consultation with the State Government.
 - (7) Prescribe the form of register to be maintained for registration of Domestic Workers under the fund.
 - (8) Procedure for renewal of registration certificate.
 - (9) Entertain appeals with respect to any decision by the District Board.
 - (10) Ensure decent conditions of service, including rates of remuneration.
 - (11) Ensure decent conditions of service, including rates of remuneration, hours of work and conditions;
 - (12) Provide immediate assistance from the Fund to a beneficiary in case of accident arising out of and within the course of employment within the State;
 - (13) Make payment of pension to the beneficiaries who have completed the age of sixty years;
 - (14) Sanction loans and advances to a beneficiary for construction of a house not exceeding such amount and on such terms and conditions as may be prescribed;
 - (15) Pay such amount in connection with premium for Group Insurance Scheme of the beneficiaries as it may deem fit;
 - (16) Give such financial assistance for the education of children of the beneficiaries as may be prescribed;
 - (17) Meet such medical expenses for treatment of major ailments of a beneficiary or, such dependent, as may be prescribed;
 - (18) Make payment of maternity benefit to the female beneficiaries; and
 - (19) Make provision and improvement of such other welfare measures and facilities as may be prescribed.
 - (20) prepare, in such form and at such time each financial year, as may be prescribed, its budget for the next financial year, showing the estimated receipts and expenditure of the Board and forward the same to the State Government.

- (21) prepare, in such form and at such time each financial year as may be prescribed, its annual report, giving a full account of its activities during the previous financial year, and submit a copy thereof to the State Government.
- (22) maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed in consultation with the State Government.
- (23) Any other matter as may be prescribed.

6. Constitution of District Boards.- (1) The State Government may for the purposes of preparation and implementation of the schemes for welfare of domestic workers, in a District, by notification in the Official Gazette, establish such number of Boards to be known as "District Domestic Labour Welfare Board":

Provided that, the State Government may constitute such Board for two or more Districts:

Provided further that, the State Government may, by like notification also constitute more than one Board for a District and specify the local limits in which such Boards shall have jurisdiction or authorize any existing Board under any other law dealing with labour related matters.

- (2) The Board shall consist of members nominated, from time to time, by the State Government representing the employers, the domestic workers and the State Government.
- (3) The members representing employers and domestic workers shall be equal in number, and the members representing the State Government shall not exceed one-third of the total number of members representing employers and domestic workers.
- (4) The Chairperson of the Board shall be one of the members appointed to represent the State Government, nominated in this behalf by the State Government.
- (5) After nomination of all the members including the Chairperson, the State Government shall, by notification in the Official Gazette, publish the names of all the members of the Board.
- (6) The term of office of members of the Board shall be such as may be prescribed.
- (7) Every member shall be paid (not being a member representing the State Government) from the fund of the Board, traveling and daily allowances for attending meetings of the Board at such rates as may be prescribed.
- (8) The meetings of the Board and the procedure to be followed for the purpose and all matters supplementary or ancillary thereto shall be such as may be laid down by the regulations.

7. Functions of the District Boards.-The District Boards shall perform the following functions,—

- (1) to carry out or cause to carry out the registration of domestic workers, employers, service providers and placement agency as per the procedure prescribed under the Act in the name and account of State Board either directly or through the Workers Facilitation Centres and maintain records and registration of domestic workers as beneficiaries under the Act;
- (2) to collect cess in the name and account of the State Board from service providers and employers at the time of registration as prescribed;
- (3) to grant following benefits to beneficiaries which they are entitled to under the Act,—
 - (i) provision for immediate assistance and rehabilitation to a beneficiary in case of an accident arising in the course of employment;
 - (ii) financial assistance for the education of beneficiary and his/her children;
 - (iii) provision for medical expenses for treatment of ailments of a beneficiary or his/her such dependent;
 - (iv) provision for maternity/paternity benefit to the women/men beneficiaries;
 - (v) make payment of funeral expenses to the legal heir on the death of the beneficiary;
 - (vi) facilitate the settlement of disputes through conciliation;
 - (vii) renewal of registration certificate and collection of annual contribution;
 - (viii) issue of identity card for the beneficiary;
 - (ix) disseminate information on available social security schemes for the Workers;
 - (x) authorize the Workers Facilitation Centre to act as an authorized intermediary in collecting contributions from the workers and others as mandated under the Act and remit them to the District Board;
 - (xi) authorize Workers Facilitation Centre to carry out surprise visits to the working place of the Domestic Workers and check the implementation of the Powers of the District Board.
 - (xii) training and imparting skills to the domestic workers;
 - (xiii) authorize the Workers Facilitation Centre to conduct surveys for beneficiaries;
 - (xiv) provide legal aid to beneficiaries in case of a court proceeding to address their claims;
 - (xv) implement any schemes or any welfare measures framed by the State Board;

(xvi) maintain complaint registers for grievance redressal of Domestic Workers;

(xvii) board shall also establish or devise establishment of creche facilities for children of domestic workers;

(xviii) such other benefits as may be decided by the District Board, from time to time.

(4) to make available, in consultation with the State board, such schemes as applicable under other laws such as the Unorganized Workers Social Security Act, 2008.

(5) designate any one or more of the following at such areas as may be considered necessary, as Workers' Facilitation Centres (WFC) for purposes of facilitating registration of workers:

(i) Local Panchayati Raj Institutions (PRI) or urban local bodies;

(ii) Resident Welfare Associations/Society/trade unions;

(iii) Non-profit organizations working among the Domestic Workers:

Provided further that such Workers' Facilitation Centers (WFC) shall function under the supervision of the District Board.

(6) maintain such registers and records giving such particulars of domestic workers employed, the nature of work performed by the domestic worker, and such other particulars in such form as may be prescribed.

(7) implement any welfare schemes under any other law with prior approval of the State Government.

(8) admit Domestic workers into rehabilitation homes of the Government, upon any request made by them.

8. Powers of the District Boards.- (1) Subject to any rules made by the State Government in this behalf, the District Board may, within the local limits,-

(a) make such examination and hold such inquiry for ascertaining whether the provisions of this Act have been or are being complied within any place or premises;

(b) require the production of any document, record or evidence (written or oral);

(c) enter any place or premises with such assistance as it may consider necessary, at all times if there are reasonable grounds for suspecting that any domestic worker has or is being subjected to any form of sexual exploitation or wrongfully confined in any such place or premises or rescue any child being as a domestic worker.

(2) Every employer shall accord to the District Board, all reasonable facilities in the discharge of his duties under this Act.

(3) Each District Board shall have the same powers as are vested in civil court under the Code of Civil Procedure, 1908, when adjudicating a dispute in respect of the following matters, namely—

- (a) enforcing the attendance of any person and examining him on oath;
- (b) compelling the production of documents and material objects;
- (c) issuing commissions for the examination of witnesses;
- (d) in respect of such other matters as may be prescribed.

9. Disqualification and Removal of Member.- (1) No person shall be chosen as, or continue to be, a member of the Board who,-

- (a) is a salaried officer of the District Board;
- (b) is or at any time has been adjudged insolvent;
- (c) is found to be of unsound mind; or
- (d) is or has been convicted of any offence involving moral turpitude.

(2) The State Government may remove from office any member, who

- (a) is or has become subject to any of the disqualifications mentioned in sub-section (1); or
- (b) is absent without leave of the District Board for more than three consecutive meetings of the Board;
- (c) in the opinion of the Government, has so abused the position of member as to render that person's continuation in the office detrimental to the public interest or is otherwise unfit or unsuitable to continue as such member:

Provided that, no person shall be removed under clause (c), unless person has been given a reasonable opportunity to show cause as to why he should not be removed.

(3) Notwithstanding anything contained in any other provisions of this Act, the members shall hold office during the pleasure of the State Government and if in the opinion of the State Government,-

- (a) the member representing employers and the domestic workers, ceases to adequately represent the employers or, as the case may be, the domestic workers, or
- (b) having regard to exigencies of circumstances or services in the State Government, the member representing the State Government cannot continue to represent the State Government, then it may, by an order, remove all any of them from office at any time.

10. Resignation of Office by Member.-Any member of the District Board may at any time resign his office by writing under his hand addressed to the State Government, and his office shall, on acceptance of the resignation, become vacant.

11. Proceedings Presumed to be Good and Valid.- No act or proceeding of the District Board shall be questioned or invalidated merely by reason of any vacancy in its membership or by reason of any defect in the constitution thereof.

12. Secretary and Other Officers of Board.- (1) The Board shall, with the approval of the State Government, appoint a full time Secretary and such other officers and employees as it considers necessary for the efficient discharge of its functions under this Act.

(2) The Secretary of the District Board shall be its Chief Executive Officer.

(3) The functions, terms and conditions of appointment and the salary and allowances payable to the secretary and other officers and employees of the District Board shall be such as may be laid down, from time to time, by regulations.

13. Appellate Mechanism.- (1) In the case of complaints relating to non-functioning of the District Board, complaint shall be filed with the State Board.

(2) The State Board shall conduct an enquiry and if found, the complaint to be true and as the District Board dysfunctional shall dissolve the District Board.

(3) Upon dissolution of a District Board, new Board shall be constituted within fifteen days.

CHAPTER III REGISTRATION

14. Registration of Domestic Workers.- (1) Notwithstanding anything contained in any law for the time being in force, all domestic workers shall be registered as per procedure here in after prescribed.

(2) Every Domestic Worker who has completed eighteen years of age, but has not completed sixty years of age, and who has been engaged in domestic work for not less than ninety days during the preceding twelve months shall be eligible for registration as a beneficiary under this Act.

(3) Subject to the provisions of this Act, every domestic worker registered as a beneficiary under this Act shall be entitled to benefits provided by the Board from its Fund under this Act.

(4) An application for registration shall be made in such form, as may be prescribed, to the District Board in this behalf.

(5) Every application shall be accompanied by such documents together with such fee as may be prescribed.

(6) If the District Board is satisfied that the applicant has complied with the provisions of this Act and the rules made there-under, it shall register the name of the domestic worker as a domestic worker under this Act:

Provided that an application for registration shall not be rejected without giving the applicant an opportunity of being heard and without assigning reasons in writing.

(7) Any person aggrieved by the decision under sub-section (7) may, within ninety days from the date of such decision, prefer an appeal to the State Board and the decision of the State Board on such appeal shall be final:

Provided that the Karnataka State Board in this behalf may entertain the appeal after the expiry of the said period of ninety days if it is satisfied that the domestic worker was prevented by sufficient cause from filing the appeal in time.

(8) The District Board shall give to every beneficiary an identity card with his photograph duly affixed.

15. Contribution of Domestic Workers and Non-Payment of Contribution.- (1) A domestic worker who has been registered as a beneficiary under this Act, until she/he attains the age of sixty years, contribute to the Fund at such rate per mensem, as may be prescribed.

Provided that the District Board may, if satisfied that a beneficiary is unable to pay his contribution due to any financial hardship, waive the payment of contribution for a period not exceeding three months at a time.

(2) Every domestic worker above the age of sixty years shall continue to be beneficiary under this Act, however, shall not pay annual contribution to the Fund.

(3) When a beneficiary has not paid her/his contribution under sub-section (1) for a continuous period of not less than one year, she/he shall cease to be a beneficiary:

Provided that if the Board is satisfied that the non-payment of contribution was for a reasonable ground and that the domestic worker is willing to deposit the arrears, she/he may be allow the domestic worker to deposit the contribution in arrears and on such deposit being made, the registration of domestic worker shall stand restored.

16. Cessation of Registration of Domestic Workers.- (1) A domestic worker who has been registered as a beneficiary under this Act shall cease to be as such when she/he attains the age of sixty five years or when she/he is not engaged in any domestic work for not less than ninety days in a year:

Provided that in computing the period of ninety days under this sub-section, there shall be excluded any period of absence from work due to any personal injury or accident.

(2) Notwithstanding anything contained in sub-section (1), if a person had been a beneficiary for atleast three years continuously immediately before attaining the age of sixty years, she/he shall be eligible to get such benefits including pensions as may be prescribed.

17. Registration of Service Provider.- Every service provider shall within one month of the commencement of the employment of domestic worker, in the household, shall submit to the District Board or any person so authorized by the District Board, application along with the prescribed fee for registration, providing such details as prescribed.

Provided that the Board or any such person so authorized may entertain any such application for registration after expiry of the period fixed in this behalf, if satisfied that the applicant had sufficient cause for the delay from submitting the application in time.

18. Registration of Employer.-Every employer, within one month of the commencement of the employment of a domestic worker, shall submit to the District Board an application along with prescribed fee, and providing such details as may be prescribed:

Provided that the district Board or any such person so authorized by it may entertain any such application for registration after expiry of the period fixed in this behalf, if he is satisfied that the applicant had sufficient reasons for the delay in submitting the application in time.

19. Registration of Migrant Worker.-Where a domestic worker leaves the work in a District and moves to any other area in any part of the State of Karnataka and takes up work in any household in such part either on his own or through any service provider, it shall be the duty of such worker or service provider respectively, to inform the concerned Board where so registered regarding the move and register with the District Board at the place where work has been taken up.

20. Maintenance and Digitalisation of Records.-The District Board shall maintain records or register of all its records duly catalogued and indexed in a manner and in prescribed form and shall ensure that all records are computerized within a reasonable time. The digitalisation of the records shall be introduced through software established by the State Government and databases available with the District Boards should be connected through a network all over the country on different systems so that access to such records is facilitated:

Provided further that it shall be the duty of the District Board to submit the computerized records to the State Board under this Act within reasonable time.

CHAPTER IV ESTABLISHMENT OF FUND

21. Domestic Workers Social Security Fund.- (1) There shall be formed a Fund, to be called the Domestic Workers Social Security Fund, and credited thereto—

- (a) any grants made to the Fund by the State Government or any other person or organisation;
- (b) any amount received by the District Board in the name and account of State Board from the beneficiaries as registration fees/workers contribution under section 15.
- (c) all amount from the District Boards received as registration and other fees of domestic workers, Employers and Service providers.

- (d) any income from investment from Nationalized Bank of the amounts in the Fund.
 - (e) all fines collected.
 - (f) all other sums received by the District Board from any other sources.
- (2) The Fund allocated by the State Board to a District Board shall be administered and applied by the District Board to meet the expenditure incurred in connection with measures and facilities which are necessary or expedient to promote the welfare and social security of Domestic Workers;
- (a) to defray the cost of such welfare measures or facilities for the benefit of Domestic Workers/beneficiaries as may be decided by the State Board.
 - (b) to sanction any money in aid of any scheme for the welfare of the Domestic Workers including family welfare, education, insurance and other welfare measures.

CHAPTER V

REGULATION OF THE WORKING CONDITIONS

22. Duties of the Employer and Service Provider.- (1) Every employer and service provider shall provide such particulars of the domestic workers engaged directly or through service providers, to the District Board or any person so authorized by it, in such form and on paying such fees as may be prescribed.

(2) No service provider or a person/agency shall carry on the business of providing services of domestic workers to any employer unless the said service provider or agency or person is registered under the Act.

(3) The service provider shall maintain the records, in a standard format as prescribed by the District Board, of all domestic workers being contracted by them for purposes of employment from any part of the territory of Karnataka and provide the details thereof in such form as may be prescribed.

(4) Working Hours of the domestic worker shall be as follows:

(a) Weekly Working Hours—No domestic worker shall be required or allowed to work for more than forty-eight hours in any week.

(b) Working Hours for a Part-time Domestic worker— Subject to sub-clause (a), a part time Domestic worker maybe allowed to work on an hourly basis

(c) Daily Working Hours subject to the provision of sub-clause (a), no domestic worker shall be required or allowed to work for more than Nine hours in any day.

(d) Duration of Working hours— The period of work of a domestic worker shall be so arranged that inclusive of the intervals for rest and meals, it shall not spread over more than Twelve hours per day.

(f) Restriction on overtime—The total hours of work in any day shall not exceed ten hours in a day and in the aggregate fifty hours in any week.

(g) Wages for overtime work—Where a domestic worker works for more than the maximum working hours as prescribed in sub-clauses (a) and (b) he shall, in respect of the overtime work, be entitled to wages at the rate of twice the ordinary rate of wages.

(h) Interval for rest—The periods of work of a domestic worker each day shall be so fixed that no period shall exceed five hours and that no domestic worker shall work for more than five hours before he has had an interval for rest of at least half an hour.

(5) Conditions of Leaves and Holidays for Domestic Workers are as follows:

(a) Every domestic worker irrespective of being a full-time, part-time, live-in, night-shift domestic worker will be entitled to a weekly day off.

(b) Every domestic worker shall be entitled to a paid sick leave on the account of being sick, provided that the No. of days for sick leave shall not exceed fifteen days per annum.

(c) Every domestic worker who has worked for a period of two hundred forty days or more in a household shall be entitled to ten days of annual paid leave which shall not include the weekly holidays or sick leave.

(6) Safe and Dignified Working Conditions for Domestic Workers are as follows:

(a) No domestic worker shall be subjected to the offence of sexual, physical or verbal assault, violence, trafficking, wrongful confinement and bonded/forced labour by any employer or a member of his household.

(b) No employer registered under this Act shall discriminate on the basis of caste, race, region, language, colour, sex, creed or religion, in matters such as recruitment, conditions of employment, payment of wages etc.

(c) No voluntary association or agency shall discriminate on the aforesaid grounds in rehabilitation, recruitment, placement and payment on these grounds, nor shall it cause an employer to do so.

Explanation.—For the purposes of the section there shall be equal payment for equal work requiring the same amount of work, skill set, and effort.

(d) The employer shall provide the domestic worker with basic amenities like safe drinking water, food, first aid and washrooms.

(e) The employer shall provide a live-in domestic worker with private and decent accommodations for rest and dressing.

(7) The employer and domestic worker shall provide one month notice to the domestic worker and employer before termination of employment and provide wages worth fifteen days of employment.

(8) No child shall be employed as a Domestic Workers or for any such incidental or ancillary work which is prohibited under any law for the time being in force.

23. Minimum Wage and Welfare provisions.- (1) The State Government shall by notification fix the minimum rates of wages payable to domestic workers.

(2) The State Government shall review minimum wages at such intervals as it may think fit. Provided that the intervals of review shall not exceed three years.

(3) The State Government may fix—

(a) a minimum rate of wages for time work (hereinafter referred to as 'a minimum time rate');

(b) a minimum rate of wages for piece work (hereinafter referred to as 'minimum piece rate');

(c) a minimum rate of remuneration to apply in the case of domestic worker employed on piece work for the purpose of securing to such domestic worker a minimum rate of wages on a time work basis (hereinafter referred to as 'a guaranteed time rate');

(d) a minimum rate (whether a time rate or a piece rate) to apply in substitution for minimum rate which would otherwise be applicable, in respect of overtime work done by domestic worker (hereinafter referred to as 'overtime rate');

(e) minimum rates of wages may be fixed by any one or more of the following wage-periods, namely:-

(i) by the hour,

(ii) by the day,

(iii) by the month.

(4) The employer shall directly pay the wages to the bank account of the domestic worker within the first seven days of the month.

CHAPTER VI

GRIEVANCE REDRESSAL AND DISPUTE RESOLUTION

24. Grievance Redressal Mechanism.- (1) Every District shall have one or more Grievance Redressal Committee for the resolution of disputes arising out of grievances relating to rejection and denial of registration, cancellation of registration and claims as well as other grievances regarding District Board.

(2) The Grievance Redressal Committee shall consist of equal number of members from the employer and the domestic worker.

(3) The Chairperson of the Grievance Redressal Committee shall be selected from the employer and from among the workmen alternatively on rotation basis every year.

(4) The total number of members of the Grievance Redressal Committee shall not exceed more than six:

Provided that there shall be, as far as practicable, one woman member if, the Grievance Redressal Committee has two members and in case the number of members are more than two, the number of women members may be increased proportionately.

(5) No withstanding anything contained in this section, the setting up of Grievance Redressal Committee shall not affect the right of the domestic worker to raise any dispute on the same matter under the provisions of this Act.

(6) The Grievance Redressal Committee may complete its proceedings within forty-five day on receipt of a written application by or on behalf of the aggrieved party.

(7) The Domestic worker who is aggrieved of the decision of the Grievance Redressal Committee may appeal to the District Collector against the decision of Grievance Redressal Committee and the Collector shall, within one month from the date of receipt of such appeal, dispose off the same and send a copy of his decision to the works concerned.

(8) Nothing contained in this section shall apply to the Domestic worker for whom there is an established Grievance Redressal Mechanism in the establishment concerned.

CHAPTER VII OFFENCES AND PENALTIES

25. Offences and Penalties.- (1) Any service provider or placement agencies or employer who is not registered under this Act or has not renewed the registration certificate as per this act shall be punishable with fine which may extend to five thousand rupees.

(2) Any service provider or agency or employer who contravenes the provisions of the Act or any rules made there under shall be punishable with fine which may extend to five thousand rupees, and in the case of a continuing contravention, with an additional fine which may extend to one hundred rupees for every day of continuing offence.

(3) If any person who has been convicted of any offence punishable under sub-section (2) is again guilty of an offence involving a contravention or failure of compliance of the same provision, he shall be punishable on a subsequent conviction with simple imprisonment for a term which may extend to three months and with fine which shall not be less than five thousand rupees but which may extend to ten thousand rupees or with both:

(4) In case of default of payment to the domestic worker the employer shall be liable to make payment along with the interest on such payment as per the rules and if pays to any domestic worker less the minimum rates of wages fixed for that employee's class of work, or less than the amount due to him under the provisions of this Act shall be liable to pay fine which may extend to five thousand rupees, along with balance of amount payable.

(5) Any person who wilfully obstructs any officer so authorized by the District Board to conduct inspection under the Act or refuses or wilfully neglects to afford such officer any reasonable facility for making any inspection, examination, inquiry or investigation authorized by or under this Act in relation to the employer or a service provider to whom, this Act applies, shall be punishable with fine which may extend to five thousand rupees.

(6) Whoever wilfully refuses to produce on the demand of such an inspecting person so authorized by the District Boards, any register or other document kept in pursuance of this Act or prevents or attempts to prevent or does anything which he has reason to believe is likely to prevent any person from appearing before or being examined by an inspecting person acting in pursuance of his duties under this act, shall be punishable with fine which may extend to five thousand rupees.

(7) Any person who—

(a) knowingly sends, recruits, harbors, transports, directs or facilitates the movement of any domestic worker through coercion, fraud or abuse of power for the purposes of sexual exploitation, forced labour or trafficking; or

(b) subjects any domestic worker to sexual harassment, assault or exploitation; or

(c) discriminates against any domestic worker on grounds of caste, gender, sexual orientation, religion, ethnicity, disability, or socio-economic status; or

(d) unlawfully confines, physically abuses, or subjects any domestic worker to cruel, inhumane, or degrading treatment; or

(e) compels any domestic worker to perform any forced labour; or

(f) employs or facilitates the employment of any child in domestic work,

shall be subjected to penal actions as provided under the Bharatiya Nagarik Suraksha Sanhita 2023.

26. Rehabilitation and Legal Aid.- For the victims of forced labour, sexual exploitation, discrimination, illegal confinement or any kind of abuse, the District Board or service provider shall provide with emergency aid, medium term assistance and legal aid in conduct of the legal proceedings and admit the victim to rehabilitation homes.

27. No court shall take cognizance of any offence punishable under this Act except on a complaint.-

(a) made by, or with the previous sanction in writing of, the State Board or the District Board or

(b) made by an office-bearer of a voluntary organization registered under the Societies Registration Act, 1860 or Trade Unions Act, 1926 or any other law for the time being in force; or

(c) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

CHAPTER VIII
MISCELLANEOUS PROVISIONS

28. Effect of Laws and Agreements inconsistent with the Act.- (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any agreement or contract of service, whether made before or after the commencement of this Act:

(2) Nothing contained in this Act shall be construed as precluding any domestic worker from entering into an agreement with the principal employer as the case may be, for granting them rights or privileges in respect of any matter which are more favourable to them than those to which they would be entitled under this Act.

29. Supersession of Board.- (1) If the State Government is satisfied that, or otherwise is of the opinion that,—

(a) The State Board is unable to perform its functions, or

(b) The State Board has persistently made delay in the discharge of its functions or has exceeded or abused its powers, then the State Government may, by notification in the Official Gazette, supersede the State Board and re-constitute it in the manner specified in section 4 within a period of twelve months from the date of supersession provided that the period of supersession may be extended for sufficient reasons by a like notification by not more than six months:

Provided further, before issuing a notification under sub-section (1) on any of the grounds mentioned in clause (b), the State Government shall give a reasonable opportunity to the Board to show cause why it should not be superseded and shall consider the explanations and objections, if any, of the State Board.

(2) After the supersession of the State Board and until it is reconstituted, the powers and functions of the State Board under this Act shall be exercised and performed by the State Government or by such officer or officers as the appropriate Government may appoint for this purpose.

(3) When the State Board is superseded, the following consequences shall ensue, that is to say,—

(a) all the members of the State Board shall, as from the date of publication of the notification under sub-section (1), vacate their office;

(b) all the powers and functions, which may be exercised or performed by the State Board shall, during the period of supersession, be exercised or performed by such persons as may be specified in the notification.

(c) all funds and other property vesting in the State Board shall, during the period of supersession, vest in the State Government and on the reconstitution of the State Board, such funds and property shall reinvest in the State Board.

30. 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 appears to it to be necessary or expedient for removing the difficulty.

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

31. Accounts and Audit.- (a) The State Board and respective District Boards shall maintain proper accounts and other relevant records and prepare annual statements of accounts in such form as may be prescribed.

(b) The State Board shall furnish to the State Government, before such date as may be prescribed, the audited copy of the consolidated account of itself and the Funds together with the auditor's report.

(c) The State Board and respective District Boards shall furnish to the State Government before such date as may be prescribed its audited copy of accounts together with the auditor's report.

32. Power of the State Government to make rules.- (1) The State Government may, by notification in the Official Gazette, and subject to the condition of previous publication except when the rules are made for the first time, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may be made for all or any of the following matters, namely:-

(a) amount of contribution of the beneficiaries to the Fund;

(b) form in which and the time when the budget of the Board is to be prepared and forwarded to the State Government;

(c) form in which and time when the annual report of the Board is to be prepared and submitted to the State Government;

(d) number of members of the State Board and the manner in which they may be chosen;

(e) term of office of members of the state board

(f) any other matter which is required to be or may be prescribed, for carrying out the purposes of this Act.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before each house of the State Legislature while it is session for a total 40 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 session immediately following the session or the successive sessions aforesaid,

the State legislature agrees in making any modification in the rule or that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity or anything previously done under that rule.

THE KARNATAKA IT/ITES EMPLOYEES' (CONDITIONS OF SERVICE) BILL- 2025

A Bill to regulate conditions of service, ensure decent work standards, protect work-life balance, guarantee health safeguards, prohibit unfair labour practices, and establish rights for information technology and information technology enabled services employees in the State of Karnataka.

BE it enacted by the State Legislature in the Seventy-sixth Year of the Republic of India as follows:

1. Short title, extent, commencement and application.- (1) This Act may be called the Karnataka IT/ITeS Employees (Conditions of Service) Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas.

2. Definitions.- (a) “establishment”: means an establishment engaged in IT/ITES industry;

(b) “employee” means any person employed directly or through a contractor in an IT/ITeS establishment to perform technical, operational, managerial, or administrative functions.

(c) “family exigency” means sickness, geriatric issues, financial issues, grief, behavioural issues, concerns related to children, mental health conditions, separation, divorce, transfer of spouse, etc.

(d) “immediate family” means the spouse, children (biological, adopted, or step), parents (biological, adoptive, or in-law), and siblings of the employee.

(e) IT/ITES Industry: An establishment engaged in the Information Technology and Information Technology Enabled Services.

(f) “prescribed” means prescribed by rules made under this Act;

(g) all words and expressions used but not defined in this Act and defined in the Industrial Disputes Act, 1947, shall have the meanings respectively assigned to them in that Act.

3. Letter of Appointment.- (1) Every employee must be provided with a valid written appointment letter before employment as prescribed. The Appointment letter shall mention terms of services including, pay scale, role, responsibilities, compensation, working hours, and leave entitlements.

(2) No employer shall require an employee to complete a minimum period of service as a condition of employment.

(3) No employer shall demand any form of compensation, damages, or financial penalty for not completing any specified period of service.

(4) Probation Period:

(a) Maximum probation period shall be three months.

(b) During probation, employees are entitled to all statutory benefits and rights under this Act.

4. Leaves.- In addition to such holidays, as prescribed under the Karnataka Industrial Establishments (National And Festival Holidays) Act, 1963 every employee shall be granted, if so requested for—

(1) Casual Leave,-

(a) An employee shall be eligible for leave for fifteen days in a calendar year.

(b) Casual leave not availed of during a calendar year shall not be carried forward to the following year

Employee may take any amount of casual leave at a time and casual leave may be combined with any other kind of leave.

(2) Earned Leave,-

(a) In addition to casual leave or other kinds of leave as may be prescribed, every employee shall be entitled to earned leave on full wages for not less than one-eleventh of the period spent in service.

(b) The maximum limit up to which earned leave can be accumulated shall be 180 days out of which an employee can avail himself of 90 days at a time :
Provided that,

(i) where an employee is suffering from any lingering illness, such as, tuberculosis, cancer, leprosy, heart disease or mental illness, or any disability which prevents him from attending to his duties, the competent authority may allow the employee to avail himself of earned leave for any period exceeding 90 days at a time.

(ii) When an employee voluntarily relinquishes his post, or retires from service on reaching the age of superannuation, he shall be entitled to cash compensation for earned by him and not availed of :

(iii) Provided that an employee shall not be entitled to cash compensation for earned leave not availed of for a period exceeding 120 days.

(iv) Notwithstanding anything contained in sub-rule (ii) where an employee had applied for earned leave due to him so as to enable him to avail of such leave immediately before he voluntarily relinquishes his post or retires on reaching the age of superannuation and such leave was refused, the employee shall be entitled to cash compensation for the entire period of earned leave so refused as well as cash compensation for the period of earned leave due to him, in respect of which no application to avail of the same was made ; so

however, that total period of earned leave for which cash compensation shall be payable under this sub-rule shall not exceed 180 days

- (v) Where an employee dies while in service his heirs shall be entitled to cash compensation for the entire earned leave due to such employee and not availed of.
- (vi) Where the services of an employee are terminated for any reason whatsoever (not being termination as punishment), he shall be entitled to cash compensation for the entire earned leave due to him and not availed of.
- (vii) The cash compensation payable under this rule in respect of earned leave shall be equal to the amount of wages due to the employee for the period of leave not availed of or refused.

(3) Medical Leave,-

- (a) An Employee shall be entitled to leave on medical certificate on full wages for not less than one-eighteenth of the period of service.
- (b) For the purposes of availing leave on medical certificate, the employee shall produce a medical certificate from an authorised medical attendant:

Provided that where an employee has proceeded to a place other than his headquarters with the permission of his employer or in the course of the discharge of his duties and there falls ill, he may produce a medical certificate from any registered medical practitioner at the place where he falls ill:

Provided further that the employer may, when the registered medical practitioner whose certificate is produced is not in the service of the Government, arrange at his own expense for the medical examination of the employee concerned by any Government Medical Officer not below the rank of a Civil Assistant Surgeon or by any other Medical Officer in charge of a hospital run by a leave authority or a public organization at that place.

- (a) Leave on medical certificate may be taken in continuation of earned leave.
- (b) An employee shall be entitled at his option to convert medical certificate on one-half of the wage to half the amount of leave on full wages (herein after referred to as converted leave).
- (c) Leave on medical certificate or converted leave may be granted to an employee at his request notwithstanding that earned leave is due to him.
- (d) Every establishment may authorize one or more medical practitioners registered under the Indian Medical Council Act, 1956 as authorised medical attendants for the purpose of the Act or the rules made thereunder.

- (e) A medical certificate shall be required only for medical leave absences exceeding three consecutive working days. For shorter absences, a self-certification by the employee shall suffice.

(4) Parental Leave,-

- (a) Employers shall provide parental leave compliant with all applicable statutory requirements, including but not limited to:
- (i) Maternity Leave: A minimum of twenty-six weeks of paid leave.
 - (ii) Paternity Leave: A minimum of fifteen days of paid leave.
- (b) Additional Parental Support Leave: Employees are entitled to five days of paid leave per calendar year for children under the age of twelve. This leave is specifically intended for childcare needs such as medical appointments, or illness of the child.

- (5) **Bereavement Leave:** Employees are entitled to five working days of paid bereavement leave upon the death of an immediate family member.

(6) Menstrual Leave,-

- (a) Employees who experience menstrual pain or discomfort are entitled to two days of paid leave per month.
- (b) This leave is self-certified and no requirement for external medical documentation shall be imposed if the employee chooses to self-certify their need for this leave.

(7) Sabbatical Leave,-

- (a) An Employee who has completed three years of continuous service with the employer may apply for sabbatical leave.
- (b) Sabbatical leave may be availed for a maximum period of 6 months, extendable up to 1 year at the discretion of the employer, for the following reasons –
- (i) Pursue higher studies to acquire new skills (Planned Leave) for a maximum duration of 24 months;
 - (ii) Any personal ailment (as per Chief Medical Officer's recommendations) for a maximum duration of 24 months;
 - (iii) Family Exigency for a maximum duration of six months.
- (c) There should be a gap of at least two years in each planned sabbatical leave and cannot be clubbed with any other leave.
- (d) Employer approval for a properly applied-for sabbatical shall not be unreasonably withheld.
- (e) Upon return from an approved sabbatical, the employee shall be reinstated to their original position or an equivalent position with no less favourable terms and conditions of employment.

(f) The Employee will not be entitled for wages for the period of sabbatical leaves.

(8) Quarantine leave,-

(a) Where, in consequence of the presence of an infectious disease, in the household of an employee, his attendance is considered hazardous to the health of other people, the employee concerned may be granted quarantine leave.

(b) The quarantine leave may be granted for a period upto 30 days on the recommendation of the authorised medical attendant or Public Health Officer.

(c) An employee on quarantine leave shall be treated as on duty for all purpose.

(9) Extraordinary leave,-

An employee may be granted extra ordinary leave in special circumstances without wages at the discretion of the employer.

(10) Leave not due,-

An employee who has no leave to his credit, may be granted leave not due, at the discretion of the employer.

(11) Study Leave,-

An employee may be granted study leave with or without wages at the discretion of the employer.

5. Number of Holidays in a Year.- An employee shall be entitled to ten holidays in a calendar year as prescribed under the Karnataka Industrial Establishments (National And Festival Holidays) Act, 1963.

6. Working Hours.- (1) Daily and Weekly Hours.

No employee in any establishment shall be required or allowed to work for more than nine hours on any day and forty-five hours in any week. Any working hours beyond forty-five hours per week shall constitute overtime:

Provided that the total number of hours of overtime work shall not exceed fifteen hours per month.

(2) Interval for rest.

The periods of work of an employee in an establishment each day shall be so fixed that no period shall exceed five hours and that no such person shall work for more than five hours before he has had an interval of rest at least one hour.

(3) Spread-over.

The periods of work of an employee in an establishment shall be so fixed that, inclusive of his interval for rest, they shall not spread-over more than twelve hours in any day.

(4) Overtime,-

- (a) Overtime work shall be voluntary, except in genuine emergencies defined as unforeseen circumstances threatening business continuity or critical public infrastructure. Refusal to work overtime shall not be grounds for any adverse action.
- (b) Overtime wages shall be paid at a rate of twice the employee's regular wages calculated on hourly rate.
- (c) The total number of overtime hours worked by an employee in any month shall not exceed fifteen hours.

(5) Weekly days of Rest.-

All employees are entitled to a minimum of two consecutive weekly days of leave with full wages after five days of continuous work.

7. Right to Disconnect.- (1) Employees have the right to disconnect from work-related electronic communications (including email, instant messaging, phone calls, and assessing work systems) outside of their scheduled working hours, during mandated rest breaks, and on rest days/vacation days.

(2) Employers are strictly prohibited from:

- (a) Contacting employees for work-related matters outside their working hours, except in case of genuine emergencies.

Explanation: “genuine emergency” means an unforeseen situation threatening public safety, critical infrastructure failure, or severe business disruption where immediate action is unavoidable.

- (b) Expecting, requiring or monitoring responses to work communications outside working hours.
- (c) Imposing any adverse actions, formal or informal (including performance reviews, promotions, assignments, or creating a hostile environment), on an employee for exercising their Right to Disconnect.
- (3) In a genuine emergency requiring contact outside working hours, the employer must:
 - (a) Clearly state the nature of the emergency.
 - (b) Compensate the employee for the time engaged at the applicable overtime rate, with a minimum of one hour's pay.
 - (c) Provide compensatory rest time at the earliest opportunity.
- (4) Employers must establish a clear “Right to Disconnect” policy, communicated to all employees during onboarding and annually thereafter.

8. Right to Work from Home.- (1) An employee with six months of continuous service may apply to work from home for up to three days per week.

(2) The employer shall approve such requests unless:

- (a) Genuine operational requirements including but not limited to client-mandated onsite work or access to secured infrastructure;
- (b) Documented performance issues directly linked to remote work.

- (3) Any denial of such request must be provided in writing by the employer within seven days with detailed reasons.
- (4) Remote/Hybrid workers employees shall not be disadvantaged in performance evaluations, bonus allocations, promotion opportunities or project assignments.
- (5) In case the employer requires or allows the Employee to work from home, the employee shall be entitled for all the facilities as described herein under Section 12 of the Act.
- 9. Payment of Wages.-** (1) The employee will be paid wages on a working day before the expiry of the fifth working day in case of the establishment which has engaged less 1000 employees and before the expiry of 7th day working day in case of the establishment which has engaged more than 1000 employees.
- 10. Age of Retirement.-**The age of retirement or superannuation of the employee shall be sixty years and may be continued beyond the age of 60 years, not exceeding 62 years, as per mutual agreement between the employer and the employee under any law for the time being in force.
- 11. Disciplinary proceedings.-** (1) Where a disciplinary proceedings against an employee is contemplated or is pending or where criminal proceedings against him in respect of any offence are under investigation or trial and the employer is satisfied that it is necessary or desirable to place the workman under suspension he may be order in writing suspend him with effect from such date as may be specified in the order. A statement setting out in detail the reasons for such suspension shall be supplied to the employee within one week from the date of suspension.
- (2) An employee who is placed under suspension under sub-section (1) shall during the period of such suspension be paid a subsistence allowance at the following rates, namely:
- (i) Where the inquiry contemplated or pending is department the subsistence allowances shall, for the first ninety days from the date of suspension be equal to 50% of the total wages including basic wages, dearness allowance and other compensatory allowance to which the employee would have been entitled if he were on leave with wages. If the department inquiry gets prolonged and the employee continues to be under suspension for a period exceeding ninety days, the subsistence allowance shall for such period be equal to 75% of the total wages including such basic wages, dearness allowance and other compensatory allowances; if the period suspension exceeds 180 days the Employee is entitled for 90% of the Total wages including such basic wages, dearness allowance and other compensatory allowances;
- Provided that where such inquiry is prolonged beyond a period of 180 days for reasons directly attributable to the workman, the subsistence allowance shall, for the period exceeding 180 days, be reduced to 40% of his

total wages including basic wages, dearness allowance and other compensatory allowances.

(ii) The employee may take the assistance of any other employee/retd., employee/ executive of a registered trade union to present the case on his behalf during the course of the enquiry. In case the management is represented by any legal qualified person, then the employee shall be entitled to be represented by any legal practitioner.

(3) If on the conclusion of the enquiry, or as the case may be, of the criminal proceedings the employee has been found guilty of the charge framed against him and it is considered, after giving the employee concerned a reasonable opportunity of making representation on the penalty proposed, than an order of dismissal or suspension or fine or stoppage of annual increment or reduction in rank would meet the ends of justice, the employer shall pass an order accordingly.

Provided that when an order of dismissal is passed under this clause, the Employee shall be deemed to have been absent from duty during the period of suspension and shall not be entitled to any remuneration for such period, and the subsistence allowance already paid to him shall not be recovered:

Provided further that where the period between the date on which the employee was suspended from duty pending the inquiry or investigation or trial and the date on which an order of suspension was passed under this clause exceeds four days the workman shall be deemed to have been suspended only for four days or for such shorter period as is specified in the said order of suspension and for the remaining period he shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period:

Provided also that where an order imposing fine or stoppage of annual increment or reduction in rank is passed under this clause the Employee shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension after deducting the subsistence allowance paid to him for such period;

(4) If on the conclusion of the inquiry, or as the case may be of the criminal proceedings, the employee has been found to be not guilty of any of the charges framed against him he shall be deemed to have been on duty during the period of suspension and shall be entitled to the same wages as he would have received if he had not been placed under suspension, after deducting the subsistence allowance paid to him for such period.

(5) The payment of subsistence allowance under this act shall be subject to the employee concerned not taking up any employment during the period of suspension.

(6) In awarding punishment under this act the Management shall take into account the gravity of the misconduct, the previous record, if any, of the employee and any other extenuating or aggravating circumstances that may exist. A copy of the order passed by the Management shall be supplied to the employee concerned.

(7) Punishments: The employee found guilty of the acts, commissions, or omissions and misconducts, detailed as prescribed, shall be liable to be punished with any of the following punishment.

(a) Warning

(b) Fine in accordance with the provisions of Payment of wages Act, 1936

(c) Withholding or deferment of increment

(d) Suspension from work without pay not exceeding 30 days

(e) Demotion

(f) Discharge with notice or wages in lieu of pay

(g) Dismissal

(8) The Employer shall normally follow the sequence as described in Sub section in awarding the punishment.

12. Duties of Employers.- (1) Every employer shall ensure, so far as is reasonable predictable, the health, safety and welfare of all employees while they are work in the establishment.

(2) Without prejudice to the generality of the provisions of sub-section (1) the matters to which such duty extends, shall include -

(a) Employers must provide ergonomically sound workstations (chairs, desks, monitors, peripherals) suitable for the role and assessed annually. Employees have the right to request an ergonomic assessment.

(b) Employers must actively encourage employees to take their full rest breaks and provide opportunities for movement/stretching during long work sessions. Monitoring systems preventing breaks are prohibited.

(c) Employers shall provide access to confidential, professional counselling services (Employee Assistance Program - EAP) for employees and their immediate family members, covering work-related stress, anxiety, depression, and personal issues. Minimum six sessions per issue per year funded by the employer.

(d) Employees can utilize up to twelve days of paid medical leave per year specifically for mental health needs without requiring detailed medical disclosure beyond a basic certificate stating "medically advised rest."

(e) Mandatory training for managers on recognizing signs of stress, burnout, and mental distress, and on supportive management practices. Annual mental health awareness programs for all employees.

(f) Employers must actively foster a work culture that reduces stigma around mental health, promotes work-life balance, and discourages persistent

overwork and "always-on" expectations. Performance metrics must not incentivize unhealthy work patterns.

- (g) Provision of clean drinking water, adequate lighting, ventilation, and safe premises. First-aid facilities must be readily available. Employers with large campuses (>200 employees) should provide basic recreational facilities.
- (h) Employers shall provide six free counselling sessions per year through certified professionals.
- (i) Employers have a duty to provide a workplace free from all forms of discrimination, harassment (including sexual harassment), bullying, and victimization based on race, caste, religion, gender, gender identity, sexual orientation, pregnancy, marital status, disability, age, ethnicity, nationality, or any other protected characteristic.
- (j) Employers must establish, communicate widely, and enforce a comprehensive Anti-Discrimination and Anti-Harassment Policy compliant with all relevant laws (PoSH Act, Rights of Persons with Disabilities Act, etc.), incorporating the provisions of this Act.

13. Grievance Redressal Mechanism.- (1) Every establishment employing twenty or more employees shall have one or more Grievance Redressal Committee for the resolution of disputes arising out of individual grievances.

(2) The Grievance Redressal Committee consist of equal number of members from the employer and the employees.

(3) The chairperson of the Grievance Redressal Committee shall be selected from the employer and from among the employees alternatively on rotation basis every year.

(4) The total number of members of the Grievance Redressal Committee shall not exceed more than six:

Provided that there shall be, as far as practicable, one woman member if the Grievance Redressal Committee has two members and in case the number of members are more than two, the number of women members may be increased proportionately.

(5) Notwithstanding anything contained in this section, the setting up of Grievance Redressal Committee shall not affect the right of the employee to raise Industrial dispute on the same matter under the provisions of this Act.

(6) The Grievance Redressal Committee may complete its proceedings within thirty days on receipt of a written application by or on behalf of the aggrieved party.

(7) The employee who is aggrieved of the decision of the Grievance Redressal Committee may, refer an appeal to the employer against the decision of Grievance Redressal Committee and the employer shall, within one month

from the date of receipt of such appeal, dispose off the same and send a copy of his decision to the employee concerned.

(8) Nothing contained in this section shall apply to the employee for whom there is an established Grievance Redressal Mechanism in the establishment concerned.

(9) No employer shall cause any adverse action against an employee for raising any grievance against any supervisor or managerial personnel either directly or otherwise.

14. Application of certain Acts to IT/ITeS Employees.- (1) The provisions of the Employees Compensation Act, 1923 (8 of 1923), as in force for the time being, shall apply to, or in relation to, IT/ITeS employees as they apply to, or in relation to, workmen within the meaning of that Act.

(2) The provisions of the Industrial Disputes Act, 1947 (14 of 1947), as in force for the time being, shall apply to, or in relation to, IT/ITeS employees, who are under the definition of Section 2(s) of the said Act, as they apply to, or in relation to, workmen within the meaning of that Act and for the purposes of any proceeding under that Act in relation to an industrial dispute, employee shall be deemed to include an employee who has been dismissed, discharged or retrenched in connection with, or as a consequence of, that dispute or whose dismissal, discharge or retrenchment had led to that dispute.]

(3) The provisions of the Minimum Wages Act, 1948 (11 of 1948), as in force for the time being, shall apply to, or in relation to, IT/ITeS employees as they apply to, or in relation to, employees within the meaning of that Act.

(4) The provisions of the Maternity Benefit Act, 1961 (53 of 1961), as in force for the time being, shall apply to, or in relation to, IT/ITeS employees, being women, as they apply to, or in relation to, women employed, whether directly or through any agency, for wages in any establishment within the meaning of that Act.

(5) The provisions of the Payment of Bonus Act, 1965 (21 of 1965), as in force for the time being, shall apply to, or in relation to, IT/ITeS employees as they apply to, or in relation to, employees within the meaning of that Act.

(6) The provisions of the Payment of Gratuity Act, 1972 (39 of 1972), as in force for the time being, shall apply to, or in relation to, IT/ITeS employees as they apply to, or in relation to, employees within the meaning of that Act.

(7) All other labour law legislations as applicable to any workman/employee.

15. Maintenance of registers.- Every employer in relation to an establishment shall keep and maintain such registers and other documents and in such manner as may be prescribed.

16. Inspectors.- (1) The State Government may, by notification in the Official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes of this Act and may define the local limits within which they shall exercise their functions.

(2) Any inspector appointed under sub-section (1) may, for the purpose of ascertaining whether any of the provisions of this Act have been complied with in respect of an establishment, -

(a) Require an employer to furnish such information as he may be considered necessary;

(b) At any reasonable time enter the establishment or any premises connected therewith and require any one found in charge thereof to produce before him for examination any registers and other documents relating to the employment of IT/ITeS employees;

(c) Examine with respect to any matter relevant to any of the purposes aforesaid, the employer, his agent or any other person found in charge of the establishment or any premises connected therewith or any person whom the Inspector has reasonable cause to believe to be or to have been a IT/ITeS employee in the establishment;

(d) Make copies of or take extracts from any register or other documents maintained in relation to the establishment under this Act;

(e) Exercise such other powers as may be prescribed.

(4) Every Inspector shall be deemed to be a public servant within the meaning of section 2(28) of Bharatiya Nyaya Sanhita 2023.

(5) Any person required to produce any register or other document or to give information by an Inspector under sub-section (2) shall be legally bound to do so.

17. Penalty.-If any employer contravenes the provisions of his Act or any rules made under this Act, he shall be punishable with imprisonment for 1 month or fine which may extend to twenty-five thousand rupees or both.

18. Offences by companies.- (1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this section, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(1) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the

company, such director, manager, secretary or other officer shall also be deemed to be guilty of such offence and shall be liable to be proceeded against and - punished accordingly.

(2) For the purposes of this section,—

- (a) “company” means any body corporate and includes a firm or other association of individuals engaged in providing IT/ITeS services as defined under this Act; and
- (b) “director”, in relation to a firm or an association of persons, means a partner, proprietor, or any individual holding a position analogous to that of a director in a company.

19. Cognizance of offence.- (1) No court inferior to that of a Metropolitan Magistrate or a Magistrate of the first class shall try any offence punishable under this Act.

(2) No court shall take cognizance of an offence under this Act, unless the complaint thereof is made within six months of the date on which the offence is alleged to have been committed except for reasons as submitted by the complainant the limitation can be extended at the discretion of the Court.

(3) The provisions of the Limitation Act, 1963, shall apply in according the condonation of any delay.

20. Effect of laws and agreements inconsistent with this Act.- (1) The provisions of this Act or of any rule made thereunder shall have effect, notwithstanding anything inconsistent therewith contained in any other law or in the terms of any award, agreement, settlement or contract of service, whether made before or after the coming into force of this Act:

Provided that where under any such law, award, agreement, settlement or contract of service, a sales promotion employee is entitled to benefits in respect of any matter which are more favourable to him than those to which he would be entitled under this Act, the sales promotion employee shall continue to be entitled to the more favourable benefits in respect of that matter, notwithstanding that he is entitled to receive benefits in respect of other matters under this Act.

(2) Nothing contained in this Act shall be construed to preclude a sales promotion employee from entering into an agreement with his employer for granting him rights or privileges in respect of any matter which are more favourable to him than those to which he would be entitled under this Act.

21. Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) Letter of Appointment
- (b) Leaves;

- (c) working hours;
- (d) discrimination policy;
- (e) disciplinary process;
- (f) misconducts
- (g) Registers
- (h) grievance redressal mechanism;
- (i) Any other matter which has to be, or may be prescribed.

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be (3) Every rule made by the State Government under this Act 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 session immediately following the session or the successive sessions aforesaid, the State Legislature agrees in making any modification in the rule or the State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE KARNATAKA REGULATION OF DISCIPLINARY PROCEEDINGS IN WORKPLACES BILL, 2025

A Bill to regulate disciplinary proceedings in workplaces in the State of Karnataka, to provide for a fair, just, and standardized process for inquiring into allegations of misconduct against employees, to codify the principles of natural justice, to ensure the right to a fair hearing and defence, and for matters connected therewith or incidental thereto.

Whereas, the right to life and livelihood under Article 21 of the Constitution of India encompasses the right to fair procedure before termination of employment;A

And whereas, the existing statutory framework lacks a comprehensive legislation detailing the procedural requirements of conducting disciplinary proceedings, leaving employees vulnerable to arbitrary and unfair actions;

And whereas, it is expedient to enact a state-specific legislation to ensure uniformity, transparency, and fairness in disciplinary proceedings across all establishments;

Be it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Regulation of Disciplinary Proceedings in Workplaces Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Application.- (1) This Act shall apply to all establishments, –

(a) Where ten or more employees are employed or were employed on any day of the preceding twelve months;

(b) Including establishment owned by the State Government or any local authority, but excluding those owned by the Central Government to which the Central Civil Services (Classification, Control and Appeal) Rules apply.

3. Definitions.-In this Act, unless the context otherwise requires –

(a) “establishment” means any place where any industry, trade, business, manufacture, or occupation is carried on;

(b) “employee” means any person employed in any industry, trade, business, manufacturing unit, or occupation to do any manual, unskilled, skilled, technical, operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied, but does not include any such person employed in an establishment owned by the Central Government to which the Central Civil

Services (Classification, Control and Appeal) Rules apply and state Government to whom the Karnataka State Civil Services Rules apply.

- (c) “employer” means any person, in relation to an industry carried on by or under the authority of any department of 9 [the Central Government or a State Government], the authority prescribed in this behalf, or where no authority is prescribed, the head of the department; or in relation to an industry carried on by or on behalf of a local authority, the chief executive officer of that authority;
- (d) “disciplinary authority” means the authority specified by the employer to initiate and conclude disciplinary proceedings under this Act;
- (e) “misconduct” shall have the meaning assigned to it under Section 7;
- (f) “controlling authority” means an office appointed by the State Government under Section 4;
- (g) "principles of natural justice" include the right to be heard (audi alteram partem), the rule against bias (nemo iudex in causa sua), the right to a reasoned decision; and the right to know the evidence against oneself.

CHAPTER II AUTHORITIES AND OVERRIDING EFFECT

- 4. Appointment of Controlling Authority.**-The State Government may, by notification, appoint one or more officers, not below the rank of Deputy Commissioner of Labour, to be the Controlling Authority for the purposes of this Act.
- 5. Powers and Functions of the Controlling Authority.**-The Controlling Authority shall have the power to –
 - (1) Supervise the implementation of this act;
 - (2) Call for records of any disciplinary proceedings to ensure compliance with this Act;
 - (3) Issue directives to employers for adhering to the provisions of this Act;
 - (4) Impose penalties under Section 28.
- 6. Act to have overriding effect.**-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or rules of standing orders, either the certified or model standing orders, for the time being in force, or in terms of any contract of employment, or any standing orders.

CHAPTER III CLASSIFICATION OF MISCONDUCT AND INITIATION OF PROCEEDINGS

- 7. Misconduct.**- For the purposes of this Act, misconduct means as per the service rules including the standing orders, either the Certified or the Model as the case may be.
- 8. Right to Fair Disciplinary Proceeding.**- No employee shall be dismissed, removed, or subjected to any major penalty on grounds of misconduct unless such misconduct has

been proved in a disciplinary proceeding held against him in accordance with the provisions of this Act.

9. Preliminary Enquiry.- (1) Whenever the Disciplinary Authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against an employee, it may itself inquire into, or appoint under this Act an authority to inquire into the truth thereof;

(2) No findings of fact or admissions obtained during this preliminary enquiry shall be used as evidence in the formal enquiry under Section 16.

(3) The officer conducting the preliminary enquiry shall not be the Officer for the formal enquiry, except for reasons to be recorded in writing.

10. Show cause Notice.- (1) Where the Disciplinary Authority, after the preliminary enquiry, is of the opinion that there is prima facie case on the complaint against the employee, then the disciplinary authority shall issue a show cause notice to the employee seeking explanation on the alleged complaint.

(2) The Employee shall be issued the show cause notice in the language of English or Kannada. If the Employee seeks the content of the Show cause notice in the language of Kannada, the Disciplinary Authority shall serve the Show cause notice in the language of Kannada.

(3) The Employee shall be provided not less than 15 days of time to reply to the show cause notice. The Disciplinary Authority may extend the time to reply on the request of the employee. But such requests shall not be rejected on arbitrary grounds.

11. Issue of Charge-Sheet.- (1) Where the disciplinary authority is of the opinion that the reply to the show cause notice is not satisfactory and decides to initiate a formal enquiry, it shall draw up or cause to be drawn up –

(a) The substance of the imputations of misconduct or misbehaviour into definite and distinct articles of charge;

(b) A statement of imputations of misconduct or misbehaviour in support of each article of charge, which shall contain –

(i) a statement of all relevant facts including date, time, place of alleged misconduct and any admission or confession made by the employee;

(ii) a list of documents by which, and list of witnesses by whom, the article of charge are proposed to be sustained;

(iii) the proposed punishment if the charges are proved;

(1) The Disciplinary Authority shall deliver or cause to be delivered to the employee a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charges is proposed to be sustained and shall require the employee to submit, within such time as may be specified, not less than 15 days of time from the date of receipt of the

charge sheet, a written statement of his defence and to state whether he desires to be heard in person.

- (2) The Employee shall be issued the Charge Sheet in the language of English or Kannada. If the Employee seeks the content of the Charge Sheet in the language of Kannada, the Disciplinary Authority shall serve the same in the language of Kannada.
- (3) The Disciplinary Authority may extend the time to reply on the request of the employee. But such requests shall not be rejected on arbitrary grounds.

12. Suspension Pending Enquiry.- (1) A employee may be placed under suspension pending enquiry only if the alleged misconduct is of a serious nature, such as involving violence, moral turpitude, or a serious threat to property or other employees.

(2) The order of suspension shall state the reasons for such suspension and shall be communicated to the employee in writing.

(3) Where the Enquiry contemplated or pending and the employees is suspended, the employee is entitled for the subsistence allowances which shall be, for the first ninety days from the date of suspension be equal to 50% of the total wages including basic wages, dearness allowance and other compensatory allowance to which the employee would have been entitled if he were on leave with wages. If the Enquiry gets prolonged and the employee continues to be under suspension for a period exceeding ninety days, the subsistence allowance shall for such period be equal to 75% of the total wages including such basic wages, dearness allowance and other compensatory allowances; if the period suspension exceeds 180 days the Employee is entitled for 90% of the Total wages including such basic wages, dearness allowance and other compensatory allowances;

Provided that where such Enquiry is prolonged beyond a period of 180 days for reasons directly attributable to the workman, the subsistence allowance shall, for the period exceeding 180 days, be reduced to 50% of his total wages including basic wages, dearness allowance and other compensatory allowances.

CHAPTER IV PROCEDURE FOR ENQUIRY

13. Appointment of Enquiry Officer.- (1) On a receipt of the written statement of defence the Disciplinary Authority shall, appoint an independent Enquiry officer for the purpose, and where all the articles of charge have been admitted by the employee in his written statement of defence, the Disciplinary Authority shall record its findings on each charge after taking such evidence as it may think fit and shall act in the manner laid down by this Act.

(2) The disciplinary authority shall appoint an Enquiry officer who is unbiased, impartial, and not subordinate to the complainant.

(3) No person shall be appointed as an Enquiry officer if he—

- (a) is a witness in the matter;
 - (b) is related to the complainant or the delinquent employee;
 - (c) has any personal or pecuniary interest in the outcome of the enquiry;
- (4) The Disciplinary Authority shall, forward to the Enquiry officer –
- (a) A copy of the articles of charge and the statement of imputations of misconduct or misbehaviour;
 - (b) A copy of the written statement of defence, if any, submitted by the employee;
 - (c) A copy of the statements of witnesses, if any, referred to in Section 11(1)(b)(ii);
 - (d) Evidence proving the delivery of the documents referred to in Section 11(1)(b) to the employee;
 - (e) A copy of the order appointing the “Presenting Officer”;
- (5) The Enquiry officer shall be a legally qualified person having not less than 10 years of experience in appearing before the appropriate forum on service or labour related matters.

14. Appointment of Presenting Officer.- When the Disciplinary Authority itself inquires into any articles of charge or appoints an Enquiry officer for holding an enquiry into such charge, it may, by an order, appoint an employee or a legal practitioner to be known as the “Presenting Officer” to present on its behalf the case in support of the articles of charge.

15. Notice of Enquiry.- (1) The Enquiry Officer shall issue a notice to the employee specifying the date, time, and place of the enquiry.

(2) The notice shall be given at least three working days in advance and shall inform the employee of his right to—

- (a) be represented of his choice as described in Section 16(2) of this Act;
- (b) cross-examine the management's witnesses;
- (c) present his own witnesses and evidence;
- (d) access all documents listed in the charge-sheet.

16. Conduct of the Enquiry.- (1) The Employee shall appear in person before the Enquiry officer on such day and at such time as the Enquiry officer may, by a notice in writing, specify in this behalf or within such further time, not exceeding ten days, as the Enquiry officer may allow.

(2) The Employee may take the assistance of any other employee or ex-employee or executive of a registered trade union under the Trade Unions Act, 1926, or by a legal practitioner if the Presenting Officer appointed by the Disciplinary Authority is legally qualified person or, the Disciplinary Authority, having regard to the circumstances of the case, so permits:

(3) The enquiry shall be held during working hours at the premises of the establishment, unless the enquiry Officer, for recorded reasons, decides otherwise.

(4) Commencement of the Enquiry Process,-

- (a) If the employee who has not admitted any of the articles of charge in his written statement of defence or has not submitted any written statements of defence, appears before the Enquiry officer, such officer shall ask him whether he is guilty or has any defence to make and if he pleads guilty to any of the articles of charge, the Enquiry officer shall record the plea, sign the record and obtain the signature of the employee thereon.
 - (b) The Enquiry officer shall return a finding of guilt in respect of those articles of charge to which the employee pleads guilty.
 - (c) If the employee denies the charges, the employer shall present evidence and witnesses in support of the charges. The employee shall have the right to cross-examine every witness.
 - (d) After the employer's evidence is closed, the employee shall be given an opportunity to present his defence and evidence, and examine his witnesses, who may be cross-examined by the employer's representative.
 - (e) The enquiry Officer may permit the parties to file written arguments.
- (5) The Enquiry officer shall if the employee fails to appear within the specified time or refuses or omits to plead or fails to appear inspite of receiving 3 notices to appear, require the Presenting Officer to produce the evidence by which he proposes to prove the articles of charge, and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the employee may, for the purpose of preparing his defence –
- (a) Inspect within 15 days of the order or within such further time not exceeding five days as the Enquiry officer may allow, the documents specified in the list provided in Section 11(1)(b);
 - (b) Submit a list of witnesses to be examined on his behalf;
 - (c) Apply orally or in writing to inspect and take extracts of the statements, if any, of witnesses mentioned in the list referred to in Section 11(1)(b) and the Enquiry officer shall permit him to take such extracts as early as possible and, in any case, not later than three days before the commencement of the examination of the witnesses on behalf of the Disciplinary Authority;
 - (d) Give a notice within 15 days of the order or within such further time not exceeding 30 days as the Enquiry officer may allow for the discovery or production of any documents which are in the possession of the Employer but not mentioned in the list referred to in Section 11(1)(b).
Provided that the employee shall indicate the relevance of the documents required by him to be discovered or produced by the employer.
- (6) The Enquiry officer shall, on receipt of the notice for the discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept, with a requisition for the production of the document by such date as may be specified in such requisition:

Provided that the Enquiry officer may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.

- (7) On the receipt of the requisition referred above, every authority having the custody or possession of the questioned documents shall produce the same before the Enquiry officer:
- (8) On the date fixed for the enquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved shall be produced by or on behalf of the Disciplinary Authority. The witnesses shall be examined by or on behalf of the Presenting Officer and may be cross-examined by or on behalf of the employee. The Presenting Officer shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter, without the leave of the Enquiry officer. The Enquiry officer may also put such questions to the witnesses as it thinks fit.
- (9) If it shall appear necessary before the close of the case on behalf of the Disciplinary Authority, the Enquiry officer may, in its discretion, allow the Presenting Officer to produce evidence not included in the list given to the employee or may itself call for new evidence or recall and re-examine any witness and in such case the employee shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the for three clear days before the production of such new evidence, exclusive of the day of adjournment and day to which the is adjourned. The Enquiry officer shall give the employee an opportunity of inspecting such documents before they are taken on the record. The Enquiry officer may also allow the employee to produce new evidence, if it is of the opinion that the production of such evidence is necessary in the interests of justice.

Note - New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called to only when there is an inherent lacuna or defect in the evidence which has been produced originally.

- (10) When the case for the Disciplinary Authority is closed, the employee shall be required to state his defence, orally or in writing as he may prefer. If the defence is made orally, it shall be recorded and the employee shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting Officer, if any, appointed.
- (11) The evidence on behalf of the employee shall then be produced. The employee may examine himself in his own behalf if he so prefers. The witnesses produced by the employee shall then be examined and shall be liable to cross-examination re-examination and examination by the Enquiry officer according to the provisions applicable to the witnesses for the Disciplinary Authority.

- (12) The Enquiry officer may, after the employee closes his case and shall, if the employee has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the employee to explain any circumstances appearing in the evidence against him.
- (13) The Enquiry officer may, after the completion of the production of evidence, hear the Presenting Officer, if any, appointed and the employee or permit them to file written briefs of their respective case, if they so desire.
- (14) If the employee to whom a copy of the articles of charge has been delivered, does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the Enquiry officer or otherwise fails or refuses to comply with the provisions of this rule or repeated fails to appear in the Enquiry without intimating at any stage of the Enquiry, the Enquiry officer may hold the Employee ex-parte; But the Enquiry officer shall cause a notice to the Employee on why he should be held ex parte and the enquiry proceeding in his absence before making the Employee Ex Parte.
- (15) The Disciplinary Authority to which the records are so forwarded may act on the evidence on the record or may, if it is of the opinion that further examination of any of the witnesses is necessary in the interest of justice, recall the witness and examine, cross-examine and re-examine the witness and may impose on the employee such penalty as it may deem fit in accordance with this Act.
- (16) Whenever any Enquiry officer, after having heard and recorded the whole or any part of the evidence in an ceases to exercise jurisdiction therein and is succeeded by another Enquiry officer which has and which exercises, such jurisdiction, the Enquiry officer so succeeding may act on the evidence so recorded by its predecessor or partly recorded by its predecessor and partly recorded by itself;
Provided that if the succeeding Enquiry officer is of the opinion that further examination of any witnesses whose evidence has already been recorded is necessary in the interest of justice, it may recall, examine, cross examine and re-examine any such witnesses as herein before provided.
- (17) No employee facing a disciplinary proceeding shall be transferred, deputed or otherwise posted out of jurisdiction of the disciplinary authority which initiated such disciplinary proceeding.
- (18) The Enquiry shall be completed within a period of 180 days from the date of appointment of the Enquiry Officer and the time frame may be extended beyond the period of 180 days for the reasons stated therein;
- (19) The Enquiry proceedings shall held in the Language of English or Kannada as per the choice of the Employee;
- (20) The proceeding of the Enquiry shall be typed in a legible manner;
- (21) The Copy of the daily order sheet shall be supplied to the Employee irrespective of this present on the date specified.

- (22) The Enquiry officer or the Presenting officer shall not force the Employee to sign the daily proceedings;
- (23) If the Employee feels that the enquiry proceedings are being held prejudiced to his rights, he shall be allowed to receive and sign the copy of the proceedings under protest;

17. Rights of the Delinquent Employee.-Notwithstanding anything contained in any standing orders, contract of employment, or any other instrument for the time being in force, every delinquent employee against whom a disciplinary proceeding has been initiated under this Act shall be entitled to the following rights throughout the course of the enquiry:

- (a) the right to be represented as described in Section 16(2);
- (b) the right to be supplied with copies of all documents, statements, and other evidence relevant to the case and relied upon by the disciplinary authority,
- (c) the right to cross-examine all witnesses presented by the Presenting Officer in support of the articles of charge;
- (d) the right to present witnesses on his own behalf, and such witnesses who are employees of the same establishment shall be granted necessary time off to participate in the without any loss of pay;
- (e) the right to have the entire proceedings, including the charge-sheet, evidence, and the report, explained and conducted in a language which he understands, and where necessary, the services of an interpreter shall be provided by the employer at its expense; and
- (f) the right to receive a copy of the report submitted by the Enquiry Officer to the disciplinary authority under Section 19.
- (g) To have the proceedings of the Enquiry held in the Language of English or Kannada;

18. Duties and functions of the Enquiry Officer.- (1) The Officer shall act in a quasi-judicial capacity and shall be responsible for ensuring that the is conducted in a fair, impartial, and objective manner, in accordance with the principles of natural justice and the provisions of this Act.

- (2) Without prejudice to the generality of sub-section (1), the Officer shall—
 - (a) record the oral evidence of witnesses in a question-and-answer form, to the extent practicable;
 - (b) ensure that the recorded proceedings of each sitting are attested by himself and signed by the Presiding Officer, the delinquent employee or his representative, and any other official party to the proceedings;
 - (c) refrain from acting in the capacity of a Presenting Officer or prosecutor for the disciplinary authority, and shall maintain strict neutrality; and
 - (d) have the power to administer an oath or affirmation to any witness called to give evidence before him.

19. Enquiry Report.- (1) Upon conclusion of the Enquiry, the Enquiry Officer shall submit a self-contained report to the disciplinary authority within 15 days.

(2) The report shall contain—

- (a) The articles of charge and the statement of the imputations of misconduct or misbehaviour;
- (b) the defence of the employee in respect of each article of charge;
- (c) an assessment of the evidence in respect of each article of charge;
- (d) the findings on each article of charge and the reasons therefore.

Explanation: If in the opinion of the Enquiry officer the proceeding of the establish any article of charge different from the original articles of the charge, it may record its findings on such article of charge:

Provided that the findings on such article of charge shall not be recorded unless the employee has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(3) The Enquiry officer, shall forward to the Disciplinary Authority the record of which shall include-

- (a) the report prepared by it under clause (2);
- (b) the written statement of defence, if any submitted by the Government servant;
- (c) the oral and documentary evidence produced in the course of the enquiry;
- (d) written briefs, if any, filed by the Presenting Officer or the employee or both during the course of the proceedings; and
- (e) the orders, if any made by the Enquiry officer in regard to the Enquiry.

20. Show-cause notice against proposed punishment.- (1) The disciplinary authority shall, if it agrees with the findings of guilt, issue a written Second Show Cause notice to the employee containing a copy of the report and proposing the punishment after receiving the reply to the report of the Enquiry officer.

(2) The employee shall be given not less than 15 working days to show cause why the proposed punishment should not be imposed. The Disciplinary Authority shall extend the time to reply to the report subject to the Delinquent employees provides reasons seeking further time to reply to the report

CHAPTER V PENALTIES AND ORDERS

21. Action on the Enquiry Report.- (1) The Disciplinary Authority, if it is not itself the Enquiry officer may, for reasons to be recorded by it in writing, remit the case to the Enquiry officer for further and report and the Enquiry officer shall thereupon proceed to hold the further proceeding according to the provisions of Section 16 as far as may be.

(2) The Disciplinary Authority shall, if it disagrees with the findings of the Enquiry officer on any article of charge record its reasons for such dis-agreement and record its own findings on such charge if the evidence on record is sufficient for the purpose.

(3) If the Disciplinary Authority having regard to its findings, on all or any of the articles of charge is of the opinion that one or more penalties specified in Section 22 should be imposed on the employee, it shall, notwithstanding anything contained in this section, make an order imposing such penalty;

(4) The punishment imposed must be proportionate to the gravity of the misconduct proved.

(5) No order imposing shall be made before –

(a) Informing the Employee in writing of the proposal to take action against him and of the imputations of misconduct or misbehaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representations as he may wish to make against the proposal;

(b) Holding an enquiry in the manner laid down in this act, in every case in which the Disciplinary Authority is of the opinion that such enquiry is necessary;

Provided that no order imposing penalty of withholding increments with cumulative effect shall be made without holding an enquiry in the manner laid in Section 16.

(c) Taking the representation, if any, submitted by the employee under sub-clause (a) and the record of enquiry, if any, held under sub-clause (b) into consideration;

(d) Recording a finding on each imputation of misconduct or misbehaviour.

22. Penalties.- One or more of the following penalties for good and sufficient reasons and as hereinafter provided, may be imposed on employees, namely, -

(1) Fine;

(2) Censure;

(3) Withholding of increments;

(4) Withholding of promotion

(5) Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to any person, body or authority to whom the service of the employee had been lent;

Explanation: The words “pecuniary loss” shall mean and include interest from the date of causing such loss, at eight percent per annum on the loss caused by the employee.

(6) Reduction to a lower stage in the time scale of pay for a period with a specific direction as to whether or not the employee will earn increments of pay during the period of such reduction with reference to the reduced pay or whether the pay shall remain constant and with a further direction whether on the expiry of the period of penalty the reduction will or will not have the effect of postponing the future increments of his pay;

- (7) Reduction to a lower time scale of pay, grade, post or service which shall, unless otherwise directed, be a bar to the promotion of the employee to the time scale of pay, grade, post or service from which he was reduced, with or without further directions regarding :-
- (a) Seniority and pay in the scale of pay, grade, post or service to which the employee is reduced.
- (b) Conditions of restoration to the scale of pay grade or post of service from which the employee was reduced and his seniority and pay on such restoration to that scale of pay, grade, post or service;
- (8) Compulsory retirement;
- (9) Removal from service which shall not be a disqualification for future employment;
- (10) Dismissal from service which shall ordinarily be a disqualification for future employment.
- (11) No major punishment like, compulsory retirement, removal or dismissal shall be imposed without exhausting minor punishment as described above;

23. Communication of Order.- Orders made by the Disciplinary Authority shall be communicated to the employee who shall also be supplied with a copy of the report of the enquiry, if any, held by the Disciplinary Authority and a copy of its findings on each article of charge or where the Disciplinary Authority is not the Enquiry officer , a copy of the report of the Enquiry officer and the statement of the finding of the Disciplinary Authority together with brief reasons for its disagreement, if any, with the findings of the Enquiry officer (unless they have already been supplied to him).

Provided that it shall not be necessary to supply copies of said documents where the Disciplinary Authority exonerates the employee or where such documents have already been supplied to the employee.

CHAPTER VI SPECIAL PROVISIONS AND APPEALS

24. Procedure in cases of sexual harassment against women.- Notwithstanding anything contained in this act, the internal committees constituted to inquire into the cases of sexual harassment against women in working places after having conducted an enquiry on the employee shall submit a report along with details and documents, such report shall be considered by the disciplinary authority and keeping in view the nature and gravity of the proved misconduct, any one or more than one punishment specified under Section 22 shall be imposed. An opportunity of being heard shall be given to the accused before imposing such penalty.

25. Appeal to Appellate Authority.- (1) Any employee aggrieved by an order of punishment may appeal to an Appellate Authority, constituted by the employer, within thirty days from the date of receipt of the order.

(2) The appeal shall be decided within sixty days after giving an opportunity of hearing to the employee.

26. Grievance Redressal Committee.- For establishments employing twenty or more employees, the provisions of the grievance redressal mechanism under the Industrial Disputes Act, 1947 shall apply.

CHAPTERS VII RECORDS, OFFENCES, AND MISCELLANEOUS

27. Maintenance of Records.- Every employer shall maintain full and complete records of all disciplinary proceedings for a period of ten years from the date of the final order.

28. Penalties for Non-Compliance.-If any employer contravenes any provision of this Act, the Controlling Authority may impose a fine which may extend to one lakh rupees, and in the case of a continuing contravention, with an additional fine which may extend to five thousand rupees for every day during which such contravention continues.

29. Protection against Victimisation.- Any victimisation of a employee for exercising his rights under this Act shall be deemed to be an unfair labour practice under the Industrial Disputes Act, 1947.

30. Power to make rules.- The State Government may, by notification, make rules for carrying out the purposes of this Act.

31. Power to remove difficulties.-The State Government may, by order, remove any difficulty that arises in giving effect to the provisions of this Act.

32. Repeal and Savings.- (1) Nothing in this Act shall affect any disciplinary proceeding pending immediately before the commencement of this Act, which shall be disposed of in accordance with the provisions applicable prior to such commencement.

(2) All rules and standing orders in force in any establishment, insofar as they are inconsistent with the provisions of this Act, shall stand modified to the extent of such inconsistency.

THE KARNATAKA RECOGNITION OF TRADE UNIONS AND PREVENTION OF UNFAIR LABOUR PRACTICES BILL, 2025

A Bill to provide for the recognition of trade unions for facilitating collective bargaining for certain undertakings; to state their rights and obligations; to confer certain powers on unrecognised unions; to provide for declaring certain strikes and lock-outs as illegal strikes and lock-outs; to define and provide for the prevention of certain unfair labour practices; to constitute Industrial courts (as independent machinery) for carrying out the purposes of according recognition to trade unions and for enforcing the provisions relating to unfair practices; and to provide for matters connected with the purposes aforesaid.

1. Short title Extent, commencement and application.- (1) This Act may be called the Karnataka Recognition of Trade Unions and Prevention of Unfair Labour Practices bill, 2025.

(2) This Act extends to the whole of the State of Karnataka

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different areas and for different provisions of this Act.

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

- (1) “Central Act” means the Industrial Disputes Act, 1947 (XIV of 1947);
- (2) “concern” means any premises including the precincts thereof where any industry to which the Central Act applies is carried on;
- (3) “Court” for the purposes of Chapters VI and VII means the Industrial Court,
- (4) “employee”, in relation to an industry means a workman as defined in clause (s) of section 2 of the Central Act, and a sales promotion employee as defined in clause (d) of section 2 of the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976);]
- (5) “employer” in relation to an industry means an employer as defined in clause (g) of section 2 of the Central Act;
- (6) “Industry” means an industry as defined in clause (j) of section 2 of the Central Act;
- (7) “Industrial Court” means an Industrial Court constituted under section 4;
- (8) “Investigating Officer” means an officer appointed under section 8;
- (9) “member” means a person who is an ordinary member of a union, and has paid a subscription to the union of not less than Rs. 2 per calendar month:

Provided that, no person shall at any time be deemed to be a member, if his subscription is in arrears for a period of more than three calendar

months during the period of six months immediately preceding such time, and the expression “membership” shall be construed, accordingly.

Explanation. — A subscription for a particular calendar month shall, for the purpose of this clause, be deemed to be in arrears, if such subscription is not paid within three months after the end of the calendar month in respect of which it is due;

- (10) “order” means an order of the Industrial Court;
- (11) “recognised union” means a union which has been issued a certificate of recognition under Chapter III;
- (12) “Schedule” means a Schedule appended to this Act;
- (13) “undertaking” for the purposes of Chapter III, means any concern in industry to be one undertaking for the purpose of that Chapter: Provided that, the State Government may notify a group of concerns owned by the same employer in any industry to be one undertaking for the purpose of that Chapter;
- (14) “unfair labour practices” means unfair labour practices as defined in section 21;
- (15) “union” means a trade union of employees, which is registered under the Trade Unions Act, 1926;
- (16) words and expressions used in this Act and not defined therein, but defined under the central Act or, as the case may be, the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976), shall in relation to an industry to which the provisions of the central Act apply, have the meanings assigned to them by the central Act or, as the case may be, the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976); and in any other case, shall have the meanings assigned to them by the Central Act or, as the case may be, the Sales Promotion Employees (Conditions of Service) Act, 1976 (11 of 1976).

CHAPTER II

AUTHORITIES UNDER THIS ACT

- 3. Industrial Court.-** (1) The State Government shall, by notification in the Official Gazette, constitute one or more Industrial Courts, having jurisdiction in such local areas, as may be specified in such notification, and shall appoint persons having the prescribed qualifications to preside over such Courts:

Provided that, no person shall be so appointed as a presiding officer of an industrial court unless he possesses qualifications (other than the qualification of

age), prescribed under Article 234 of the Constitution for being eligible to enter the judicial service of the State of Karnataka; and is not more than sixty years of age.

(2) Every Presiding officer of the Industrial Court shall be a person who is not connected with the complaint referred to that Court, or with any industry directly affected by such complaint:

Provided that, every Presiding officer shall be deemed to be connected with a complaint or with an industry by reason of his having shares in a company which is connected with, or likely to be affected by, such complaint, unless he discloses to the State Government the nature and extent of the shares held by him in such company and in the opinion of the State Government recorded in writing, such member is not connected with the complaint, or the industry.

4. Duties of Industrial Court.- It shall be the duty of the Industrial Court,—

- (1) to decide an application by a union for grant of recognition to it;
- (2) to decide an application by a union for grant of recognition to it in place of a union which has already been recognised under this Act;
- (3) to decide an application from another union or an employer for withdrawal or cancellation of the recognition of a union;
- (4) to decide complaints relating to unfair labour practices except unfair labour practices falling in Item 1 of Schedule III;
- (5) to assign work, and to give directions, to the Investigating Officers in matters of verification of membership of unions, and investigation of complaints relating to unfair labour practices;
- (6) to decide references made to it on any point of law either by any civil or criminal court; and

5. Investigating Officers.- The State Government may, by notification in the Official Gazette, appoint such number of Investigating Officers for any area as it may consider necessary, to assist the Industrial Court and Labour Courts in the discharge of their duties.

6. Duties of Investigating Officers.- (1) The Investigating Officer shall be under the control of the Industrial Court, and shall exercise powers and perform duties imposed on him by the Industrial Court.

(2) It shall be the duty of an Investigating Officer to assist the Industrial Court in matters of verification of membership of unions, and assist the Industrial court for investigating into complaints relating to unfair labour practices

(3) It shall also be the duty of an Investigating Officer to report to the Industrial Court,

the existence of any unfair labour practices in any industry or undertaking, and the name and address of the persons said to be engaged in unfair labour practices and any other information which the Investigating Officer may deem fit to report to the Industrial Court, or as the case may be, the Labour Court.

CHAPTER III RECOGNITION OF UNIONS

- 7. Application of Chapter III.-** (1) Subject to the provisions of Sections 9 and 10, the provisions of this Chapter shall apply to every undertaking, wherein fifty or more employees are employed, or were employed on any day of the preceding twelve months:

Provided that, the State Government may, after giving not less than sixty days' notice if its intention so to do, by notification in the Official Gazette, apply the provisions of this Chapter to any undertaking, employing such number of employees less than fifty as may be specified in the notification.

(2) If the number of employees employed in any undertaking to which the provisions of this Chapter apply at any time falls below fifty continuously for a period of one year, those provisions shall cease to apply to such undertaking.

- 8. Application for Recognition of Union.-** (1) Any union (hereinafter referred to as the "applicant union") which has for the whole of the period of six calendar months immediately preceding the calendar month in which it so applies under this section a membership of not less than thirty per cent of the total number of employees employed in any undertaking may apply in the prescribed form to the Industrial Court for being registered as a recognised union for such undertaking.

(2) Every such application shall be disposed of by the Industrial Court as far as possible within three months from the date of receipt of the application, where a group of concerns in any industry which is notified to be one undertaking for which recognition is applied for is situated in the same local area; and in any other case, within four months.

Explanation: "local area" for the purposes of this sub-section means the area which the State Government may, by notification in the Official Gazette, specify in the notification

- 9. Recognition of Union.-** (1) On receipt of an application from a union for recognition under section 9 and on payment of the prescribed fees, not exceeding rupees five the Industrial Court shall, if it finds the application on a preliminary scrutiny to be in order, cause notice to be displayed on the notice board of the undertaking, declaring its intention to consider the said application on the date specified in the notice, and

calling upon the other union or unions, if any, having membership of employees in that undertaking and the employers and employees affected by the proposal to show cause, within a prescribed time, as to why recognition should not be granted to the applicant union.

(2) If, after considering the objections, if any, that may be received under subsection (1) from any other union (hereinafter referred to as “other union”) or employers or employees, if any, and if after holding such enquiry in the matter as it deems fit, the Industrial Court comes to the conclusion that the conditions requisite for registration specified in section 9 are satisfied, and the applicant union also complies with the conditions specified in section 17 of this Act, the Industrial Court shall, subject to the provisions of this section, grant recognition to the applicant union under this Act, and issue a certificate of such recognition in such form as may be prescribed.

(3) If the Industrial Court comes to the conclusion, that any of the other unions has the largest membership of employees employed in the undertaking, and the said other union has notified to the Industrial Court its claim to be registered as a recognised union for such undertaking, and if it satisfies the conditions requisite for recognition specified in section 9, and also complies with the conditions specified in section 17 of this Act, the Industrial Court shall, subject to the provisions of this section, grant such recognition to the other union, and issue a certificate of such recognition in such form as may be prescribed.

Explanation: For the purpose of this sub-section, the other union shall be deemed to have applied for recognition in the same calendar month as the applicant union.

(4) There shall not, at any time, be more than one recognised union in respect of the same undertaking.

(5) The Industrial Court shall not recognise any union, if it is satisfied that the application for its recognition is not made bona fide in the interest of the employees, but is made in the interest of the employer, to the prejudice of the interest of the employees.

(6) The Industrial Court shall not recognise any union, if, at any time, within six months immediately preceding the date of the application for recognition, the union has instigated, aided or assisted the commencement or continuation of a strike which is deemed to be illegal under this Act.

10. Cancellation of Recognition and Suspension of Rights.- (1) The Industrial Court shall cancel the recognition of a union if after giving notice to such union to show cause why its recognition should not be cancelled, and after holding an inquiry, it is satisfied,-

- (a) that it was recognised under mistake, misrepresentation or fraud; or
- (b) that the membership of the union has, for a continuous period of six calendar months, fallen below the minimum required under section 9 for its recognition:

Provided that, where a strike (not being an illegal strike under the Central Act) has extended to a period exceeding fourteen days in any calendar month, such month shall be excluded in computing the said period of six months:

Provided further that, the recognition of a union shall not be cancelled under the provisions of this sub-clause, unless its membership for the calendar month in which show cause notice under this section was issued was less than such minimum; or

- (c) that the recognised union has, after its recognition, failed to observe any of the conditions specified under this Act; or
- (d) that the recognised union is not being conducted bona fide in the interests of employees, but in the interests of employer to the prejudice of the interest of employees; or
- (e) that, it has instigated, aided or assisted the commencement or continuation of a strike which is deemed to be illegal under this Act; or
- (f) that its registration under the Trade Unions Act, 1926 (XVI of 1926), is cancelled; or
- (g) that another union has been recognised in place of a union recognised under this Chapter.

(2) The Industrial Court may cancel the recognition of a union if, after giving notice to such union to show cause why its recognition should not be cancelled, and after holding an inquiry, it is satisfied, that it has committed any practice which is, or has been declared as, an unfair labour practice under this Act:

Provided that, if having regard to the circumstances in which such practice has been committed, the Industrial Court is of opinion, that instead of cancellation of the recognition of the union, it may suspend all or any of its rights under section 18, the Industrial Court may pass an order accordingly, and specify the period for which such suspension may remain in force.

11. Recognition of Other Union.- (1) If any union makes an application to the Industrial Court for being registered as a recognised union in place of a recognised union already registered as such (hereinafter in this section referred to as the “recognised union”) for an undertaking, on the ground that it has the largest membership of employees employed in such undertaking, the Industrial Court shall, if a period of

two years has elapsed since the date of registration of the recognised union, call upon the recognised union by a notice in writing to show cause, within thirty days of the receipt of such notice, as to why the union now applying should not be recognised in its place. An application made under this sub-section shall be accompanied by such fee not exceeding rupees five as may be prescribed:

Provided that, the Industrial Court may not entertain any application for registration of a union, unless a period of one year has elapsed since the date of disposal of the previous application of that union.

(2) If, on the expiry of the period of notice under sub-section (1), the Industrial Court finds, on preliminary scrutiny, that the application made is in order, it shall cause notice to be displayed on the notice board of the undertaking, declaring its intention to consider the said application on the date specified in the notice, and calling upon other union or unions, if any, having membership of employees in that undertaking, employer and employees affected by the proposal to show cause within a prescribed time as to why recognition should not be granted.

(3) If, after considering the objections, if any, that may be received under sub-section (2) and if, after holding such enquiry as it deems fit (which may include recording of evidence of witnesses and hearing of parties), the Industrial Court comes to the conclusion that the union applying complies with the conditions necessary for recognition specified in section 17 and that its membership was, during the whole of the period of six calendar months immediately preceding the calendar month in which it made the application under this section, larger than the membership of the recognised union, then the Industrial Court shall, subject to the provisions of section 9 and this section, recognise the union applying in place of the recognised union, and issue a certificate of recognition in such form as may be prescribed.

(4) If the Industrial Court comes to the conclusion that any of the other unions has the largest membership of employees employed in the undertaking, and such other union has notified to the Industrial Court its claim to be registered as a recognised union for such undertaking, and if, such other union satisfies the conditions requisite for recognition under section 9 and complies with the conditions specified in section 17 of this Act, the Industrial Court shall grant such recognition to such other union, and issue a certificate of such recognition in such form as may be prescribed.

Explanation: For the purpose of this sub-section, the other union shall be deemed to have applied for recognition in the same calendar month as the applicant union.

(5) Every application under this section shall be disposed of by the Industrial Court as far as possible, within three months from the date of receipt of the application, where a group of concerns in any industry which is notified to be one undertaking for which recognition is applied for is situated in the same local area; and in any other case, within four months.

Explanation: “local area” for the purposes of this sub-section means the area which

the State Government may, by notification in the Official Gazette, specify in such notification.

12. Application for Re-recognition.- (1) Any union the recognition of which has been cancelled on the ground that it was recognised under a mistake or on the ground specified in section 11, may, at any time after three months from the date of such cancellation, and on payment of such fees as may be prescribed apply again to the Industrial Court for recognition ; and thereupon the provisions of sections 9 and 10 shall apply in respect of such application as they apply in relation to an application under section 9.

(2) A union, the recognition of which has been cancelled on any other ground, shall not, save with the permission of the Industrial Court, be entitled to apply for re-recognition within a period of one year from the date of such cancellation

13. Liability of Union or Members not relieved by cancellation.- Notwithstanding anything contained in any law for the time being in force, the cancellation of the recognition of a union shall not relieve the union or any member thereof from any penalty or liability incurred under this Act prior to such cancellation.

14. Publication of Order.- Every order passed under section 10, 11, 12 or 13 shall be final, and shall be caused to be published by the Industrial Court in the prescribed manner.

15. Recognition of Union for more than one undertaking.- Subject to the foregoing provisions of this Chapter, a union may be recognised for more than one undertaking.

CHAPTER IV

OBLIGATION AND RIGHTS OF RECOGNIZED UNIONS, OTHER UNIONS AND CERTAIN EMPLOYEES

16. Obligations of Recognized Union.-The rules of a union seeking recognition under this Act shall provide for the following matters, and the provisions thereof shall be duly observed by the union, namely: —

- (1) the membership subscription shall be not less than Rs. 2/- per month;
- (2) the Executive Committee shall meet at intervals of not more than three months;
- (3) all resolutions passed, whether by the Executive Committee or the general body of the union, shall be recorded in a minute book kept for the purpose;
- (4) an auditor appointed by the State Government may audit its account at least once in each financial year.

17. Rights of Recognized Union.- Such officers, members of the office staff and members of a recognised union as may be authorised by or under rules made in this behalf by the State Government shall, in such manner and subject to such conditions as may be prescribed, have a right, —

(a) to collect sums payable by members to the union on the premises, where wages are paid to them;

(b) to put up or cause to be put a notice-board on the premises of the undertaking in which its members are employed and affix or cause to be affixed notices thereon;

(c) for the purpose of the prevention or settlement of an industrial dispute, —

(i) to hold discussions on the premises of the undertaking with the employees concerned, who are the members of the union but so as not to interfere with the due working of the undertaking;

(ii) to meet and discuss, with an employer or any person appointed by him in that behalf, the grievances of employees employed in his undertaking;

(iii) to inspect, if necessary, in an undertaking any place where any employee of the undertaking is employed;

(d) to appear on behalf of any employee or employees in any domestic or departmental inquiry held by the employer.

18. Right of Unrecognized unions.- Such officers, members of the office staff and members of any union (other than a recognised union) as may be authorised by or under the rules made in this behalf by the State Government shall, in such manner and subject to such conditions as may be prescribed, have a right—

(1) to meet and discuss with an employer or any person appointed by him in that behalf, the grievances of any individual member relating to his discharge, removal, retrenchment, termination of service and suspension;

(2) to appear on behalf of any of its members employed in the undertaking in any domestic or departmental inquiry held by the employer.

19. Employees authorized by recognized union to appear or act in certain proceedings to be considered as on duty.- Not more than 3 members of a recognised union duly authorised by it in writing who appear or act on its behalf in any proceedings under the Central Act or under this Act shall be deemed to be on duty on the days on which such proceedings actually take place, and accordingly, such member or members shall, be entitled to be paid by his or their employer his or

their salary and allowances which would have been payable for those days as if he or they had attended duty on those days.

CHAPTER V UNFAIR LABOUR PRACTICES

20. Unfair labour practices.- In this Act, unless the context requires otherwise, “unfair labour practices” mean any of the practices listed in Schedules I, II and III.

21. Prohibition on engaging in unfair labour practices.- No employer or union and no employees shall engage in any unfair labour practice.

22. Procedure for dealing with complaints relating to unfair labour practices.-

(1) Where any person has engaged in or is engaging in any unfair labour practice, then any union or any employee or any employer or any Investigating Officer may, within ninety days of the occurrence of such unfair labour practice, file a complaint before the Industrial Court, under section 5, of this Act:

Provided that, the Industrial Court may entertain a complaint after the period of ninety days from the date of the alleged occurrence, if good and sufficient reasons are shown by the complainant for the late filing of the complaint.

(2) The Industrial Court shall take a decision on every such complaint as far as possible within a period of six months from the date of receipt of the complaint.

(3) On receipt of a complaint under sub-section (1), the Industrial Court may, if it so considers necessary, first cause an investigation into the said complaint to be made by the Investigating Officer, and direct that a report in the matter may be submitted by him to the Industrial Court, within the period specified in the direction.

(4) While investigating into any such complaint, the Investigating Officer may visit the undertaking, where the practice alleged is said to have occurred, and make such enquiries as he considers necessary. He may also make efforts to promote settlement of the complaint.

(5) The Investigating Officer shall, after investigating into the complaint under sub-section (4) submit his report to the Industrial Court, within the time specified by it, setting out the full facts and circumstances of the case, and the efforts made by him in settling the complaint. The Industrial Court shall, on demand and on payment of such fee as may be prescribed by rules, supply a copy of the report to the complainant and the person complained against.

(6) If, on receipt of the report of the Investigating Officer, the Industrial Court finds that the complaint has not been settled satisfactorily, and that facts and circumstances of the case require, that the matter should be further considered by it, the Industrial Court shall proceed to consider it, and give its decision.

(7) The decision of the Industrial Court, which shall be in writing, shall be in the form of an order. The order of the Industrial Court shall be final and shall not be called in question in any civil or criminal court.

(8) The Industrial Court shall cause its order to be published in such manner as may be prescribed. The order of the Court, shall become enforceable from the date specified in the order.

(9) The Industrial Court shall forward a copy of its order to the State Government and such officers of the State Government as may be prescribed.

23. Parties on whom order of Industrial Court shall be binding.-An order of the Industrial Court shall be binding on,—

- (1) all parties to the complaint;
- (2) all parties who were summoned to appear as parties to the complaint, whether they appear or not, unless the Industrial Court is of opinion that they were improperly made parties;
- (3) in the case of an employer who is a party to the complaint before such Industrial Court in respect of the undertaking to which the complaint relates, his heirs, successors or assigns in respect of the undertaking to which the complaint relates; and,
- (4) where the party referred to in clause (1) or clause (2) is composed of employees, all persons, who on the date of the complaint, are employed in the undertaking to which the complaint relates and all persons who may be subsequently employed in the undertaking.

CHAPTER VI POWERS OF INDUSTRIAL COURTS

24. Powers of Industrial Courts.- (1) Where an Industrial Court decides that any person named in the complaint has engaged in, or is engaging in, any unfair labour practice, it may in its order,—

(a) declare that an unfair labour practice has been engaged in or is being engaged in by that person, and specify any other person who has engaged in, or is engaging in the unfair labour practice;

(b) direct all such persons to cease and desist from such unfair labour practice, and take such affirmative action (including payment of reasonable compensation to the employee or employees affected by the unfair labour practice, or reinstatement of the employee or employees with or without back wages, or the payment of reasonable compensation), as may in the opinion of the Industrial Court be necessary to effectuate the policy of the Act;

(c) where a recognised union has engaged in or is engaging in, any unfair labour practice, direct that its recognition shall be cancelled or that all or any of its rights under section 18 or its right under section 19 shall be suspended.

(2) In any proceeding before it under this Act, the Industrial Court may pass such interim order (including any temporary relief or restraining order) as it deems just and proper (including directions to the person to withdraw temporarily the practice complained of, which is an issue in such proceeding), pending final decision:

Provided that, the Industrial Court may, on an application in that behalf, review any interim order passed by it.

(3) For the purpose of holding an enquiry or proceeding under this Act, the Industrial Court shall have the same powers as are vested in Courts in respect of—

(a) proof of facts by affidavit;

(b) summoning and enforcing the attendance of any person, and examining him on oath;

(c) compelling the production of documents; and

(d) issuing commissions for the examination of witnesses.

(4) The Industrial Court shall also have powers to call upon any of the parties to proceedings before it to furnish in writing, and in such forms as it may think proper, any information, which is considered relevant for the purpose of any proceedings before it, and the party so called upon shall thereupon furnish the information to the best of its knowledge and belief, and if so required by the Industrial Court to do so, verify the same in such manner as may be prescribed.

25. Consequences of non-appearance of parties.- (1) Where in any proceeding before the Court, if either party, in spite of notice of hearing having been duly served on it, does not appear, when the matter is called on for hearing the Industrial Court may either adjourn the hearing of the matter to a subsequent day, or proceed ex parte, and make such order as it thinks fit.

(2) Where any order is made ex parte under sub-section (1), the aggrieved party may, within thirty days of the receipt of the copy thereof, make an application to the Industrial Court to set aside such order. If the Industrial Court is satisfied that there was sufficient cause for non-appearance of the aggrieved party, it may set aside the order so made, and shall appoint a date for proceeding with the matter:

Provided that, no order shall be set aside on any such application as aforesaid, unless notice thereof has been served on the opposite party.

26. Power of Industrial Court to decide all connected matters.- Notwithstanding anything contained in this Act, the Industrial Court shall have the power to decide all matters arising out of any application or a complaint referred to it for the decision under any of the provisions of this Act.

27. Regulations and proceedings.-(1) The Industrial Court may make regulations

consistent with the provisions of this Act and rules made thereunder regulating its procedure.

(2) Every regulation made under this section shall be published in the Official Gazette.

(3) Every proceeding before the Industrial Court shall be deemed to be a judicial proceeding within the meaning of sections 228, 229 and 267 of BNS.

(4) The Industrial Court shall have power to direct by whom the whole or any part of the costs of any proceeding before it shall be paid:

Provided that, no such costs shall be directed to be paid for the service of any legal adviser engaged by any party.

28. Execution of order as to costs.- An order made by the Industrial Court regarding the costs of a proceeding may be produced before the Court of the Civil Judge within the local limits of whose jurisdiction any person directed by such order to pay any sum of money has a place of residence or business, or where such place is within the local limits of the ordinary civil jurisdiction of the High Court, and such Court shall execute such order in the same manner and by the same procedure as if it were a decree for the payment of money made by itself in a suit.

29. Authorised Officer to appear in any proceeding before Court.-The State Government may authorise, and direct any officer of Government to appear in any proceeding before the Industrial Court by giving notice to such Industrial Court; and on such notice being given, such officer shall be entitled to appear in such proceeding and to be heard by the Court.

30. Powers of Investigating Officers.- (1) An Investigating Officer shall exercise the power conferred on him by or under this Act, and shall perform such duties as may be assigned to him, from time to time, by the Court.

(2) For the purpose of exercising such powers and performing such duties, an Investigating Officer may, subject to such conditions as may be prescribed, at any time during working hours, and outside working hours after reasonable notice, enter and inspect—

(a) any place used for the purpose of any undertaking;

(b) any place used as the office of any union;

(c) any premises provided by an employer for the residence of his employees; and shall be entitled to call for and inspect all relevant documents which he may deem necessary for the due discharge of his duties and powers under this Act.

(3) All particulars contained in, or information obtained from, any document inspected or called for under sub-section (2) shall, if the person in whose possession the document was, so requires, be treated as confidential.

(4) An Investigating Officer may, after giving reasonable notice, convene a meeting of employees for any of the purposes of this Act, on the premises where they are employed, and may require the employer to affix a written notice of the meeting at such conspicuous place in such premises as he may order, and may also himself affix or cause to be affixed such notice. The notice shall specify the date, time and place of the meeting, the employees or class of employees affected, and the purpose for which the meeting is convened: Provided that, during the continuance of a lock-out which is not illegal, no meeting of employees affected thereby shall be convened on such premises without the employer's consent.

(5) An Investigating Officer shall be entitled to appear in any proceeding under this Act.

(6) An Investigating Officer may call for and inspect any document which he has reasonable ground for considering to be relevant to the complaint or to be necessary for the purpose of verifying the implementation of any order of the Industrial Court or carrying out any other duty imposed on him under this Act, and for the aforesaid purposes, the Investigating Officer shall have the same powers as are vested in a civil Industrial Court under the Code of Civil Procedure, 1908 (V of 1908) in respect of compelling the production of documents.

CHAPTER VII PENALTIES

31. Penalty for disclosure of confidential information.- If an Investigating Officer or any person present at, or concerned in, any proceeding under this Act willfully discloses any information or the contents of any document in contravention of the provisions of this Act, he shall, on conviction, on a complaint made by the party who gave the information or produced the document in such proceeding, be punished with fine which may extend to one thousand rupees.

32. Contempt of Industrial Courts.- (1) Any person who fails to comply with any order of the Industrial Court under clause (b) of sub-section (1) or sub-section (2) of section 25 of this Act shall, on conviction, be punished with imprisonment which may extend to three months or with fine which may extend to five thousand rupees.

(2) If any person, —

(a) when ordered by the Industrial Court to produce or deliver up any document or to furnish information being legally bound so to do, intentionally omits to do so; or

(b) when required by the Industrial Court to bind himself by an oath or affirmation to state the truth refuses to do so;

(c) being legally bound to state the truth on any subject to the Industrial Court

refuses to answer any question demanded of him touching such subject by such Industrial Court; or

(d) intentionally offers any insult or causes any interruption to the Industrial Court at any stage of its judicial proceeding, he shall, on conviction, be punished with imprisonment for a term which may extend to six months or with fine which may extend to one thousand rupees or with both.

(3) If any person refuses to sign any statement made by him, when required to do so by the Industrial Court, he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both.

(4) If any offence under sub-section (2) or (3) is committed in the view or presence of the Industrial Court, such Industrial Court may, after recording the facts constituting the offence and the statement of the accused as provided in the BNSS 2023, forward the case to a Magistrate having jurisdiction to try the same, and may require security to be given for the appearance of the accused person before such Magistrate or, if sufficient security is not given, shall forward such person in custody to such Magistrate. The Magistrate to whom any case is so forwarded shall proceed to hear the complaint against the accused person in the manner provided in the said BNSS 2023.

(5) If any person commits any act or publishes any writing which is calculated to improperly influence the Industrial Court or to bring such Industrial Court or a member or a Judge thereof into disrepute or contempt or to lower its or his authority, or to interfere with the lawful process of any such Court, such person shall be deemed to be guilty of contempt of such Court.

(6) In the case of contempt of itself, the Industrial Court shall record the facts constituting such contempt, and make a report in that behalf to the High Court.

(8) When any intimation or report in respect of any contempt is received by the High Industrial Court under sub-section (6) or (7), the High Industrial Court shall deal with such contempt as if it were contempt of itself, and shall have and exercise in respect of it the same jurisdiction, powers and authority in accordance with the same procedure and practice as it has and exercises in respect of contempt of itself.

33. Penalty for obstructing officers from carrying out their duties and for failure to produce documents or to comply with requisition or order.- Any person who willfully, —

- (1) prevents or obstructs officers, members of the office staff, or members of any union from exercising any of their rights conferred by this Act;
- (2) refuses entry to an Investigating Officer to any place which he is entitled to enter;
- (3) fails to produce any document which he is required to produce; or

- (4) fails to comply with any requisition or order issued to him by or under the provisions of this Act or the rules made thereunder; shall, on conviction, be punished with fine which may extend to five hundred rupees.

34. Recovery of money due from employer.- Where any money is due to an employee from an employer under an order passed by the Industrial Court, the employee himself or any other person authorised by him in writing in this behalf, or in the case of death of the employee, his assignee or heirs may, without prejudice to any other mode of recovery, make an application to the Industrial Court for the recovery of money due to him, and if the Industrial Court is satisfied that any money is so due, it shall issue a certificate for that amount to the Jurisdictional revenue officer, as the case may be, who shall, proceed to recover the same in the manner as an arrear of land revenue :

Provided that, every such application shall be made within one year from the date on which the money became due to the employee from the employer:

Provided further that, any such application may be entertained after the expiry of the said period of one year, if the Industrial Court is satisfied that the applicant had sufficient cause for not making the application within the said period.

35. Recovery of fines.-The amount of any fine imposed under this Chapter shall be recoverable as arrear of land revenue.

CHAPTER VIII MISCELLANEOUS

36. Periodical returns to be submitted to Industrial and Labour Courts.- Every recognised union shall submit to the Industrial Court and Labour Court on such dates and in such manner as may be prescribed periodical returns of its membership.

37. Modifications of Schedules.- (1) The State Government may, after obtaining the opinion of the Industrial Court, by notification in Official Gazette, at any time make any addition to, or alteration in, any Schedule I, II or III and may, in the like manner, delete any item therefrom:

Provided that, before making any such addition, alteration or deletion, a draft of such addition, alteration or deletion shall be published for the information of all persons likely to be affected thereby, and the State Government shall consider any objections or suggestions that may be received by it from any person with respect thereto.

(2) Every such notification shall, as soon as possible after its issue, be laid by the State Government before each house of the Legislature of the State.

38. Liability of executive of union.- Where anything is required to be done by any union

under this Act, the person authorised in this behalf by the executive of the union, and where no person is so authorised, every member of the executive of the union shall be bound to do the same, and shall be personally liable, if default is made in the doing of any such thing.

Explanation. — For the purpose of this section, the “executive of a union” means the body by whatever name called to which the management of the affairs of the union is entrusted.

- 39. COgnizable offence.-** The offence under sub-section (1) of section 33, shall be cognizable
- 40. Certain officers to be public servants.-** Investigating Officers, a member of the Industrial or Labour Court and a member of the staff of any such Industrial Court shall be deemed to be public servants within the meaning of section 2(28) of the BNS 2023.
- 41. Protection of action taken in good-faith.-** No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or purported to be done by or under this Act.
- 42. Pending proceedings.-** Any proceeding pending before the State Government or before any tribunal or any other authority, or any proceedings relating to the trial of offences punishable under the provisions of the Central Act before the commencement of this Act shall be continued and completed as if this Act had not been passed and continued in operation, and any penalty imposed in such proceedings shall be recorded under the Central Act.
- 43. Bar of proceedings under Central Act.-** If any proceeding in respect of any matter falling within the purview of this Act is instituted under this Act, then no proceeding shall at any time be entertained by any authority in respect of that matter under the Central Act; and if any proceeding in respect of any matter within the purview of this Act is instituted under the Central Act, then no proceeding shall at any time be entertained by the Industrial Court under this Act.
- 44. Bar of Suits.-**No civil Industrial Court shall entertain any suit which forms or which may form the subject-matter of a complaint or application to the Industrial Court under this Act; or which has formed the subject of an interim or final order of the Industrial Court under this Act.
- 45. Power to make rules.-** (1) The State Government may, by notification, in the Official Gazette and subject to the condition of previous publication, make rules for carrying out the purposes of this Act.
- (2) 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 successive session, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the Official Gazette, the rule shall, from the date of publication of such notification, have effect only in such modified form or be of no effect, as the case may be ; so however, that any such modification or annulment, shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

SCHEDULE I
(See Section 20)

Unfair Labour Practices on the part of employers

1. To interfere with, restrain or coerce employees in the exercise of their right to organise, form, join or assist a trade union and to engage in concerted activities for the purposes of collective bargaining or other mutual aid or protection, that is to say—
 - (a) threatening employees with discharge or dismissal, if they join a union;
 - (b) threatening a lock-out or closure, if a union should be organised;
 - (c) granting wage increase to employees of crucial periods of union organisation, with a view to undermining the efforts of the union at organisation.
2. To dominate, interfere with, or contribute, support—financial or otherwise—to any union, that is to say—
 - (a) an employer taking an active interest in organising a union of his employees; and
 - (b) an employer showing partiality or granting favour to one of several unions attempting to organise his employees or to its members, where such a union is not a recognised union.
3. To establish employer sponsored unions.
4. To encourage or discourage membership in any union by discriminating against any employee, that is to say—
 - (a) discharging or punishing an employee because he urged other employees to join or organise a union;
 - (b) discharging or dismissing an employee for taking part in any strike (not being a strike which is deemed to be an illegal strike under this Act);
 - (c) changing seniority rating of employees because of union activities;
 - (d) refusing to promote employees to higher posts on account of their union activities;
 - (e) giving unmerited promotions to certain employees, with a view to sow discord amongst the other employees, or to undermine the strength of their union;
 - (f) discharging office-bearers or active union members, on account of their union activities.
 - (g) To refuse to bargain collectively, in good faith, with the recognised union.
5. Proposing or continuing a lock-out deemed to be illegal under this Act.

SCHEDULE II
(See Section 20)

Unfair Labour Practices on the part of Trade Unions

1. To advise or actively support or instigate any strike deemed to be illegal under this Act.
2. To coerce employees in the exercise of their right to self-organisation or to join unions or refrain from joining any union, that is to say—
 - (a) for a union or its members to picketing in such a manner that non-striking employees are physically debarred from entering the work-place;
 - (b) to indulge in acts of force or violence or to hold out threats of intimidation in connection with a strike against non-striking employees or against managerial staff.
3. For a recognised union to refuse to bargain collectively in good faith with the employer.
4. To indulge in coercive activities against certification of a bargaining representative.
5. To stage, encourage or instigate such forms of coercive actions as willful “go slow” squatting on the work premises after working hours or “gherao” of any of the members of the managerial or other staff.
6. To stage demonstrations at the residences of the employers or the managerial staff members.

SCHEDULE III
(See Section 20)

General Unfair Labour Practices on the part of Employers

1. To discharge or dismiss employees—
 - (a) by way of victimization;
 - (b) not in good faith, but in colourable exercise of the employer's rights ;
 - (c) by falsely implicating an employee in a criminal case on false evidence or on concocted evidence;
 - (d) for patently false reasons;
 - (e) on untrue or trumped-up allegation of absence without leave;
 - (f) in utter disregard of the principles of natural justice in the conduct of domestic enquiry or with undue haste;
 - (g) for misconduct of a minor or technical character, without having any regard to the nature of the particular misconduct or the past record of service of the employee, so as to amount to a shockingly disproportionate punishment.
 - (h) To abolish the work of a regular nature being done by employees, and to give such work to contractors as a measure of breaking a strike.
2. To transfer an employee mala fide from one place to another, under the guise of following management policy.
3. To insist upon individual employees, who were on legal strike, to sign a good conduct-bond, as a pre-condition to allowing them to resume work.
4. To show favouritism or partiality to one set of workers, regardless of merits.
5. To employ employee as “badlis”, casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent employees.
6. To discharge or discriminate against any employee for filing charges or testifying against an employer in any enquiry or proceeding relating to any industrial dispute.
7. To recruit employees during a strike which is not an illegal strike.
8. Failure to implement award, settlement or agreement.
9. To indulge in act of force or violence.

**THE KARNATAKA ADVOCATES' PROTECTION FROM VIOLENCE AND
SOCIAL WELFARE (AMENDMENT) BILL, 2025**

Whereas, the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba 27th August to 7th September 1990, to which India was a participant, has adopted the "Basic Principles on the Role of Lawyers". Clauses 16 and 17 of the declaration deal with -Guarantees for the functioning of lawyer which are as follows, namely:-

“16. Governments shall ensure the lawyers,-

(a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference;

(b) are able to travel and to consult with their clients freely both within their own country and abroad; and

(c) ethics. authorities.” shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and

17. Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.”

Now therefore it was expedient to prohibit violence against and provide protection to Advocates for rendering their professional services without fear or external influence and for matters connected therewith and incidental thereto;

Hence an Act called THE KARNATAKA PROHIBITION OF VIOLENCE AGAINST ADVOCATES ACT, 2023 was enacted by the Karnataka State Legislature in the Seventy-fourth year of the Republic of India and received the assent of the Governor on the 20 day of March, 2024.

Subsequently many representations were received to expand the scope and objectives of the Act to even include the social welfare provisions for the Advocates. Hence this bill for amendment to amend the Karnataka Prohibition of Violence against Advocates Act, 2023, and to provide for the protection, welfare and social security for Advocates in the State of Karnataka, and for matters connected therewith or incidental thereto.

Be it enacted by the Legislative Assembly of the State of Karnataka in the Seventy-sixth year of the Republic of India as follows: -

1: Short Title, Extent and Commencement.- (1) This Bill may be called the Karnataka Advocates' Protection from Violence and Social Welfare Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different areas and for different provisions of this Act.

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

(a) “Advocate” means an Advocate or Senior Advocate or a Legal Practitioner whose name is entered in the roll of advocates maintained under section 17 of the Advocates Act, 1961(Central Act 25 of 1961) and holding a valid certificate of practice issued by the Karnataka State Bar Council as defined under rule 4 of the Bar Council of India Certificate and Place of Practice (Verification) Rules, 2015 and is a member of any Bar Association;

Explanation: An Advocate pleading for a party before the Court, Tribunal or Authority, including the police shall deemed to be an Officer of such Institution and be extended same treatment available to other Officers of such Institution.

(aa) “Junior Advocate” means any Advocate enrolled with the Karnataka State Bar Council having less than 5 years of practice from the date of enrollment.

(ab) “Client” means the person who is represented by the advocate before any Court or any Tribunal;

(ac) “Coercion” means to intimidate, command, coerce, use express or implied threats of harm or reprisal or other intimidating behaviour that puts a person in immediate fear of the consequences in order to compel that person to act against their will.

(ad) “Grievance” includes a complaint pertaining to the protections and facilities provided under this Act and the conduct of judicial proceedings and its offices.

(ae) “Property” means any property, movable or immovable or equipment or machinery owned by or in possession of any advocate.

(b) “Bar Association” means a Bar Association recognized by the Karnataka State Bar Council under the Karnataka Advocates Welfare Fund Act, 1983 (Karnataka Act 2 of 1985);

(bb) “Marginalized Communities” means Advocates who belong to Scheduled Castes, Scheduled Tribes, Other Backward Castes, Religious Minorities, Gender and Sexual Minorities such as women, transgender persons, LGBTQIA+ persons, and Persons with Disabilities.

(c) “Person” means and includes,-

(1) an Individual;

(2) a Company;

(3) a Firm

(4) an association of persons or a body of individuals, whether incorporated or not; and

(d) “Violence” means refers to acts committed by any person against an advocate or their family members or their colleagues, with an intent to prejudice or derail the process of impartial, fair and fearless conduct of any litigation before any court, tribunal or authority in which such Advocate is engaged or acts of retribution towards the outcome of proceedings before any of the above forums and includes the following,-

- (i) Harassment, coercion, assault, malicious prosecution, criminal force or threat impacting the living or working conditions of such Advocates or their family members or their colleagues, either inside or outside of court premises and preventing them from discharging their duties;
- (ii) Harm, injury, hurt, either grievous or simple, or danger to the life of such advocates or their family members or their colleagues, either within the premises of the Courts or otherwise;
- (iii) Coercion by whatsoever means, of an Advocate not to represent or to withdraw his Vakalath or appearance to act, plead or appear on behalf of a client before any court, tribunal or authority;
- (iv) Causing loss or damage to any property or documents or materials which such Advocate is bound to hold under law;
- (e) “Welfare Fund” means the fund constituted under Section 16 of this Act.

CHAPTER I

PROHIBITION OF VIOLENCE AGAINST THE ADVOCATES

3. Prohibition of Violence.- An act of violence committed by any person against an advocate or his/her family members or colleagues, in connection with the discharge of the duties of the advocate shall be an offence punishable under this Act.

4 . Punishment of offences in relation to Advocates.-

- (i) Every person committing an offence under Section 3 shall be punished with imprisonment for a term which may extend from 1 year to 3 years or with fine which may extend to Rupees one lakh or both.
- (ii) Whoever, having already been convicted of an offence under this Act, shall for a conviction for the second or a subsequent offence be punishable with an imprisonment which shall not be less than two years but may extend upto 4 years and a fine upto Rs.10.00 lakhs (Rupees Ten lakhs).

4A.- Compensation.- In addition to the punishment provided under Section 4, any loss suffered by an Advocate on account of any acts of violence, shall be compensated by any person who commits, perpetrates, or abates the commission of such violence.

- (i) For the purpose of trying the suits to determine the compensation payable under this Act, the State Government may after consultation with the High Court may constitute such number of Courts at the Taluka levels as may be deemed necessary for the purpose of exercising the jurisdiction and powers conferred on those courts in determining the compensation under this Act.
- (ii) Until a Special Court if designated or constituted under sub-section (i) above, the Principal Sr. Civil Judge shall be deemed as the competent court for the purpose of entertaining the suits for compensation under the provisions of this Act.

- (iii) Notwithstanding anything contained under the Code of Civil Procedure 1908 or any other law for the time being in force, an appeal against a judgement and decree passed by the competent court under this Act shall lie to the High Court.
- (iv) Upon of service of summons/Notice, the defendant against whom the claim is made shall submit a Written Statement within a period of 60 days and for sufficient reasons, the time may be extended by a maximum of 30 days and not beyond. In the event of a written statement having not filed within 90 days of receipt of summons, it shall be deemed that the right to file written statement is forfeited.
- (v) The Trial shall be concluded within a period of 6 months from the date of framing the issues and once the recording of the evidence commences, the Court shall endeavour to take up the matter on a day to day basis and shall not adjourn the matter, unless there are extra-ordinary circumstances or reasons for adjourning to the following day or by such other period as the Court deemed appropriate.
- (vi) The designated court shall be competent to expunge any statements either in the pleadings, evidence or in the cross examination which may insult insinuate, intimidate or otherwise in the nature of reprisal or defamatory statements during such proceedings.
- (vii) Notwithstanding anything contained under the Karnataka Court Fees & Suit Valuation Act or any other law for the time being in force, any suit filed under this Act/Chapter shall be paid with a fixed court fee of Rs.500/-(Rupees five hundred).
- (viii) Except to the procedures indicated above, the competent Court shall be guided by the provisions of the Code of Civil Procedure, 1908.

5: Cognizance of offence.- Every offence punishable under this Act shall be cognizable.

5A: Investigation into the offence.- (i) Any case registered for the offences punishable under this Act together with offences under any other penal statutes, shall be investigated by a police officer not below the rank of a Deputy Superintendent of Police and the State Government may designate specified officers for investigation into the offences under this Act;

(ii) An investigation of a case under this act shall be completed within a period of Ninety (90) days from the date of registration of the First Information Report;

6: Intimation of arrest.- Whenever an Advocate is arrested by the Police in respect of a cognizable offence, the Police shall, within twenty four hours of such arrest, intimate the factum of such arrest to the President or Secretary of the Advocates' Association in which such Advocate is a member.

7: Offences to be tried by Judicial Magistrate of First Class.- (i) Every offence punishable under this Act shall be tried by a court not below the Court of Chief Judicial Magistrate;

(ii) Every enquiry or a trial for prosecution for any of the offences under this Act, shall be held as expeditiously as possible and upon commencement of examination of witnesses, the same shall be continued on day to day basis until the witnesses have been examined and unless the Court finds that the adjournment is absolutely necessary, the matter shall be taken up on a day to day basis and be concluded. In the event an adjournment is felt necessary, the matter has to be taken up on the following day for the reasons to be recorded in writing and an endeavour shall be made to ensure that the trial of an offence under this Act shall be completed within a period of six (6) months from the date of commencement of Trial.

Provided that where the Trial is not concluded within the said period, the concerned judge shall record the reasons.

7A: Compounding of offences.- Where a person is prosecuted for committing an offence punishable under Section 4, such offence may, with the permission of the Court, be compounded by the person against whom such act of violence is committed.

7B: Police Protection.-(i) On any report made to the police by an advocate in respect to any offence mentioned in Section 3 of the Act committed against him/her, the police may, if deems fit, provide him/her protection for such period and in such manner as prescribed in the rules.

(ii) No decision shall be taken by the Police to withdraw, reduce or discontinue the security provided to the Advocate, unless a prior notice of one week is first served on the advocate in this regard.

(iii) Any Advocate who is under the threat of being a victim of act of violence shall be entitled to Police Protection for a duration which the Court deems fit, upon making an application before the High Court of the State within which s/he is registered to Practice law.

7C: Protection of action in due conduct of duties by Advocates.-

(i) Notwithstanding anything to the contrary in any other law for the time being in force, no suit, prosecution or other legal proceeding shall lie against any Advocate for anything which is in good faith done or intended to be done in the due conduct of duties of such Advocate in pursuance of the provisions of this Act and any rule order, notification thereunder or under any direction of a Court or any other authority which is empowered to give directions to Advocates.

(ii) The State Government shall recognise and respect all communications and consultations between the Advocates and their clients within the professional relationship and they are to be treated as confidential.

(iii) Advocates shall be entitled to form and join professional associations to represent their interest, promote their continued education, and training and protest for their

rights, privileges, professional integrity, and duties and shall exercise their functions without any external interference (except any direct or indirect prohibitory order/resolution of the Statutory bodies under Advocates Act)

- (iv) The state governments shall ensure that the Advocates,-
 - (a) Are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference;
 - (b) Are able to travel and to consult with their clients freely both within their own country and abroad; and
 - (c) Shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

7D: Protection from illegal Arrest and malicious prosecution of Advocates.- (i) Any information given to any officer in charge of a Police Station of a Commission of an offence by an Advocate in due discharge of duties as an Advocate or in relation thereto, the Police shall enter or cause to enter the substance of such information in a book kept by such Officer and refer the information and other connected materials to the nearest Chief Judicial Magistrate who shall, hold a preliminary enquiry by causing a notice to the Advocate concerned and afford an opportunity of hearing him or his counsel.

(ii) Upon hearing and on perusal of other materials produced by the jurisdictional police as well as the concerned advocate, may direct the investigation to be proceeded with or if the Magistrate finds that the institution of the proceedings is vexatious or malicious, may direct the proceedings to be dropped at that stage.

Provided that, if the offence alleged against an advocate under sub section (i) is triable by a court of Sessions, the Chief Judicial Magistrate shall conduct preliminary enquiry and make over the papers to the Sessions Judge and who, upon consideration of such materials may direct the continuation of investigation or to drop the proceedings against the concerned Advocate as the case may be.

(iii) In any suit or other legal proceedings before any Court, quasi-judicial authority Tribunal or any other Authority, where any statement is made either in the pleadings, affidavit, petitions or otherwise and the same is found to be vexatious, motivated or malicious with an intent to derail the process of impartial, fair and fearless conduct of a litigation by any Advocate representing the party thereto or is found to be an act of retribution towards outcome of the proceedings before any of such forums, the concerned court, quasi-judicial authority, Tribunal or other authority shall have the jurisdiction to expunge such statements;

(iv) Any Advocate against whom the proceedings are directed to be dropped under Sub Section (ii) and where under sub section (iii) the concerned forum expunges any vexatious, motivated or any malicious or otherwise defamatory statements against an Advocate, he shall be entitled to recover compensation of such amount as may be determined as provided under this Act.

7E: Advocate deemed to be officer of the Institution.- An advocate pleading for a/any party before the Court, Tribunal or Authority, including the Police, shall be deemed to be an officer of such Institution, and be extended same treatment/protocol available to other officers of such institution.

8. Act not in derogation of any other law.- The provisions of this Act shall be in addition to and not in derogation of the provisions of the any other law, for the time being in force.

9: Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carryout the purposes of this Act.

(2) Every rule made under this Act 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 session in which it is so laid or the session or sessions immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

CHAPTER II

WELFARE PROVISIONS FOR THE ADVOCATES

10. Stipend.- The State shall pay a sum of Rs. 10,000/- every month to the Junior Advocates until the Junior Advocate completes three years of practice from the date of enrolment with the State Bar Council.

11. Insurance Coverage for the Advocates.-(i) The State shall provide every Advocate a Health Insurance coverage covering hospitalisation for any ailments for self and his dependents with any empaneled hospitals in consultation with the Bar Association/s of the respective Districts/Taluqs and as decided in the Board constituted under Section 15.

Note: The Hospitalisation shall be for medical care for any ailments for more than twenty-four hours including any accidents, mental healthcare and maternity care.

(ii) The State Government shall have tie up with empaneled hospitals/clinics/ Laboratories for the purpose of treatment of an Advocate for any ailment which does not require hospitalisation. Such coverage shall include expenses towards medical consultation and Medical Tests for self and dependents.

Explanation: For the purpose of this section, the dependents shall mean spouse, children less than 21 years of age and parents above the age of sixty years.

(iii) The State shall ensure that every Advocate is covered with Life and Accidental Insurance coverage for not less than Rs. 10,00,000/- (Rupees Ten Lakhs only) to be paid in case of death or permanent disability of an Advocate. The amount, in case of death, shall be paid to the dependent of the Advocate as declared by the Advocate.

12. Maternity Benefits.- (i) Every woman Advocate shall be entitled for maternity stipend and hospitalisation for a period of twenty-six weeks.

(ii) The maternity stipend shall be Rs. 10,000/- per month for a period of 6 months. The payment shall be made from the 7th month of pregnancy and shall be paid for 4 months after the delivery.

13. Pension/Retirement Benefits.- The Advocate who has practiced for not less than twenty five years of practice is entitled for monthly pension of Rs. 10,000/- after the said Advocate has ceased to practice and has surrendered the sannad to the State Bar Council.

14. Infrastructure at Court Complexes.- (i) The State shall ensure that every Court complex shall have washrooms, crèche and safe drinking water facilities for the Advocates. There shall be separate washroom facilities for women Advocates.

(ii) The State shall ensure that every Court complex shall have a computer lab for the Advocates to have free access of internet and Computer for the purpose of procuring law related articles, journals and citations.

(iii) The State shall ensure that every Court complex shall have a full-fledged library exclusively for the Advocates for their access to law journals and other publications.

(iv) Every Court complex shall have chambers for the Advocates who have completed not less than ten years of practice. The priority, rent and other terms and conditions for procuring the chambers shall be as prescribed.

(v) Every court complex shall be installed with CCTV cameras and at prominent locations as specified.

(vi) **Creche Facilities:**

(a) The State shall ensure that every Court complex shall have creche facilities for the child/children of an Advocate who is not more than four years of age.

(b) The State shall ensure that qualified attendants are engaged to maintain the creche and the children who are under the care of the creche.

(c) The creche shall be open from 9:30 am to 5:30 pm on all court sitting days.

(vii) **Housing:** The State shall formulate appropriate schemes for providing affordable housing facilities for Advocates in urban and rural areas.

15. Constitution of State Advocates Welfare Body.- (i) The State Government shall by, notification in the Official Gazette, constitute, with effect from such date as may be specified therein, the Karnataka State Advocates' Welfare Board (hereinafter referred to as the "Board")

(ii) **The Board shall carry out the following functions, –**

(a) Administer and manage the Welfare Fund;

(b) To decide about the utilisation of the Welfare Funds

(c) Frame and Implement welfare schemes including health insurance, pension, accident insurance, maternity benefits, housing, mental health services and stipend support;

(d) Enforce standards for gender-sensitive infrastructure

- (e) empanel hospitals and service providers
- (f) To Submit annual audit and reports to the Legislative Assembly
- (g) To constitute standing committees for finance, welfare, health, infrastructure and training and for any other matters as decided in the Board in furtherance of the Act;
- (h) To exercise any other functions as prescribed.

(iii) The Board shall consist of the following ,–

- (a) Principal Secretary, Ministry of Law and Parliamentary Affairs, Ex-Officio Member.
- (b) Chairman of the State Bar Council, Member
- (c) Three Members representing the Bar Associations and among the 3 one member to be represent the Bengaluru Bar Associations- Members.
- (d) The representing Bar associations shall be on Rotational Basis giving due considerations for the regional representations. Members.
- (e) Three Advocates representing any other Associations or Unions of Advocates. The State shall through appropriate notification recommend name of the Associations to represent them.
Note: While recommending the name of the Associations or Unions due regard has to be given to the representative capacity of such associations or Unions and their long standing in espousing the cause of the Advocates and the General Public.
- (f) Three Woman Advocates nominated by the State Government in consultation with Bar Associations and State Bar Council.

16. Welfare Fund.- (i) A separate Fund in the name of “Welfare Fund” shall be created for the purpose of providing welfare facilities for the Advocates.

- (ii) The State shall allocate funds to the Welfare Fund from the State budget.
- (iii) Funds from any voluntary organisation, Associations or Advocates shall also be permitted to be collected towards the welfare fund.
- (iv) Any funds collected towards the Welfare fund shall be exempted under the provision of Income Tax Act.
- (v) The funds towards Welfare Fund shall also be collected from Corporates as part of their Corporate Social Responsibilities (CSR) Contributions.
- (vi) The State Bar Council and Bar Associations shall also make periodical contributions towards the Welfare Fund for its proper functioning and incrementation.
- (vii)The Funds under the Welfare Fund shall be utilised only for the purpose of functioning of the Board constituted under Section 15 of the Act and for the purpose of implementing the Social Welfare Facilities for the Advocates.

17. Removal of Difficulties.- If any difficulty arises in giving effect to the provision of this Act, the High Court may, by order, not inconsistent with the provisions of this Act, remove the difficulty.

THE KARNATAKA PROTECTION OF CHILD INFLUENCERS BILL, 2025

A Bill to govern and regulate the involvement of children in online content creation and digital influence in the State of Karnataka, safeguard their constitutional and human rights, ensure accountability of parents, guardians, and platforms, and provide institutional mechanisms for monitoring, grievance redressal, and enforcement;

WHEREAS, the provisions of the Constitution confer powers and impose duties, under clause (3) of article 15, article 21A, clauses (e) and (f) of article 39, article 45 and article 47, on the State to ensure that all the needs of children are met and that their basic human rights are fully protected;

WHEREAS, the Government of India has acceded on the 11th December, 1992 to the Convention on the Rights of the Child, adopted by the General Assembly of United Nations, which has prescribed a set of standards to be adhered to by all State parties in securing the best interest of the child;

WHEREAS, the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009) mandates the provision of education to all children aged 6–14 years, ensuring that children are not deprived of schooling due to economic activities;

WHEREAS, the Child Labour (Prohibition and Regulation) Act, 1986(61 of 1986) prohibits the employment of children in occupations that are hazardous or interfere with education, and permits regulated artistic participation;

AND WHEREAS, the National Commission for Protection of Child Rights has issued Guidelines for Child Participation in the Entertainment Industry, 2022, including digital and social media content;

BE it enacted in the Karnataka State Legislature in the seventy sixth year of the Republic of India as follows-

CHAPTER I PRELIMINARY

1. Short Title, Extent and Commencement.-(1) This Act may be called the Karnataka Protection of Child Influencers Act, 2025.

(2) It shall extend to the whole of the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

- (a) “Child” means a person who has not completed the age of 18 years;
- (b) “Child Influencer” means a child who appears in monetized online content including videos, images, live streams, or posts, with or without compensation;
- (c) “Sharenting” means the sharing of personal content featuring children by parents or guardians on social or digital platforms;
- (d) “Platform” means any online or digital service enabling the creation or monetization of content;
- (e) “Trust account” means a fixed deposit or custodial financial account opened in the name of the child for future access;
- (f) “District Child Protection Unit” means a Child Protection Unit for a District, established by the State Government under section 106 of the Juvenile Justice

(Care and Protection of Children) Act, 2015 (2 of 2016), which is the focal point to ensure the implementation of this Act and other child protection measures in the district;

- (g) “Committee” means Child Welfare Committee constituted under section 27 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016).
- (h) “State Commission” means a State Commission for Protection of Child Rights constituted in Karnataka under section 17 of the Commissions for Protection of Child Rights Act, 2005 (4 of 2006).

CHAPTER II

REGISTRATION AND MONITORING

3. Registration of Child Influencers.-(1) No person shall engage a child in influencer or social media content for economic gain unless registered with the District Magistrate.

(2) Every application for the engagement of a child in influencer activity or social media content for economic gain shall be submitted to the District Magistrate along with the following documents:

- (a) A written consent from the parent(s) or legal guardian(s) of the child;
- (b) A certified education continuity plan from the head of the school in which the child is enrolled;
- (c) A medical and psychological safety plan outlining measures to ensure the physical and mental well-being of the child during the course of the engagement;
- (d) An estimation of the expected income from such engagement and the proposed contribution towards a trust fund in accordance with the provisions of this Act;
- (e) A declaration conforming to the content guidelines prescribed under Section 5 of this Act, certifying that the child shall not be exposed to inappropriate, exploitative, or harmful content or conduct;
- (f) An undertaking in Form C, as prescribed under Rule 2C(b) of the Child Labour (Prohibition and Regulation) Rules, 1988, duly signed by the applicant.

4. Monitoring Mechanism.-(1) The District Magistrate may, before granting permission under this Act, instruct the District Child Protection Unit to conduct an inspection of the proposed work environment, including the conditions under which the child is to be engaged.

(2) The District Magistrate shall maintain a District Register of Child Influencers in such form and manner as may be prescribed by the State Government, recording particulars including, but not limited to, the name of the child, nature of engagement, period of involvement, and status of trust fund contributions.

(3) The parent or legal guardian of every registered child influencer shall submit to the District Magistrate a bi-annual report detailing the child’s working hours, income earned from influencer activities, and educational status, in such form as may be prescribed by the State Government.

CHAPTER III
CHILD RIGHTS AND DIGITAL SAFEGUARDS

5. Right to Digital Privacy and Control over Use of Image.-(1) Every child shall have the inherent right to privacy and to control the use of their name, image, likeness, and digital persona on any online or public platform.

(2) No person shall cause a child to be featured in digital content intended for public dissemination or monetization without:

- (a) Prior informed consent of the parent or lawful guardian, and;
- (b) Meaningful consultation with the child, in a manner appropriate to their age and maturity, to ensure that their views are considered.

(3) A parent, guardian, or the child themselves—upon attaining sufficient understanding—shall have the right to request the removal, deletion, or withdrawal of any digital content featuring the child’s image, likeness, or personal data, where:

- (a) Consent is withdrawn, or;
- (b) Continued availability of such content is likely to harm the dignity, mental health, or safety of the child, or;
- (c) Such content has been reused or circulated beyond the original intent or without renewed consent.

(4) Upon receiving such a request, the person, entity, or platform responsible for the content shall:

- (a) Respond to the request within fifteen days;
- (b) Where justified, remove the content within thirty days;
- (c) Maintain a record of such requests and actions taken in the form prescribed by the State Government.

(5) If a platform, intermediary, or content creator fails to act upon a valid request for removal, the aggrieved party may approach:

- (a) The District Magistrate, or;
- (b) The State Commission for Protection of Child Rights, or;
- (c) The designated officer under the Digital Personal Data Protection Act, 2023 (22 of 2023).

(6) Any continued display or distribution of such content after a valid removal request, especially if done with knowledge of its likely adverse effect on the child, shall be deemed a violation of the child’s right to privacy and digital dignity and shall attract penalties under this Act and under applicable provisions of the Information Technology Act, 2000 (21 of 2000).

6. Prohibited Practices in Child Influencer Content.- (1) No digital content shall portray, represent, or cause a child to be exposed to ridicule, humiliation, abuse, or be made to perform roles, gestures, or expressions that are inappropriate for their age, maturity, or dignity.

(2) No child shall be featured, either directly or indirectly, in any content that:

- (a) Depicts or implies sexual, indecent, or obscene themes;
- (b) Involves graphic violence, threats, or scenes likely to cause psychological distress;
- (c) Encourages or glorifies illegal, harmful, or dangerous behaviour.

- (3) All content creation involving children shall:
- (a) Respect the child's school schedule, and;
 - (b) Not occur during between 7:00 PM and 8:00 AM on any day, unless specifically exempted for educational or cultural purposes by the District Magistrate.

CHAPTER IV REMUNERATION AND EDUCATION

7. Creation and Management of Trust Fund for Child Influencers.- (1) A minimum of twenty per cent (20%) of the gross earnings derived from any content, endorsement, advertisement, or monetized activity involving a child shall be mandatorily deposited by the parent(s) or guardian(s) into a trust account opened in the name of the child with a nationalised bank.

(2) The amount so deposited shall be:

- (a) Held in trust exclusively for the benefit of the child;
- (b) Non-withdrawable until the child attains the age of eighteen years, or where a guardian is appointed under the Guardians and Wards Act, 1890 (8 of 1890), twenty-one years, whichever is applicable.

(3) Any withdrawal prior to the specified age shall require the prior approval of the District Magistrate, who shall record reasons that the withdrawal is in the best interest of the child.

(4) The account shall be subject to:

- (a) Periodic verification and audit by the District Child Protection Unit;
- (b) Annual reporting obligations by the guardian in such form and manner as prescribed by the State Government.

8. Education Guarantee.- (1) No engagement of a child in digital content creation, influencer activity, or any related monetized media participation shall infringe upon the child's right to free and compulsory education, as guaranteed under the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009).

(2) Under no circumstance shall a child be permitted to miss more than twenty-seven (27) consecutive days of formal schooling in any academic year for the purpose of participating in content creation or digital influencer activities.

(3) Where a child's participation in content creation requires time away from school:

- (a) The parent or guardian shall submit a school-certified education continuity plan at the time of application for permission under this Act;
- (b) The school head or principal shall certify that such participation will not adversely affect the child's academic progress.

CHAPTER V ENFORCEMENT AND PENALTIES

9. Designated Authorities.- (1) The District Magistrate shall be the primary enforcement authority for the purposes of this Act and shall exercise all powers conferred herein for:

- (a) Granting or refusing permission for engagement of a child in influencer activities;
- (b) Monitoring compliance with the provisions of this Act;

- (c) Issuing directions for inquiry, inspection, or corrective action as necessary.
 - (2) The State Commission shall function as the appellate and oversight body under this Act and shall have the powers to:
 - (a) Hear appeals against decisions of the District Magistrate;
 - (b) Conduct *suo motu* inquiries or act on complaints regarding violations under this Act;
 - (c) Issue advisory guidelines or recommendations to the State Government for the effective implementation of this Act.
 - (3) The District Magistrate and the State Commission shall be empowered to seek assistance from the District Child Protection Unit, the Police, and any other relevant authority for enforcement and investigation under this Act.
- 10. Penalties.-** (1) Any person who contravenes or fails to comply with the provisions of this Act, or any rule or direction made the reunder, shall be liable to one or more of the following penalties, as determined by the District Magistrate:
- (a) A fine which may extend up to ₹1,00,000 (Rupees One Lakh);
 - (b) Suspension or cancellation of any registration or permission granted under this Act;
 - (c) In appropriate cases involving the endangerment of the child's health, education, or moral development, initiation of proceedings under the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016), or any other applicable law.
- (2) The penalties imposed under this section shall be without prejudice to any civil or criminal liability that may be incurred under any other law for the time being in force.

CHAPTER VI MISCELLANEOUS

11. Power to Make Rules.- The State Government may, by notification in the Official Gazette and subject to the condition of previous publication, make rules for carrying out the purposes and provisions of this Act, including procedures for registration, reporting, trust fund administration, redressal mechanisms, and digital safeguards.

12. Laying of Rules and Notifications before State Legislature.- Every rule made and every notification issued by the State Government under this Act shall be laid, as soon as may be after it is made, before each house of the Legislature of the State of Karnataka, while it is in session, for a total period of thirty days which may comprise one session or two or more successive sessions. If, before the expiry of the session immediately following the session or the successive sessions aforesaid, the State Legislature agrees to make any modification in the rule or notification, or agrees that the rule or notification should not be made or issued, the rule or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be, without prejudice to the validity of anything previously done under that rule or notification.

13. Savings.-The provisions of this Act shall be in addition to and not in derogation of the provisions of the Child Labour (Prohibition and Regulation) Act, 1986(61 of 1986), the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016),

the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009), and any other law for the time being in force concerning the protection and welfare of children.

14.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 or expedient for the purpose of removing the difficulty.

Provided that no such order shall be made after the expiry of a period of three years from the date on which this Act comes into force.

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

STATEMENT OF OBJECTS AND REASONS

1. The rapid rise of social media has created a new category of participation for children in the online space, commonly referred to as “child influencers.” These are children who appear in monetised digital content on platforms such as YouTube, Instagram, and other social media, either through dedicated accounts or via family-managed channels. Their engagement often involves sponsorships, advertisements, and brand collaborations, generating significant income and public attention. However, child influencers operate in a largely unregulated space. This has given rise to serious concerns regarding their protection, including issues of overexposure, lack of privacy, excessive working hours, misuse of income, psychological harm, online harassment, and disruption of their right to education and rest.
2. While the National Commission for Protection of Child Rights has issued Guidelines in 2022 concerning children’s participation in the entertainment industry and digital content, the non-binding nature of these guidelines has limited their effectiveness. Moreover, there is no statutory mechanism to ensure enforcement, monitoring, or redressal at the State level.
3. India is a signatory to the United Nations Convention on the Rights of the Child, 1992, which mandates State parties to protect children from economic exploitation, ensure their access to education, and uphold their best interests in all matters concerning them. Additionally, the International Labour Organization’s Convention No. 182 and accompanying Recommendation No. 190 call for urgent steps to eliminate child labour in forms that are hazardous or harmful to children’s development. These protections are further grounded in the Constitution of India, which under Articles 15(3), 21A, 39(e) and (f), 45 and 47, obligates the State to safeguard the rights and welfare of children.
4. In light of these developments, there is a pressing need for the State of Karnataka to enact a dedicated legal framework that addresses the risks faced by child influencers, while recognising their evolving role in the digital economy.
5. The Karnataka Protection of Child Influencers Bill, 2025, inter alia, seeks to provide for the following, namely:—
 - i. to establish a mandatory registration system for child influencers engaging in monetised content, along with submission of education and safety plans;
 - ii. to empower the District Magistrate and the District Child Protection Unit to monitor compliance, working conditions, and trust fund contributions;
 - iii. to guarantee children’s digital privacy and their right to request removal of online content that may harm their dignity or mental health;
 - iv. to prohibit the publication of content that ridicules, exploits, or exposes the child to harm, and to limit working hours to safeguard their well-being and education;

- v. to require that not less than twenty per cent of the child's earnings be deposited into a trust account in the child's name for future access;
 - vi. to impose penalties for violations and provide enforcement mechanisms through designated authorities and the State Commission for Protection of Child Rights;
6. The Bill seeks to achieve the above objectives.

**THE PAYING GUEST ACCOMMODATION REGULATION (STANDARDS,
COMPLIANCE AND MAINTENANCE) BILL, 2025**

A Bill to regulate the establishment, classification, licensing, operation, maintenance, and inspection of paying guest accommodations in the State of Karnataka and for matters connected therewith or incidental thereto.

Be it enacted by the Karnataka state legislative in the Seventy-Sixth year of the Republic of India as follows:-

**PART I
CHAPTER I
PRELIMINARY**

1. Short title, extent, and commencement.- (1) This Act may be called the Paying Guest Accommodation Regulation (Standards, Compliance and Maintenance) Act, 2025.

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

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Application of the Act.-(1) This Act shall apply to all paying guest accommodations operating within the territorial jurisdiction of the State of Karnataka.

(1) For the purposes of this Act, “paying guest accommodation” means any premises or part thereof where lodging, with or without food and other amenities, is provided to one or more persons for monetary consideration, for a period exceeding fourteen days.

(2) The provisions of this Act shall apply to all owners, managers, operators, and administrators of paying guest accommodations, and to all residents residing therein.

(3) This Act shall not apply to,—

(a) hotels, lodges, inns, or guest houses registered under any other law for the time being in force;

(b) hostels maintained by educational institutions or recognized charitable organizations;

(c) premises exclusively used for residential purposes without any commercial renting or paying guest arrangement.

(4) Nothing in this Act shall exempt any person or entity from compliance with other applicable laws, including but not limited to municipal regulations, fire safety laws, police verification requirements, and taxation laws.

Explanation - For the purposes of this Act, paying guest accommodations do not include apartments, flats, or other purely residential premises occupied by permanent residents. Such residential setups are distinct from paying guest accommodations and shall not fall within the scope of this Act.

Section 3. Definitions.-In this Act, unless the context otherwise requires,-

(a) “Paying Guest Accommodation” means any premises or part thereof where lodging, with or without food and other amenities, is provided to one or more persons for a monetary consideration, for a period exceeding thirty days, but does not include hotels, lodges, inn guest houses registered under any other law, or purely residential

premises occupied by permanent residents without commercial renting or paying guest arrangements;

(b) “Resident” means any person who resides in a paying guest accommodation as a paying guest under a rental agreement;

(c) “Owner” means any individual, firm, company, society, or other entity who owns wholly or partially or has legal possession of the paying guest accommodation;

(d) “Manager” means any person appointed by the owner or responsible for the day-to-day management and operation of the paying guest accommodation;

(e) “Competent Authority” means the authority or officer designated by the State Government to carry out the functions under this Act;

(f) “Security Deposit” means any refundable amount collected from the resident at the time of admission as a guarantee against damage, default in payment, or breach of terms of the rental agreement;

(g) “Registration” means the process of enrolling a paying guest accommodation with the competent authority under this Act;

(h) “Classification” means the categorization of paying guest accommodations into Male-Only PG, Female-Only PG, or Co-Living PG as prescribed under this Act;

(i) “Common Areas” means areas within the paying guest accommodation premises accessible to all residents, including but not limited to corridors, lounges, kitchens, bathrooms, and recreational spaces;

(j) “Emergency” means any situation involving imminent threat to life, health, safety, or property requiring immediate action;

(k) “Rental Agreement” means a written agreement between the owner/manager and the resident specifying the terms and conditions of stay in the paying guest accommodation;

(l) “State Government” means the Government of Karnataka.

PART II

CHAPTER II

LICENSING AND REGISTRATION

4. Requirement of License.-(1) No person shall operate, or cause to be operated, any Paying Guest accommodation within the jurisdiction of this Act, unless a valid license has been obtained from the Zonal Commissioner as per Section 305(1)(h) of the Bruhat Bengaluru Mahanagara Palike Act, 2020, or any other law for the time being in force.

(1) An application for such license shall be made in such form and manner as may be prescribed under the rules or bye-laws framed pursuant to the said Act.

(2) The license so granted shall:

(a) be premises-specific and shall not be construed to authorize operation at any location other than that for which it is issued;

(b) remain valid for a period of four years from the date of issuance;

(c) be eligible for renewal upon the expiry of its term, subject to continued compliance with the provisions of this Act and the rules made thereunder.

(3) A separate license shall be obtained for each branch, subsidiary, annex, or additional premises operated by the same person or entity, regardless of common ownership or management, if such premises fall within the jurisdiction of this Act.

(4) No license granted under this Act shall be transferred or assigned to any other person or premises without the prior written approval of the licensing authority.

5. Criteria for Grant of License.- (1) The licensing authority shall grant a license under this Act only upon being satisfied that the applicant has complied with all conditions prescribed herein and under the applicable rules and bye-laws.

(2) Without prejudice to the generality of sub-section (1), the following conditions shall be fulfilled prior to the grant of license:

(a) submission of proof of lawful possession, ownership, or leasehold rights in respect of the premises for which the license is sought;

(b) compliance with applicable building municipal bye-laws, zoning regulations, and fire safety norms as certified by the competent authority;

(c) provision for minimum space requirements, ventilation, lighting, and basic amenities in accordance with the standards specified under this Act;

(d) installation of requisite sanitation, water supply, and waste management facilities;

(e) absence of any subsisting order of suspension, revocation, or blacklisting issued under this Act or any other law for the time being in force;

(f) submission of an affidavit declaring that the premises shall not be used for any unlawful activity and that the safety, dignity, and rights of tenants shall be protected at all times;

(g) any other condition as may be prescribed by the state Government through rules made under this Act.

6. Renewal, Suspension, and Revocation of License.- (1) A license granted under this Act shall be renewable every four years, upon application made by the licensee at least sixty days prior to the date of expiry of the existing license, in such form and manner as may be prescribed.

(2) The licensing authority may refuse renewal of a license if it is satisfied that—

(a) the licensee has violated any provision of this Act or the rules made thereunder;

(b) the licensee has failed to maintain the standards or conditions required for operation of a Paying Guest accommodation;

(c) the application for renewal contains material misrepresentations or suppresses relevant facts.

(3) The licensing authority may, either suo motu or upon receipt of a complaint, and after giving the licensee an opportunity of being heard, suspend or revoke the license granted under this Act, if—

(a) the license has been obtained by fraud, misrepresentation, or concealment of material facts;

(b) the licensee has contravened any provision of this Act, or the rules or bye-laws framed thereunder;

- (c) the Paying Guest accommodation has been found to be unsafe, unhygienic, or unfit for human habitation;
 - (d) the licensee has failed to rectify deficiencies pointed out during inspections within the time period prescribed;
 - (e) the premises have been used for any unlawful activity.
- (4) Upon suspension or revocation of the license—
- (a) the licensee shall forthwith cease to operate the Paying Guest accommodation;
 - (b) the licensing authority shall take such measures as may be necessary to ensure the safety and relocation of existing tenants, including coordination with local authorities;
 - (c) no reapplication for license shall be entertained for the same premises for a period of twelve months from the date of revocation, except with the prior approval of the Government.
- (5) An appeal against an order of suspension or revocation may be filed by the aggrieved person before such appellate authority, within such period, and in such manner, as may be prescribed.

CHAPTER III CLASSIFICATION OF ACCOMMODATIONS

7. Classification of Paying Guest Accommodations.-

- (1) For the purposes of regulation under this Act, paying guest accommodations shall be classified into the following categories
- (a) Male-Only PG – accommodation exclusively for male tenants;
 - (b) Female-Only PG – accommodation exclusively for female tenants;
 - (c) Co-Living PG – accommodation that provides mixed-gender living arrangements or shared living spaces, with common areas and facilities shared among male and female tenants.
- (2) The owner or manager of a paying guest accommodation shall declare the category of the accommodation at the time of registration.
- (3) The owner or manager shall apply to the competent authority for classification or reclassification of the paying guest accommodation in the prescribed manner.

PART III CHAPTER IV STANDARDS FOR AMENITIES AND SERVICES

8. Provision of Basic Amenities.-

- (1) Every Paying Guest accommodation shall be equipped with the following minimum amenities, in such manner as may be prescribed:
- (a) access to potable drinking water at all times;
 - (b) uninterrupted electricity supply with adequate backup facilities;
 - (c) functional and hygienic toilet and bathing facilities in a ratio not less than at least one unit per four tenants;
 - (d) proper ventilation and natural or artificial lighting in all living, cooking, and common areas;

(e) appropriate waste disposal mechanisms, including segregation and timely removal of garbage;

(f) provision of sufficient storage for the personal belongings of tenants.

9. Hygiene and Sanitation.-(1) The operator shall ensure that all areas of the Paying Guest accommodation, including but not limited to kitchens, common areas, washrooms, and individual rooms, are maintained in a clean, hygienic, and habitable condition.

(2) The premises shall be cleaned and disinfected at regular intervals as may be prescribed, and a log of cleaning activities shall be maintained and produced upon demand by the Competent Authority.

(3) The premises shall comply with all applicable public health, sanitation, and building regulations, including the provisions of the Karnataka Municipal Corporation Act, 1976, and any rules framed thereunder.

10. Safety and Security Measures.-(1) Every Paying Guest accommodation shall implement adequate safety and security measures to ensure the protection of tenants, particularly women, minors, and any other vulnerable persons residing therein.

(2) Without prejudice to the generality of sub-section (1), the following measures shall be mandatory;

(a) installation of closed-circuit television (CCTV) cameras at all entry and exit points, corridors, staircases, and common areas, excluding private and sanitary spaces;

(b) maintenance of a visitor entry register with time-stamped records of all non-resident entries and exits;

(c) no visitor or guest shall be permitted to remain on the premises beyond the hours prescribed, and all entries and exits of guests shall be monitored and recorded;

(d) installation and maintenance of fire extinguishers, smoke detectors, and emergency lighting in accordance with fire safety norms notified by the Karnataka Fire and Emergency Services or any other Competent Authority;

(e) Display of emergency contact numbers, including local police station, fire services, ambulance, and women's helpline, at conspicuous locations within the premises;

(3) The operator shall be responsible for ensuring that all safety and security infrastructure is fully operational, regularly serviced, and compliant with applicable safety regulations.

(4) The Owner or Operator of every Paying Guest accommodation shall have a duty to ensure the safety, security, and well-being of all tenants against any form of harm, harassment, abuse, or misconduct committed by co-residents, other occupants, workers, or any person within the premises of the Paying Guest accommodation..

11. Food Service Standards.- (1) All Paying Guest Accommodations providing in-house meal services shall obtain a valid license from the Food Safety and Standards Authority of India (FSSAI) within three months of acquiring the license.

(2) the preparation, handling, and storage of food shall conform to the hygiene and safety standards specified by the Food Safety and Standards Authority of India (FSSAI) and the Karnataka State Food Safety Authority;

PART IV
CHAPTER V
RIGHTS AND DUTIES

12. Rights and Duties of the Owner.- (1) Every Owner or Manager of a Paying Guest accommodation shall have the following rights,-

- (a) to receive timely payment of rent and other agreed-upon charges from the resident as per the rental agreement;
- (b) to expect adherence to the house rules and code of conduct by the resident;
- (c) to recover costs for damages caused to the premises by the resident beyond reasonable wear and tear, subject to the provisions of this Act;
- (d) to terminate the rental agreement in accordance with the terms specified therein and the provisions of this Act.

(2) Every Owner or Manager of a Paying Guest accommodation shall have the following duties:

- (a) to ensure that the premises and all amenities provided are safe, habitable, and in good repair at all times;
- (b) to maintain cleanliness and hygiene standards as prescribed under this Act;
- (c) to respect the privacy of residents and not enter their rooms without prior notice, except in cases of emergency;
- (d) to provide all services and amenities as promised in the rental agreement;
- (e) to address grievances and complaints of residents promptly and effectively;
- (f) to comply with all provisions of this Act and rules made thereunder, and other applicable laws;
- (g) to provide a copy of the rental agreement, duly signed by both parties, to the resident.

13. Rights and Duties of the Resident.- (1) Every Resident of a Paying Guest accommodation shall have the following rights,-

- (a) to reside in a safe, hygienic, and habitable environment with access to all promised amenities;
- (b) to receive an uninterrupted supply of basic amenities, including potable water and electricity;
- (c) to privacy and peaceful enjoyment of their allotted space;
- (d) to receive a written rental agreement clearly outlining the terms and conditions of occupancy;
- (e) to the timely refund of the security deposit in accordance with the provisions of this Act; (f) to a fair and transparent grievance redressal mechanism;
- (g) to be treated with dignity and respect, free from harassment, discrimination, or exploitation.

(2) Every Resident of a Paying Guest accommodation shall have the following duties:

- (a) to pay rent and other agreed-upon charges punctually as per the rental agreement;
- (b) to adhere to the house rules and code of conduct established by the Owner or Manager;

- (c) to maintain cleanliness and hygiene within their allotted room and common areas;
- (d) to use the premises and amenities responsibly and not cause damage beyond reasonable wear and tear;
- (e) to not engage in any unlawful activity within the premises;
- (f) to vacate the premises upon termination of the agreement as per the agreed terms;
- (g) to report any safety hazards, breaches of security, or maintenance issues to the Owner or Manager promptly.

CHAPTER VI TENANCY AGREEMENTS

14. Tenant Agreement.- (1) No tenant shall be admitted into a Paying Guest accommodation unless a written agreement is executed between the Owner or Operator and the tenant, clearly setting out the terms and conditions of occupancy.

(1) The tenant agreement shall mandatorily include the following particulars:

- (a) the names, addresses, and identification details of the Owner or Operator and the tenant;
 - (b) Description of the room allotted to the tenant;
 - (c) the amount of rent, charges for food services (if any), security deposit, and any other fees payable by the tenant, along with the mode and due dates of payment;
 - (d) the amount of security deposit, the manner of its payment, conditions for its forfeiture, adjustment or refund, and the timeline for refund upon termination of tenancy;
 - (e) the duration of the agreement, including commencement and termination dates, and the procedure for renewal or extension;
 - (f) the notice period required for termination of the agreement by either party and the conditions for refund of the security deposit;
 - (g) the house rules and code of conduct to be observed by the tenant;
 - (h) the amenities and services included within the rent or separately chargeable;
 - (i) the rights and duties of both the tenant and the Owner or Operator as prescribed under this Act;
 - (j) the grievance redressal mechanism available to the tenant; and
 - (k) any other matter as may be prescribed by the Competent Authority.
- (2) The agreement shall be executed in duplicate, and one copy shall be provided to the tenant, duly acknowledged.
- (3) The Owner or Operator shall be responsible for maintaining a register of all executed tenant agreements and shall produce the same for inspection by the Competent Authority upon request.

15. Refundable Deposit.-

(1) **Maximum Security Deposit:**

- (a) No Owner or Operator shall demand or collect a security deposit exceeding

three times the monthly rent in respect of Paying Guest accommodations situated within the Bengaluru Urban District.

(b) In respect of Paying Guest accommodations situated outside the Bengaluru Urban District, the security deposit shall not exceed two times the monthly rent.

(2) Permissible Deductions:

(a) Deductions from the security deposit shall be limited to the following:

(i) unpaid rent or utility charges accrued during the period of occupancy;

(ii) documented costs of repair for damages caused to the premises beyond reasonable wear and tear;

(iii) outstanding penalties duly imposed for material breaches of the terms of the tenant agreement.

(b) No deductions exceeding twenty-five per cent of the total security deposit amount shall be made without obtaining the prior written approval of the Competent Authority.

(3) Refund Timeline:

(a) The Owner or Operator shall refund the balance amount of the security deposit, after permissible deductions, within fifteen working days from the date on which the tenant vacates the premises.

(b) Any delay in refunding the deposit beyond the stipulated period shall attract a rate of interest on the outstanding amount, until payment is made in full.

(4) Documentation Requirements:

(a) Any deductions made from the security deposit shall be accompanied by an it emised statement furnished to the tenant, which shall include:

(i) photographic evidence of damages alleged;

(ii) original bills or invoices pertaining to repair works undertaken;

(iii) utility consumption logs with corresponding meter readings, where applicable.

(b) Failure to furnish the it emised statement along with supporting documentation shall render all deductions invalid, and the full deposit shall be refunded to the tenant.

PART V

CHAPTER VII

COMPLIANCE AND ENFORCEMENT

16. Periodic Inspection by Competent Authority.- (1) The Competent Authority shall conduct periodic inspections of all licensed Paying Guest accommodations to ensure compliance with the provisions of this Act and the rules made thereunder.

(2) Such inspections shall be carried out at least once every twelve months, or more frequently if deemed necessary based on complaints received or any other reasonable cause.

(3) For the purpose of inspection, the Competent Authority or any officer authorized by it shall have the power to:

(a) enter and inspect the premises of the Paying Guest accommodation at any reasonable hour, after giving prior notice to the Owner or Manager, except in cases of emergency;

(b) examine any records, registers, or documents required to be maintained under this Act;

(c) interview the Owner, Manager, staff, and residents to ascertain compliance and address grievances;

(d) take photographs or make recordings of the premises for documentation purposes.

(4) If, upon inspection, the Competent Authority finds any non-compliance with the provisions of this Act or the rules made thereunder, it shall issue a notice to the Owner or Manager specifying the deficiencies and requiring rectification within a stipulated period, which shall not be less than fifteen days.

(5) Failure to rectify the deficiencies within the specified period may lead to suspension or revocation of the license, imposition of penalties, or both, as prescribed under this Act.

17. Association for Paying Guest Accommodation.- (1) The State Government may, by notification, recognize or facilitate the formation of an association or associations of Paying Guest accommodation Owners and/or Managers for the purpose of promoting self-regulation, adherence to standards, and resolution of disputes.

(2) Such an association, upon recognition, may:

(a) formulate a code of conduct for its members consistent with the provisions of this Act;

(b) provide a platform for grievance redressal between Owners/Managers and residents, subject to the overall jurisdiction of the Competent Authority;

(c) conduct awareness programs regarding the provisions of this Act and best practices in the operation of Paying Guest accommodations;

(d) act as a liaison between its members and the Competent Authority or State Government on matters related to the regulation of Paying Guest accommodations.

(3) Membership in such an association shall be voluntary, but the Competent Authority may consider membership as a positive factor in the grant or renewal of licenses.

18. Penalty for Non-Compliance.- (1) Any person who operates a Paying Guest accommodation without obtaining a valid license as required under Section 4 of this Act shall be liable to a penalty of a fine which may extend to one lakh rupees, and in case of a continuing contravention, with an additional fine which may extend to ten thousand rupees for every day during which such contravention continues.

(2) Any Owner or Manager who contravenes any of the provisions of this Act or the rules made thereunder, for which no specific penalty has been provided, shall be liable to a penalty of a fine which may extend to fifty thousand rupees for the first

contravention, and for any subsequent contravention, with a fine which may extend to one lakh rupees.

(3) If any false information or document is submitted for obtaining or renewing a license under this Act, the person responsible shall be liable to a penalty of a fine which may extend to two lakh rupees, in addition to the suspension or revocation of the license.

(4) Where an offense under this Act has been committed by a company, every person who, at the time the offense was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offense and shall be liable to be proceeded against and punished accordingly: Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offense was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offense.

(5) Notwithstanding anything contained in sub-section (4), where an offense under this Act has been committed by a company and it is proved that the offense has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offense and shall be liable to be proceeded against and punished accordingly.

(6) The Competent Authority shall have the power to impose and collect penalties as prescribed under this section.

STATEMENT OF OBJECTS AND REASONS

(1) In recent years, the State of Karnataka, particularly the Bengaluru Urban District, has been witnessing large populations migrating for educational and employment purposes. This has led to unexpected demand for Paying Guest (PG) accommodations. However, the growth of PG's has not been accompanied by corresponding development of regulatory mechanisms to govern their functioning.

(2) At present, a large number of PG accommodations function without obtaining mandatory registrations, licenses, or clearances from competent authorities. This legal vacuum has led to substandard living conditions marked by inadequate room sizes, lack of proper ventilation, poor sanitation and hygiene, non-compliance with food safety standards, and unregulated service practices. Tenants, particularly students and working professionals, are largely governed by rent agreements which are alleged to be exploitative in nature, namely exorbitant security deposits, arbitrary rent increases, absence of written contract and lack of safety standards.

(3) The Bill seeks to provide for mandatory registration and licensing, minimum standards for infrastructure and services, regulation of exorbitant rents, execution of written tenancy agreements, establishment of grievance redressal mechanisms, and penalties for non-compliance.

KARNATAKA PARENTAL LEAVE (EQUALITY AND SUPPORT) BILL, 2025

A Bill to provide for the grant of equitable and employment-protected paternity and parental leave to employed parents irrespective of gender, to promote shared parental responsibilities, eliminate gender-based discrimination in caregiving, and to secure the welfare and development of children in the State of Karnataka.

Whereas it is expedient to secure gender equality in the sharing of childcare responsibilities and to align the leave entitlements for parents in accordance with constitutional guarantees of equality and international commitments to children's rights;

And Whereas the State recognises the need to ensure the welfare of children through the support of both parents and to remove unreasonable distinctions in the application of family leave policies that currently favour only a certain class of employees;

And Whereas it is necessary to establish a legal framework for the provision of paternity and parental leave that is fair, inclusive, and supports the diverse familial structures existing in society.

CHAPTER I PRELIMINARY

1. Short title and extent.- (1) This Act may be called the Karnataka Parental Leave (Equality and Support) Act 2025.

(2) They extend to whole of the State of Karnataka.

2. Definitions.- (1) In this Act, unless the context otherwise requires,-

(a)“Direct differential treatment” shall mean actions that:

- (i) discriminate between women and men because they are of different sexes, or
- (ii) place a woman in a worse position than that in which she otherwise would have been because of pregnancy or childbirth, or
- (iii) place a woman or a man in a worse position than that in which the person concerned otherwise would have been because of her or his exercise of rights to take leave of absence that are reserved as maternity, paternity or parental leave or
- (iv) irrespective of the applicant’s gender, any questions about pregnancy, adoption or family planning during the hiring process.

(b)“Employer” means,-

- (i) in relation to an establishment which is under the control of the Government, a person or authority appointed by the Government for the supervision and control of employees or where no person or authority is so appointed, the head of the department;
- (ii) in relation to an establishment under any local authority, the person appointed by such authority for the supervision and control of employees or where no person is so appointed, the chief executive officer of the local authority;

- (iii) in any other case, the person who, or the authority which, has the ultimate control over the affairs of the establishment and where the said affairs are entrusted to any other person whether called a manager, managing director, managing agent, or by any other name, such person;
- (c) “Indirect differential treatment” shall mean any apparently gender-neutral action that in fact has the effect of placing one of the sexes in a worse position than the other.
- (d) “Inspector” refers to the Inspector appointed under the Karnataka Maternity Benefit Rules 1966.
- (e) “Parent” includes biological, adoptive, and legal guardians of any gender identity, including transgender and transexual persons as defined under the Transgender Persons (Protection of Rights) Act, 2019.
- (f) “Paternity Leave” means employment-protected leave of absence for employed fathers in the first month after childbirth except as prescribed otherwise in this Act.
- (g) “Parental Leave” means employment-protected leave of absence for employed mothers and fathers, which is supplementary to the specific maternity and paternity leave periods, and, follows the period of maternity and paternity leaves respectively.
- (h) “Wages” means all remuneration paid or payable in cash to an employee, if the terms of the contract of employment, express or implied, were fulfilled and includes—
 - (1) such cash allowances (including dearness allowance and house rent allowance) as an employee is for the time being entitled to;
 - (2) incentive bonus; and
 - (3) the money value of the concessional supply of food grains and other articles,
 but does not include—
 - (i) any bonus other than incentive bonus;
 - (ii) over-time earnings and any deduction or payment made on account of fines;
 - (iii) any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the woman under any law for the time being in force; and
 - (iv) any gratuity payable on the termination of service;

(2) Any ambiguity shall be interpreted in parallel to the Maternity Benefit Act 1961 and the Karnataka Maternity Benefit Rules 1966.

3. Muster Roll.- The employees irrespective of gender must be recorded as part of the muster roll as under Form ‘A’ in order to ensure compliance of conditions before availing paternity or parental leave.

- 4. Proof.-** (1) The fact that an employee's wife is pregnant or has been delivered of a child shall be proved by the production of the following certificates:
- (a) A copy of a valid Marriage Certificate
 - (b) A Certificate from a Medical Officer of a Government hospital or a dispensary;
 - or
 - (c) From a Registered Medical Practitioner,
- The Medical Certificate shall be in Form 'B' of the Act.
- (2) The fact of death of the pregnant wife may be proved by the production of a certificate to that effect in Form 'C' from any of the authorities referred to in subsection (i) or by the production of a certified extract from a death register maintained under the provisions of any law for the time being in force or otherwise.
- (3) A man or woman adopting as a single parent must produce a certified copy of the adoption order from the District Magistrate.

CHAPTER II SCHEMES

- 5. Paternity Leave Scheme.-** (1) A male employee must be given paternity leave on production of Form 'D' for a period of 14 working days beginning from the date of the delivery of the child with full payment of the wages.
- Provided that the wife of such employees passes away during the delivery of the child or an employee adopts as a single father; shall be given 26 weeks of paternity leave without any deduction or withholding of wages to take care of the child.
- (2) The payment of wages of the leave period shall be made within a week of the first day of such leave or the day of the delivery of the child in order to ensure ease in making payments in the hospital and availing other healthcare services.
- (3) This Act supersede any company policies that are detrimental to such rights however any internal policy that is allowing for a longer paternity leave policy shall be allowed with respect to the period of leave alone.
- 6. Parental Leave Scheme.-**(1) Notwithstanding the period of leave under the Maternity Benefit Act 1961 or the prescribed Paternity leave, a period of 4 weeks in a financial year which shall be used only after the lapse of the period of 26 weeks after the delivery of the child.
- Provided such leave can only be availed by employees on fulfilling the criteria under Regulation 8(2).
- Provided also that, if this quota is not used during the financial year, it lapses.
- Provided further that, this leave cannot be taken for more than a week at a time unless allowed otherwise by the management.
- (2) This leave is available to every employee irrespective of gender and is to be used for the purpose of spending time with the child alone. However, if both parents are under the same employer each parent may transfer a portion of their parental leave to one

parent however each parent shall be entitled to a non-transferable portion of at least 2 weeks of the total parental leave entitlement.

- (3) This includes the child's school-related events or showing support in any extra-curricular activity such as sports match, dance performance, drama performance, or important examination such as Board examinations and college or entrance exams.
 - (4) A copy of the invite or any official documentation must be produced before the employer as proof that the leave is for the prescribed purpose. This must be submitted at least 1 week before the required leave date.
 - (5) Either parent shall be entitled to an additional 2 weeks of job-protected leave in a financial year, either unpaid or at partial wage reimbursement as per the discretion of the employer, following the exhaustion of fully paid parental leave.
- 7. State Governments Support.-** (1) The State shall provide a reimbursement scheme for small and medium enterprises (SMEs) covering up to 50% of the wage paid during the paternity and parental leave period, subject to criteria notified by the government.
- (2) On implementing the scheme within 6 months of the notification, the company shall be given a tax benefit for 5 years as notified by the government.

CHAPTER III RIGHTS AND DUTIES

- 8. Right to wages during leave.-** (1) Subject to the provisions of this Act, every employee shall be entitled to, and the employer shall be liable for, the payment of paternity or parental leave at the rate of the average daily wage for the period of the actual absence.

Explanation: For the purpose of this sub-section, the average daily wage means the average of the employee's wages payable for the days on which the employee worked during the period of three calendar months immediately preceding the date from which he or she absents himself or herself on account of parenthood, [the minimum rate of wage fixed or revised under the Minimum Wages Act, 1948 or ten rupees, whichever is the highest.]

- (2) No employee shall be entitled to paternity or parental benefit unless they have actually worked in an establishment of the employer from whom such leave is claimed, for a period of not less than 110 days in the 6 months immediately preceding the date of expected delivery of the child or claiming the first parental leave.

Explanation: For the purpose of calculating under this sub-section the days on which an employee has actually worked in the establishment, the days for which he or she has been laid off or was on holidays declared under any law for the time being in force to be holidays with wages during the period of twelve months immediately preceding the date of expected delivery of the child or claiming parental leave shall be taken into account.

- 9. Dismissal during absence of paternity or parental leave.-** (1) When an employee absents themselves from work in accordance with the provisions of this Act, it shall be unlawful for the employer to discharge or dismiss them during or on account of such absence or to give notice of discharge or dismissal on such a day that the notice will expire during such absence, or to vary to their disadvantage any of the conditions of their service.
- (2) Any employee discharged or dismissed during or on account of absence from work in accordance with the provisions of this Act, may, within sixty days from the date on which order of such discharge or dismissal is communicated to him or her, appeal to such authority as may be prescribed, and the decision of that authority on such appeal, whether the employee should or should not be discharged or dismissed shall be final.
- 10. Prohibition of Differential Treatment.-** (1) Any employee facing any form of differential treatment whether direct or indirect must file a complaint through an official mail or letter to the Inspector to address the same as per FORM 'E'.
- Provided that, in certain cases, indirect differential treatment is permitted if the action has an objective purpose that is independent of gender, and the means that is chosen is suitable, necessary and is not a disproportionate intervention in relation to the said purpose.
- (1) The Inspector shall acknowledge such complaints within a week and shall complete addressing such complaints within a month of the complaint being acknowledged.
- (2) The resolution if amicably agreed or any change in policy based on such complaint shall be informed via notice to all employees and shall also be part of the annual report as per section 11.
- (4) The employees may seek redressal via any court of competent jurisdiction as prescribed under Section --- if the concern has not been dealt with appropriately or satisfactorily.
- 11. Duties of Employers.-** (1) Enterprises that are subject to a statutory duty to prepare an annual report shall in the said report give an account of the actual state of affairs as regards gender equality in the enterprise.
- (2) Employers shall report the gender-wise distribution of availed parental and paternity leave, which shall be compiled in the annual gender equality report.
- (3) An account shall also be given of measures that have been implemented and measures that are planned to be implemented in order to promote gender equality and to prevent differential treatment in contravention of this Act.
- (4) Public authorities and public enterprises that are not obliged to prepare an annual report shall give a corresponding account in their annual budget.

CHAPTER IV
OFFENCES AND PENALTIES

- 12. Cognizance of offences.**-(1) Any aggrieved person, an office-bearer of a trade union registered under the Trade Unions Act, 1926 (16 of 1926) of which such employee is a member or a voluntary organisation registered under the Societies Registration Act, 1860 (21 of 1860) shall file a complaint to the inspector under FORM 'F'. The inspector shall hear the parties and collect all relevant documents and information.
- (2) The Inspector, may file a complaint regarding the non-compliance of any provision under this Act in any court of competent jurisdiction and no such complaint shall be filed after the expiry of one year from the date on which the offence is alleged to have been committed.
- (3) No court inferior to that of a Metropolitan Magistrate or a Magistrate of the first class shall try any offence under this Act
- 13. Protection of action taken in good faith.**- No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or of any rule or order made thereunder.

FORM A
[See Section 3]
Muster Roll

1. Name of mine
2. Serial Number.
3. Name of employee and their spouse.
4. Date of appointment.
5. Nature of work.
6. Dates with month and year in which employee is employed, laid off and not employed.
7. Date on which the employee gives notice under Section 4.
8. Date of discharge/dismissal, if any.
9. Date of production of proof of pregnancy under Section 4.
10. Date of birth of child.
11. Date of production of proof of delivery.

FORM B

[See Section 4]

This is to certify that I examined ___ wife of ____, employee in (name of the establishment) on ___ (date) and found that she is pregnant and is expected to be delivered of a child within (month and/days) from the abovementioned date/has been delivered of a child on ___ (date).

Signature,

Qualifications and Designation of Medical Officer / Medical Practitioner

Date__

FORM C

[See Section 4 (2) and Proviso of Section 5 (1)]

This is to certify that Smt. wife/daughter of _____ employed in (name of mine) expired on _____. The child survives her.

Signature,

Qualifications and designation of Medical Officer/Medical Practitioner.

Date.

FORM D

[See Section 5 (1)]

_____(Name of establishment)

I, ___ (name of employee) husband of ___ employed as ___ at ___ (name of establishment), hereby give notice that I expect to be on paternity leave for 14 working days, following from the date of this notice/have given birth to a child on ___ (date) and shall be absent from work from ___ (date) to ___ (date).

I shall not work in any establishment during the period for which I receive my average wages while on paternity leave.

Signature of employee

Date.

FORM E

[See Section 10]

To The Competent Authority appointed under the Maternity Benefit Act, 1961
..... (Address).

Sir/Ma'am, We (at least 5 employees), _____, the undersigned, employees of
..... (name of mine and full address), having been subject to differential
treatment for the reasons attached hereto, prefer this appeal and request that the said
employer be ordered to change the discriminating policy.

A copy of the order of the employer in this behalf is enclosed.

Signature or thumb impression of the employee.

Date

Signature of employees

FORM F

[See Section 12]

To The Inspector,

Sir, I, (name of employee) employed in
(name and full address of mine) having fulfilled the conditions laid down in the Parental
Leave Act, thereunder an entitled to a leave from __ (date) __ to __ however I have been
wrongly deprived by the employer of paid paternity leave or paid parental leave or both
(strike out unnecessary portion) for the reasons attached hereto, prefer this appeal and
request that the said employer be ordered to pay the above-mentioned amount to me or
allow me to avail leave on such dates.

He may, therefore, be directed to pay the wage to me for the period of the leave.

Signature or thumb impression of the employee.

Date Full address of the employee

STATEMENT OF OBJECTS AND REASONS

There is growing global recognition of the benefits of paternal and parental leave in promoting early bonding with children, reducing gender disparity in caregiving, and improving child development outcomes. The Convention on the Rights of the Child, ratified by India, obliges the State to enact laws ensuring the welfare of the child by supporting both parents in caregiving responsibilities.

Recommendations by international bodies such as the ILO (Recommendation Nos. 165, 182, and 191) indicate that shared parental leave improves children's cognitive outcomes and promotes equality in the workplace. These models inspire the present legislation.

This Bill seeks to establish a statutory right to paternity and parental leave for all employed parents in Karnataka irrespective of gender identity and prevent differential treatment and protect against dismissal or disadvantage during leave. The Act encourages employers to adopt gender-equitable workplace policies and reporting mechanisms and facilitates government support and reimbursement schemes for small and medium enterprises implementing such policies.

This Bill is a progressive step towards fulfilling India's constitutional mandate under Articles 14, 15, and 39, fostering equality and dignity in the workplace, and ensuring every child's right to parental care and attention.

**THE COACHING INSTITUTES AND TUITION CLASSES REGULATION BILL
2025**

A Bill to register, control, and regulate private coaching center and institutes in the State, and to determine minimum standards and requirements for their registration; to provide for the academic, emotional, and psychological well-being of students by ensuring access to career guidance, psychological counselling, and appropriate support systems; to take measures for ensuring student safety and reducing stress among enrolled students; to support holistic development and provide better academic support in preparation for various competitive examinations, including curriculum and admission into specialized institutions; and for all matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India as follows:-

**CHAPTER I
PRELIMINARY**

1. Short title, extent, commencement and application.— (1) This Act may be called The Coaching Institutes And Tuition Classes Regulation Bill 2025.

(2) Act shall extend to the whole of the State of Karnataka.

(3) It shall come into force at once.

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

- (a) “advertisement” —means the same as per the Consumer Protection Act 2019 and shall include any notice, circular, label, wrapper or any other document and any announcement made orally or in writing in any form or by any means (whether mechanical, electrical, magnetic, electronic or otherwise) producing or transmitting light or sound;
- (b)“appellate authority” means the authority under Section 12 of the Act;
- (c)“coaching” means tuition, instructions or guidance in any branch of learning imparted to more than fifty students, but does not include counselling, sports, dance, theatre and other creative activities;
- (d)“coaching center” means a center established, run, or administered by any person to provide coaching for any study programme or competitive examinations or academic support to students at school, college, or university level, for more than fifty students regardless of the medium of coaching;
- (e)“competent authority” means an officer notified by the appropriate Government under Section 10 of the Act;
- (f)“curriculum” means the curriculum prescribed by all India or State level competitive examinations and different Boards;
- (g)“government” means the government of Karnataka;

- (h) “institution” means school or any other educational institution recognized or controlled by, or affiliated to a Board, or controlled or recognized by State / UT Government, an affiliated college, and associated college, a constituted college, a university or educational institution established under the act of central government or State / UT government;
- (i) “person” means an individual and includes a group of persons, a body corporate, trust, firm, society, or any other institution;
- (j) “proprietor” means the owner of a coaching center seeking registration or registered under this Act and includes a joint owner;
- (k) “registering authority” means any person, officer or authority authorised by the State Government by notification, to perform the functions and discharge the duties of the registering authority under Section 10;
- (l) “registered coaching institute” means a coaching institute registered under this Act;
- (m) “registration” means the process of registering a coaching center under this Act;
- (n) “registration certificate” means the certificate of registration issued under this Act to a coaching center;
- (o) “registration fee” means the requisite fee prescribed for the registration of a coaching institute under this Act;
- (p) “registration number” means the number assigned to a coaching institute upon registration under this Act;
- (q) “student” means a person enrolled in a registered coaching center;
- (r) “tuition fees” means any amount charged from students by a registered coaching institute towards admission fees, teaching fees, or any other academic support;
- (s) “tutor” means a person who imparts instruction or guidance in a coaching center and includes tutors providing specialized tuitions but excludes employees of any Government run or Government funded educational institution recognised by the Government or university;
- (t) “university” means a university established or incorporated by or under a Central Act, a Provincial Act or a State Act, and includes any institution recognized by the University Grants Commission in consultation with the concerned university in accordance with the regulations made under the UGC Act;

CHAPTER II

REGISTRATION OF A COACHING CENTER

- 3. Registration of Coaching Center .-** (1) A person shall impart coaching or establish, run, manage or maintain a coaching center, only with prior registration of such coaching center and after obtaining a registration certificate for the coaching center as per the provisions of this Act.
- (2) A coaching center existing on the date of commencement of this Act, shall apply for registration within a period of three months from the date of commencement of this Act.
- (3) Application for the registration of a coaching center shall be made to the Registering Authority within whose local jurisdiction such coaching center is situated, in the prescribed form with the registration fee specified in Schedule I and documents as specified by the Registering Authority.
- (4) In case of a coaching center having multiple campuses, each such branch shall be treated as a separate coaching center, and it shall be necessary to submit a separate application for registration of each branch.
- (5) The Registering Authority shall, within three months from the date of receipt of the application for registration of a coaching center, either grant the registration certificate in the prescribed form, or shall communicate to the applicant its order of refusal to grant such registration after recording reasons in writing for such refusal.
- Provided that no order refusing the registration shall be passed except after giving the person concerned a reasonable opportunity of hearing.
- (6) Registration fee once paid shall not be refunded where registration certificate is granted. Where registration is refused, the amount of the fee paid shall be refunded without interest to the applicant.
- (7) The period of validity of the registration certificate shall be three years, unless cancelled earlier for any reason.
- (8) Every registered coaching center shall apply for renewal of the registration certificate to the Registering Authority two months prior to the date of expiry of such registration, in such form, with a renewal fee specified in Schedule I, and documents as may be required by the Registering Authority.
- (9) The Registering Authority may, on receipt of an application for renewal in the prescribed form and on payment of the prescribed fees, decide on the application before the expiry of the registration period and may renew the certificate or communicate the refusal thereof to the applicant before the expiry of the registration period, after recording the reasons for such refusal in writing
- Provided that no order refusing the registration shall be passed except after giving the person concerned a reasonable opportunity of hearing.

(10) The Registering Authority shall create a web-portal/online mechanism to facilitate the registration of coaching centers in a faceless manner with minimum human interface.

4. Documents for Registration .-(1) Every application for registration of a coaching center shall be accompanied by an undertaking by the proprietor stating that –

- (a) he shall use only the word ‘registered coaching center’ and shall not use the words ‘recognized’ or ‘approved’ on any sign board or any prospectus or correspondence or communication of whatever nature or at any place;
- (b) coaching classes for those students who are also studying in institutions / schools shall not be conducted during their institutions / schools’ hours.
- (c) the necessary information regarding the qualification of the tutors, time table of the coaching class, the fee charged and general information, as specified, regarding the coaching class shall be displayed on the website and notice board at prominent place in the premises of the coaching center;
- (d) he / she or any tutor or person employed, in any manner in the coaching center has not been convicted for any offence involving moral turpitude and that any change in employment of tutor shall be immediately intimated to the competent authority;
- (e) he / she shall abide by the condition regarding the specified number of students to be admitted in the coaching class;
- (f) he / she shall abide by the other terms and conditions of this Act;

(2) The application for renewal of the registration shall be accompanied by a copy of the statement of accounts audited by a registered Chartered Accountant.

(3) The following information shall be provided in the application while applying for registration of the coaching institute, namely-

- (a) Curriculum or Class timetable along with suitably space for relax time or break period to the students;
- (b) Number of maximum students for every curriculum;
- (c) The prospectus having the number of tutors, tutorial, group discussions etc.
- (d) The duration of the time for classes in the coaching center for the Students who are studying in institutions or schools;
- (e) Weekly off time for students;
- (f) Co-curricular activities for enhancing cognitive abilities of students;
- (g) Counseling sessions for tutor, employee as well as students on life skills, creativity and innovativeness, fitness, emotional bonding and well-being, gender sensitization and abuse prevention, ethical and moral reasoning, Fundamental Duties, citizenship skills and values.

5. Conditions for Refusal or Grant for Registration .– Registering Authority may refuse to grant registration certificate if any of the following conditions are not fulfilled

(1) No coaching center shall ,–

- (a) engage tutors having qualifications less than graduation.
- (b) make misleading promises or guarantee of rank or good marks to parents/students for enrolling them in the coaching center.
- (c) enroll a student below 16 years of age or the student enrolment should be only after secondary school examination.
- (d) publish or cause to be published or take part in the publication of any misleading advertisement relating to any claim, directly or indirectly, of quality of coaching or the facilities offered therein or the result procured by such coaching center or the student who attended such class.
- (e) be registered, if it has less than minimum space requirement per student.
- (f) hire the services of any tutor or person who has been convicted for any offence involving moral turpitude.
- (g) be registered unless it has counselling system as per the requirement of this Act.

(2) Coaching center shall have a website with updated details of the qualification of tutors, courses/curriculum, duration of completion, hostel facilities (if any), and the fees being charged, easy exit policy, fee refund policy, number of students undertaken coaching from the center and number of students finally succeeded in getting admission in Higher Education Institutions etc.

(3) coaching center shall adhere to the various laws, rules, regulations etc. including separate registration as applicable in the local jurisdiction.

(4) The person operating coaching center shall submit an affidavit regarding fulfilment of all mandatory terms and condition mention in sub section (1) of Section 4 of this Act along with application for registration.

(5) The Coaching Institutes shall not engage in, any form of religious propagation, discrimination, or have any such affiliation.

(6) All registered Coaching centers must fulfil the minimum standard as outlined below in order to obtain registration certificate–

(a) Infrastructure:

(1) Within the basic structure of the coaching center, a minimum of one square metre of space shall be allocated per student during each class or batch. Adequate infrastructure shall be provided in proportion to the number of students enrolled.

(2) The coaching center building shall comply with fire safety codes, building safety norms, and other applicable standards, and shall obtain a Fire and Building Safety Certificate from the

appropriate authority as designated by the competent government authority.

- (3) A certificate shall be obtained from the appropriate authority of the Municipal Corporation, Municipal Council or other Local Authority regarding the sanitary conditions of the building and it shall be produced before the registering authority along with the application for registration.
- (4) For the assistance of students, the coaching center shall maintain a first aid kit and provide access to medical assistance or treatment facilities. A list of referral services, including nearby hospitals, emergency doctors, police helpline, fire service helpline, and women's helpline, shall be displayed prominently in the premises of the center, on the website of the center and communicated to students.
- (5) The coaching center building shall be fully electrified with UPS/Generator power backup and well ventilated, with sufficient lighting arrangements in each classroom.
- (6) Safe and potable drinking water shall be made available for all students and staff.
- (7) The coaching center may be equipped with CCTV cameras where necessary, and appropriate security arrangements shall be maintained.
- (8) A complaint box or register shall be placed at the coaching center to allow students to raise complaints. Complaints can also be filed through the coaching center website. The coaching center shall also constitute a committee for the redressal of student grievances.
- (9) Separate toilet facilities for male and female students and staff shall be provided within the premises of the coaching center building.
- (10) Parking facility shall be provided to the students and staff

(b) Curriculum:

- (1) Coaching centers shall make efforts to complete classes within the stipulated time as mentioned in the prospectus.
- (2) Coaching classes for students who are also enrolled in institutions or schools shall not be conducted during their institutional or school hours, so that their regular attendance remains unaffected
- (3) No educational institution shall function in a manner where core academic instruction is delivered primarily by a coaching centre, while the school merely facilitates ancillary or technical

support such as but not limited to laboratory access, attendance recording, or certification.

- (4) No form of combined or embedded instruction that merges coaching for competitive examinations with school classes shall be permitted.
- (5) Remedial or support classes may be provided to students who require additional academic support.
- (6) The curriculum or class timetable may be suitably spaced out to allow students to relax and recuperate, thereby avoiding additional pressure.
- (7) Coaching centers shall ensure a weekly off for both students and tutors.
- (8) There shall be no assessment test or examination on the day following the weekly off.
- (9) During important and widely celebrated regional festivals, coaching centers shall customize leave schedules to enable students to connect with their families and receive emotional support.
- (10) Coaching classes shall not exceed five hours per day and shall not be scheduled too early in the morning or too late in the evening.
- (11) Coaching centers shall organize co-curricular activity classes for holistic development and enhancement of students' cognitive abilities. Alongside core subjects, they shall also organize counselling sessions for tutors, employees, and students on topics including but not limited to ,-
 - (i) Development of life skills
 - (ii) Scientific temper and evidence-based thinking
 - (iii) Creativity and innovation
 - (iv) Fitness and wellness
 - (v) Emotional bonding and mental wellbeing
 - (vi) Age-appropriate challenges and motivation
 - (vii) Collaboration and teamwork
 - (viii) Problem-solving and logical reasoning
 - (ix) Ethical and moral reasoning
 - (x) Knowledge and practice of human and Constitutional values
 - (xi) Personal safety, gender sensitization, and abuse prevention
 - (xii) Fundamental Duties and citizenship values
 - (xiii) Knowledge of India
 - (xiv) Environmental awareness, sanitation, and hygiene

(12) The Coaching Center must follow the code of conduct laid down,-

- (1) The number of students to be enrolled in each class or batch shall be clearly defined in the prospectus and published on the website. Under no circumstances shall this number be increased during the period of the course.
- (2) The number of students admitted shall be in accordance with the need to maintain a healthy teacher-student ratio, enabling meaningful relationships between students, tutors, and counsellors. Students must be able to connect with tutors and have unobstructed access to instructional tools such as screens and blackboards.
- (3) The coaching center shall not enrol any student below the age of 16 years, and enrolment shall only be permitted after completion of the secondary school examination.
- (4) Students shall be informed in advance about the difficulty level of exams, syllabus, intensity of preparation, and the effort required before enrolling into the curriculum.
- (5) Students shall also be made aware of the educational environment, cultural living conditions, and the differences between preparing for school-level examinations and competitive examinations.
- (6) In addition to engineering and medical career tracks, information about other career options shall be provided to students to alleviate stress and help them explore alternative pathways.
- (7) An admission or mock test may be conducted to assess the student's capability. Based on this assessment and the student's interest, the coaching center may communicate realistic expectations to the parents and suggest a suitable academic path forward.
- (8) Students and parents shall be clearly informed that admission to a coaching center is not a guarantee of success in medical, engineering, management, law, or other competitive entrance examinations.
- (9) Coaching centers shall conduct periodic workshops and sensitization sessions regarding student mental health in collaboration with mental health professionals.
- (10) Coaching centers shall create awareness among students and parents regarding pedagogy, course timelines, and facilities available. They shall also provide counselling

to address issues such as mental pressure and the burden of expectations.

- (11) Coaching centers shall not make public the results of assessment tests. Such tests shall be kept confidential and used solely for internal performance analysis. If a student's academic performance is deteriorating, the coaching center shall provide counselling support as per the relevant provisions.

(c) Fee :

- (1) The tuition fees for different courses or curricula being charged shall be fair and reasonable, and receipts for the fees charged must be provided to the students.
- (2) The coaching center must issue or displayed in prominently and accessibly on the premise, a prospectus containing details of:
 - (1) The various courses or curricula offered,
 - (2) Duration of each course,
 - (3) Number of classes, lectures, and tutorials,
 - (4) Hostel facilities (if any),
 - (5) Fees being charged,
 - (6) Exit and refund policies.
- (3) The prospectus, notes, and other educational materials shall be supplied by the coaching center to enrolled students without any additional charge.
- (4) If a student, having paid the full course fee, leaves the course midway, the coaching center shall refund the balance amount on a pro-rata basis within 10 days. If the student resides in the coaching center's hostel, hostel and mess fees shall also be refunded accordingly.
- (5) Under no circumstances shall the fees, once fixed at the time of admission for a particular course and duration, be increased during the course period.
- (6) Notwithstanding anything contained in any law for the time being in force, no capitation fee shall be collected by or on behalf of any coaching center or person giving coaching.

(d) Counsellor and Psychological support :

- (1) Coaching centers shall take steps to promote the mental well-being of students and conduct classes without placing undue pressure on them. Mechanisms should be established for immediate intervention and sustained assistance to students in distress or stressful situations.

- (2) The Registering Authority may ensure that a counselling system is developed by the coaching center and made easily accessible to students and parents. Information regarding the names, timings, and availability of psychologists and counsellors should be shared with all students and parents. Trained counsellors may be appointed at coaching centers to provide effective guidance and support.
- (3) Coaching centers are encouraged to engage counsellors and experienced psychologists to provide psychotherapeutic services and address mental stress and depression among students.
- (4) Career counsellors may be onboarded to assess students' interests, aptitudes, and capabilities, and to guide students and their parents toward appropriate and realistic career options.
- (5) Coaching centers may conduct regular workshops and awareness weeks for parents, students, and teachers focused on mental health and stress prevention. These should also include basic training on health, nutrition, personal and public hygiene, disaster response, and first aid, as well as education about the harmful effects of alcohol, tobacco, and other drugs. Positive parenting should be emphasized during interactions with parents, in the context of student resilience and responsible self-care.
- (6) Tutors may undergo training on mental health to enable them to communicate with students about areas for improvement in a sensitive and supportive manner.
- (7) Coaching centers shall promote peer group interaction as part of their counselling efforts and may organize group-based curricular activities such as discussions, competitions, and projects.
- (8) Student doubts shall be resolved by the tutor who conducted the original class, to ensure consistency and student satisfaction.
- (9) Coaching centers shall follow a structured Framework for Mental Health Promotion, covering different levels of concern, appropriate interventions, and stakeholders involved as specified under Schedule II

(e) Inclusivity and Accessibility:

- (1) The coaching center shall not discriminate against any applicant or student on the basis of religion, race, caste, sex, place of birth, descent, or any other such criteria during the admission and teaching process.
- (2) Special provisions may be made by the coaching center to encourage greater representation of students from vulnerable

communities, including female students, students with disabilities, and students from marginalized groups.

- (3) The coaching center building and its surrounding premises shall be Divyang-friendly and in compliance with the provisions of the Rights of Persons with Disabilities Act, 2016.
- (4) Tutors may be sensitized about learning disabilities to ensure that students with such needs feel comfortable and included.
- (5) Divyang-friendly provisions such as braille, e-readers, and accessible toilets may be provided wherever possible.
- (6) Support classes may be arranged for students with disabilities who require additional academic assistance.
- (7) Batch segregation on the basis of academic performance shall not be allowed, as it creates undue pressure and negatively affects students' mental health. Batches shall be formed in the order of student entry or admission and shall remain unchanged until the completion of the course.

CHAPTER III RIGHTS AND DUTIES

6. Duties of a Coaching center .-

- (1) The coaching center shall indicate the registration number under which it is registered in all its correspondence with the department or otherwise.
- (2) The coaching center shall cooperate with the inspecting officers during inspections by providing access to records, registers, and relevant documents.
- (3) The coaching center shall communicate any change in its address to the Registering Authority, including relocation to a different locality. Shifting of the center from the jurisdiction of one Registering Authority to another shall not be permitted without the permission of the Registering Authority .
- (4) The coaching center shall comply with all instructions issued by the departmental authorities from time to time.
- (5) Any coaching center, while making an advertisement, shall,
 - (a) Disclose important information such as rank secured, name and duration of the course, and whether such course is paid, along with the candidate's photograph
 - (b) Display disclaimers and other important information prominently, using the same font size as the claims made in the advertisement;
 - (c) Accurately represent the services, facilities, resources, and infrastructure of the coaching center;

- (d) Truthfully state whether the course(s) offered are duly recognised and approved by competent authorities such as the All India Council for Technical Education (AICTE), University Grants Commission (UGC), or others, if applicable;
 - (e) Maintain transparency in all advertisements;
 - (6) No coaching center shall use the name, photograph, testimonial, or video of a successful candidate in any advertisement without obtaining the candidate's written consent, which must be taken after the candidate's selection.
 - (7) Coaching centers shall be required to produce all requested documents or records during inspections.
 - (8) Coaching center owners or managers shall be directed to maintain all necessary records, registers, and accounts as prescribed.
- 7. Maintenance of Records.-** (1) Every Coaching center shall maintain the following registers and shall keep regular accounts of all receipts and expenditure:
- (a) Register of admissions and withdrawal of pupils;
 - (b) Attendance register for pupils;
 - (c) Attendance register for teachers;
 - (d) Register showing receipts and expenditure;
 - (e) Inspection Book; and
 - (f) Such other registers as the Registering authority may specify from time to time.
- (4) The coaching center may submit the annual report to the registering authority for the record.
- 8. Enquiry into the activities of the Coaching center .-** The competent authority, or any other officer authorized by the appropriate government shall conduct continuous monitoring of the activities of the coaching center and enquire any coaching center regarding the fulfilment of required eligibility of registration and satisfactory activities of the coaching center.
- 9. Prohibition on Shifting of Coaching Centers .-** Coaching center shall be conducting coaching only at the place indicated in the registration certificate and shall not be shifted to any other place than its registered place, without the prior written approval of the Registering Authority.
- 10. Misleading Advertising .-** (1) Any person who establishes, runs, administers coaching center or provides coaching shall be said to be engaged in misleading advertisement, if they –
- (a) makes false claims regarding course(s) offered, duration of completion, credential of faculty, fee, course exit policy including fee-refund;
 - (b) makes false claims regarding number of selection, rank in exam or success rate;

- (c) make false claims such as guaranteed selection, job security, job promotions, salary increase, success at different stages of an examination, admission to any institution or lead the consumer to believe that enrolment in coaching will ensure a good rank, high marks;
- (d) falsely represents that the services are of a particular standard or quality;
- (e) creates a false sense of urgency including falsely stating or implying the sense of urgency or scarcity showing false popularity of goods or services so as to mislead a person into making an immediate purchase or require taking an immediate action;
- (f) engages in any other unfair trade practice or misleading advertisement.

CHAPTER IV

COMPETENT AUTHROITIES

11. Registering Authority .- (1) For the purposes of registration, the following authorities shall be designated as registering authority based on the class of the coaching center -

- (a) Coaching centers offering Pre-University classes, including CET coaching, shall fall under the jurisdiction of the Deputy Director of the Pre-University College of the respective district.
- (b) Coaching centers offering Degree Courses, including MBA coaching, shall be registered with the Joint Director of Collegiate Education within their respective jurisdictions.
- (c) Coaching centers offering technical education, including polytechnics and engineering college-level coaching, shall be registered with the Joint Director of Technical Education (Curriculum Development), whose jurisdiction shall extend across the entire State of Karnataka.
- (d) Additionally, coaching centers providing training for competitive examinations such as IAS, IPS, IFS, KAS, language coaching, or any other courses not included in the categories above (Sl. No. 1 to 3), shall be registered with the Director of Collegiate Education, who shall have jurisdiction over the entire State of Karnataka.

12. Duties of the Registering Authority .-(1) The Registering Authority, -

- (a) shall ensure compliance with the provisions of this Act, the rules made thereunder, and any notifications or guidelines issued under this Act.
- (b) shall maintain a register of all coaching centers and ensure that a public list of registered coaching centers is made available.

- (c) shall register coaching centers in accordance with the provisions of this Act and develop a portal to upload relevant information regarding registered centers, enrolled students, and other prescribed details.
- (d) shall direct coaching centers to provide necessary data and ensure periodic uploading of such information on the portal.
- (e) shall conduct inspections either suo motu or upon receipt of complaints, and may examine records relating to financial matters, infrastructure, faculty, or compliance with applicable laws.
- (f) shall submit annual audited accounts of income generated through registration fees, penalties, and other sources to the appropriate authority.
- (g) shall take steps to promote the well-being of students and ensure delivery of quality education in coaching centers.
- (h) shall direct coaching centers to maintain Divyang-friendly premises and comply with fire safety, building safety, and hygiene standards.
- (i) Shall constitute a Grievance Redressal Cell at the district and block levels to address complaints from students and parents in a time-bound manner.
- (j) shall ensure the installation of complaint and suggestion boxes in coaching centers and arrange for regular collection and redressal.
- (k) shall ensure the functioning of a 24x7 helpline and call center, supported by qualified psychologists, for student counselling and mental health support.
- (l) shall curb malpractices in advertisements, including false success claims and misleading promotional materials.
- (m) shall enforce compliance with fee-related regulations, such as mandatory instalment-based payments, pro-rata refund policies, and proper issuance of receipts.
- (n) shall ensure that coaching centers abide by declared holidays and schedules in line with government or board examination calendars.
- (o) shall ensure that students are not overburdened or overstressed by excessive study hours or unfair academic pressures.
- (p) shall prohibit batch segregation based on academic performance and require batches to remain unchanged through the course duration.
- (q) shall mandate biometric attendance and use of facial recognition technology, and ensure parents are informed in case of irregular attendance.
- (r) shall coordinate with local police to prevent illegal activities such as drug abuse or unlawful establishments near coaching centers, hostels, and PG accommodations.
- (s) shall ensure that teachers employed in government schools or institutions do not engage in coaching center activities.

- (t) shall coordinate with the Department of School Education and Literacy to conduct periodic surveys assessing the operation and effectiveness of coaching centers.
- (u) shall enforce the uploading of student data by coaching centers and maintain it accurately through the designated portal.
- (v) shall carry out any additional duties as may be necessary in the interest of students, including holistic development, career counselling, and psychological support.

13. Appellant Authority .-

- (1) The Appellate Authority for coaching centers shall vary according to the category of institution
 - (a) Coaching centers offering Pre-University or CET-level courses shall fall under the appellate jurisdiction of the Director of Pre-University Education.
 - (b) For coaching centers providing degree-level or MBA coaching, the appellate authority shall be the Director of Collegiate Education.
 - (c) For coaching centers delivering technical education, including polytechnic and engineering programmes, shall be overseen by the Director of Technical Education.
 - (d) For coaching centers preparing students for competitive examinations such as the IAS, IPS, IFS, KAS, and language coaching, the appellate authority shall be the Department of Public Instruction, Government of Karnataka.
- (2) Any person aggrieved by an order, notification, decision, or action taken by the Registering Authority or any officer acting under the provisions of this Act or the rules made thereunder may prefer an appeal to the Appellate Authority designated for the relevant category of coaching center, as specified by the State Government.
- (3) The Appellate Authority shall have the power to—
 - (a) entertain and dispose of appeals against registration refusals, cancellations, or suspensions;
 - (b) examine complaints relating to procedural irregularities, abuse of power, or non-compliance by the Registering Authority;
 - (c) review orders, notifications, or directions issued by the Registering Authority;
 - (d) call for records, conduct hearings, and pass such orders as may be deemed appropriate for ensuring compliance with the provisions of this Act.
- (4) The Appellate Authority shall dispose of the appeal within thirty days of filing of appeal after giving an opportunity of being heard.
- (5) The appeal shall be filed within thirty days from the date of receipt of the order or action complained of, in such form and manner as may be prescribed.
- (6) The decision of the Appellate Authority shall be final and binding on the parties, subject to further remedy as may be available under law.

- (7) The Appellate Authority shall monitor the performance of the Registering Authority and may issue such general or specific directions as may be necessary to ensure compliance with the provisions of this Act and the rules and orders made thereunder.
- (8) The Appellate Authority shall ensure that grievances of students and parents pertaining to coaching centers are redressed in a time-bound manner by the Registering Authority.
- (9) The Appellate Authority may, suo motu or upon receipt of a complaint, cause an inspection or enquiry to be conducted and may call for any record or document from any coaching center. The owner or person-in-charge of such coaching center shall produce such records as may be required by the competent officer during the inspection.
- (10) The Appellate Authority shall have the power to call for any information from the Registering Authority for such specific purposes and objectives as may be prescribed.
- (11) The Appellate Authority shall also perform such other functions as may be necessary in the interest of students, including matters related to their holistic development, career guidance, psychological counselling, and mental well-being.
- 14. Disposal of Complaints** .- (1) A complaint may be filed before the competent authority against the coaching centers by the student, parent or tutor / employee of the coaching center and against the students / parents by the coaching centers. The complaints shall be disposed of within thirty days by the Registering Authority.
- (2) After giving opportunity of hearing on the report of the Registering Authority as the case may be, the competent authority shall impose penalty or take action for cancellation of registration.
- 15. Cancellation of Registration** .- (1) The certificate of registration granted to the coaching center, without prejudice to any other penal action that may be taken for violation of relevant law, may be cancelled at any time if the concerned District Authority is satisfied that the coaching center has contravened any of the provisions of this Act or violated any of the terms and conditions subject to which the registration was granted. Provided that, no such order shall be passed by the District Authority without giving the holder of such certificate a reasonable opportunity of showing cause against the proposed order.
- (2) In case of serious misconduct or allegation, the Government may direct the Registering Authority to suspend the registration of the coaching institute immediately till the completion of the enquiry under provisions mentioned under sub-section (1) of Section 6.

CHAPTER V OFFENCES AND PENALTY

- 16. Penalties** .-(1) The competent authority shall have power of the civil courts. The competent authority shall have such power which is vested in the courts under Civil Procedure Code 1908 (Central Act no. 5 of 1908) for consideration of any suit namely:-
- (a) to accept evidence with proof through affidavit;
 - (b) to summon and to enforce attendance of any person, and his examination on oath;
 - (c) to enforce production of records; and
 - (d) to award cost,
- (2) In case of violation of any of the terms and conditions of registration or general conditions, the coaching center shall be liable for penalties as follows:
- (a) Rs 25,000/- for first offence
 - (b) Rs. 1,00,000/- for the second offence
 - (c) revocation of registration for subsequent offence

CHAPTER VI MISCELLANEOUS

- 17. Procedure for Appeal** .- (1) Any Person aggrieved by the order of refusal to register a coaching center or its renewal or cancellation of registration, may, within thirty days from the date of receipt of such order, appeal to the appellate authority in the manner as may be specified by the authority
- 18. Power to Remove Difficulties** .-(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by notification in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as it deems necessary or expedient for the purpose of removing the difficulty. Provided that, no such order shall be made after the expiry of three years from the date of commencement of this Act.
- (2) Every notification issued under this section shall, as soon as may be after it is issued, be laid before the House of the State Legislature.

19. Power to Make Rules .- (1) The Government, for the purposes of enforcement of the provisions of this Act, shall make rules, regulations and may issue notifications for carrying out the purpose of this Act.

- (1) All rules and regulation made under this Act shall be laid, as soon as may be after they are made, before the House of the State Legislature.
- (2) Every rule, regulation and notification made and issued under this Act shall be published by the State Government in the Official Gazette.

20. Bar on Jurisdiction.- No civil court shall have jurisdiction in respect of any matter which the State Government or any person or authority is empowered by under this Act or the rules made thereunder.

SCHEDULE I
Registration Fee Table
(See Section-3)

Sl. No.	Class of Tutorial Institutions	Registration Fee to be Paid
First Time Application		
1.	Pre-University	₹25,000
2.	Degree Courses	₹25,000
3.	Other Courses	₹25,000
Renewal Fee		
1.	For All Courses	₹5,000

SCHEDULE II
Framework for Mental Health Promotion
(See section-3)

Level of Problems	Stakeholders to be Involved	Level of Intervention
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Mental Wellbeing	Entire Institutional Community	Mental Wellbeing Integrated in Institutional Curriculum
Mental Health Knowledge, Attitudes & Behaviour	All Students and Tutors	Mental Wellbeing – Part of General Health Curriculum
Psychosocial Problems	Counsellors, Tutors, Peer Mentors, Wardens and Citizens	Extending Additional Help to Students in Need
Severe Problems/Disorders	Counsellors, Institutional Doctors and Other Experts	Professional Management

STATEMENT OF OBJECTS AND REASONS

There is growing national concern over the rapid, unregulated expansion of private coaching institutes and tuition classes in India, which has led to rising cases of student suicides, fire-related tragedies, inadequate infrastructure, misleading advertisements, and exploitative fee structures. The absence of a uniform central law has left regulation to individual States, resulting in inconsistent standards and enforcement.

Findings of the Justice Roopanwal Commission of Inquiry, constituted after the death of a research scholar at the University of Hyderabad, highlighted the urgent need for institutional mechanisms such as counselling services, grievance redressal systems, student mentoring, and safe hostel management. The Ashok Mishra Committee Report and repeated communications from the Department of Higher Education to States and Union Territories have stressed the necessity of regulating coaching centres, preventing student exploitation, and ensuring their safety and well-being. The Supreme Court in *Student Federation of India v. Union of India* recognised that regulation of educational institutions is a matter of policy within the competence of the appropriate authorities.

The National Education Policy 2020 and the National Curriculum Framework have also called for measures to reduce the “coaching culture” and associated mental stress, advocating for a supportive learning environment. Existing State legislations, such as the Bihar Coaching Institute (Control and Regulation) Act, 2010, Goa Coaching Classes (Regulation) Act, 2001, Uttar Pradesh Regulation of Coaching Act, 2002; Manipur Coaching Institute (Control and Regulation) Act, 2017, Rajasthan Coaching Institutes (Control and Regulation) Bill, 2023, and Assam Coaching Institutes (Control and Regulation) Bill, 2025, provide valuable models for a unified approach.

This Bill seeks to establish a statutory framework for the registration, regulation, and monitoring of private coaching institutes and tuition classes, set minimum standards for safety, infrastructure, and curriculum delivery, ensure transparency in fee structures, prohibit misleading advertisements, and mandate student counselling and mental health support. It aims to protect students from exploitation, reduce undue academic pressure, and promote their holistic development.

This Bill is a progressive step towards fulfilling the constitutional mandate under Articles 14, 15, and 21A, ensuring equality, dignity, and the right to education in a safe, supportive, and accountable learning environment for all students.

THE KARNATAKA GREEN EDUCATION BILL, 2025

A Bill to integrate environmental education into curricula across all educational institutions in the State of Karnataka, promote sustainable practices in educational campuses, establish environmental literacy standards, develop specialized training programs for educators and for matters connected therewith or incidental thereto.

WHEREAS the New Education Policy, 2020 focuses on integration of environmental awareness and sensitivity towards its conservation and sustainable development in school curricula;

AND WHEREAS there is a need for integration of environmental education and impart sustainable practices across all levels of education in the State of Karnataka;

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. Short title, extent and commencement. — (1) This Act may be called THE KARNATAKA GREEN EDUCATION ACT, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provisions.

2. Definitions. —(1) In this Act, unless the context otherwise requires, —

(a) "educational institution" means any school, college, university, or other institution of learning established or recognized by an appropriate authority in the State of Karnataka, whether managed by the Government, local authority, or a private entity;

(b) "curriculum" means the aggregate of courses of study offered by an educational institution;

(c) "environmental education" means educational programs, activities, and content designed to impart knowledge, awareness, and skills related to environmental conservation, sustainability, climate change, biodiversity, waste management, and other ecological concerns;

(d) "State Government" means the Government of Karnataka;

(e) "green campus" means an educational campus that implements sustainable practices including but not limited to energy conservation, water conservation, waste management, use of renewable energy, and maintenance of green spaces;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "State" means the State of Karnataka;

(h) "State Council" means the Karnataka State Council for Environmental Education established under section 3 of this Act;

(i) "sustainable practices" means practices that meet the needs of the present without compromising the ability of future generations to meet their own needs, with particular focus on environmental sustainability.

CHAPTER II

STATE COUNCIL FOR ENVIRONMENTAL EDUCATION

3. Establishment of the Karnataka State Council for Environmental Education. —

(1) The Government shall, by notification in the Official Gazette, establish a council to be known as the Karnataka State Council for Environmental Education.

(2) The State Council shall consist of the following members, namely:—

(a) The Minister for Education, Government of Karnataka, who shall be the Chairperson, ex-officio;

(b) The Minister for Forest, Ecology and Environment, Government of Karnataka, who shall be the Co-Chairperson, ex-officio;

(c) The Principal Secretary, Department of Education, Government of Karnataka, ex-officio;

(d) The Principal Secretary, Department of Forest, Ecology and Environment, Government of Karnataka, ex-officio;

(e) The Commissioner of Public Instruction, Government of Karnataka, ex-officio;

(f) The Director of Technical Education, Government of Karnataka, ex-officio;

(g) Director of Environmental Education, who shall be the Member-Secretary of the State Council.

(h) The Government shall nominate such number of persons, having special knowledge or experience in the teaching of environment education, as they may deem fit.

(3) The term of office and conditions of service of the members nominated under clause shall be such as may be prescribed.

4. Functions of the State Council. — The State Council shall perform the following functions, namely: —

(a) formulate policies and guidelines for the integration of environmental education into curricula across all educational institutions in the State;

(b) develop environmental literacy standards for different levels of education;

(c) recommend the State Government on qualification of teachers and institutions which may be given recognition for training teachers in environment education for the purpose of their appointment in educational institution;

(d) establish standards and guidelines for implementing sustainable practices in educational campuses;

(e) monitor and evaluate the implementation of environmental education programs and sustainable practices in educational institutions;

- (f) recommend the State Government on matters relating to environmental education and sustainable practices in educational institutions;
- (g) coordinate with appropriate State Government departments and educational institution for effective implementation of the provisions of this Act
- (h) develop the criteria and procedure for green campus certification
- (i) perform such other functions as may be prescribed.

5. Powers of the State Council. — The State Council shall have the power to,-

- (a) require any educational institution to furnish information on matters relating to the implementation of environmental education and sustainable practices;
- (b) inspect or cause to be inspected any educational institution for the purpose of verifying the implementation of the provisions of this Act;
- (c) issue directions to educational institutions for the implementation of environmental education and sustainable practices;
- (d) recommend to the State Government measures for the effective implementation of the provisions of this Act;
- (e) exercise such other powers as may be prescribed.

6. Meetings of the State Council. —(1) The State Council shall meet at least once in three months.

(2) The quorum and procedure for the conduct of meetings of the State Council shall be such as may be prescribed.

CHAPTER III DIRECTORATE OF ENVIRONMENTAL EDUCATION

7. Establishment of Directorate of Environmental Education.- (1) The State Government shall establish a Directorate of Environmental Education and appoint a Director, who shall assist the State Council in implement the provisions of this Act.

(2) The Director shall be appointed by the State Government on such terms and conditions as may be prescribed.

(3) The State Government shall provide the Directorate with such officers and employees as it deems necessary for the efficient discharge of its functions.

8. Functions of the Directorate. - The Directorate shall, -

- (a) implement the policies and guidelines formulated by the State Council;
- (b) develop curriculum materials, textbooks, and other learning resources on environmental education;
- (c) organize training programs for educators on environmental education;
- (d) provide technical assistance to educational institutions for implementing sustainable practices;
- (e) establish a system for monitoring and evaluating the implementation of environmental education and sustainable practices in educational institutions;
- (f) maintain a database of educational institutions implementing environmental education and sustainable practices;

- (g) conduct awareness campaigns on environmental education and sustainable practices;
- (h) perform such other functions as may be prescribed or assigned by the State Council.

CHAPTER IV

INTEGRATION OF ENVIRONMENTAL EDUCATION INTO CURRICULA

9. Compulsory teaching of environmental education in educational institutions. —(1) From such date, as the State Government may, by notification in the Official Gazette specify, the environmental education shall be taught as a compulsory subject in all educational institutions according to the curriculum determined by the State Government on the recommendation of the State Council.

(2) The State Government shall, immediately after the issuance of the notification under sub section (1), issue directions for compulsory teaching of environment education in all educational institution.

(3) The State Government shall derecognize educational institutions, which does not comply with the provisions of sub section (1) and (2), after giving such institution a reasonable opportunity of being heard.

(4) The environmental education curriculum shall include,—

- (a) Environmental conservation and protection;
- (b) Climate change and its impacts;
- (c) Biodiversity and ecosystem services;
- (d) Waste management and resource conservation;
- (e) Sustainable development;
- (f) Environmental ethics and responsibilities;
- (g) Any other contemporary issues as may be determined by the State Government on the recommendation of the State Council.

(5) The State Council shall prescribe the minimum instructional hours to be devoted to environmental education at different levels of education.

10. Environmental literacy standards. —(1) The State Council shall develop and publish environmental literacy standards for different levels of education.

(2) Every educational institution shall ensure that its students meet the environmental literacy standards prescribed for their level of education.

(3) The State Council shall develop assessment methods to evaluate the environmental literacy of students.

11. Practical environmental education. — (1) Environmental education shall include practical components such as field trips, projects, and hands-on activities related to environmental conservation and sustainability.

(2) Every educational institution shall organize at least one environmental awareness campaign or activity each academic year.

12. Teacher training. — (1) Every teacher imparting environmental education shall undergo specialized training as prescribed by the State Council.

(2) The Directorate shall organize specialized training courses and workshops for teachers on environmental education.

(3) The State Government shall ensure that environmental education is included in the pre-service teacher education curricula of all teacher training institutions in the State.

CHAPTER V SUSTAINABLE PRACTICES IN EDUCATIONAL CAMPUSES

13. Green campus initiatives.- (1) Every educational institution shall in its campus implement sustainable practices which includes,-

- (a) Energy conservation and use of renewable energy;
- (b) Water conservation and rainwater harvesting;
- (c) Waste segregation, recycling, and management;
- (d) Maintenance of green spaces and biodiversity conservation;
- (e) Sustainable procurement practices;
- (f) Reduction of plastic use.

(2) The State Council shall develop guidelines for the implementation of sustainable practices in educational campuses.

(3) Every educational institution shall prepare and implement a Green Campus Plan in accordance with the guidelines issued by the State Council.

14. Green campus certification.- (1) The State Council shall specify an appropriate Certifying authority to recognize educational institutions that implement sustainable practices in their campus.

(2) The criteria and procedure for green campus certification shall be such as may be prescribed by the State council.

(3) The State Government may provide incentives to educational institutions that obtain green campus certification.

15. Waste management in educational institutions.- (1) Every educational institution shall establish a comprehensive waste management system that includes waste segregation, recycling, and safe disposal.

(2) Every educational institution shall endeavor to become a zero-waste campus within a timeline prescribed by the State Council.

CHAPTER VI INSPECTION AND REPORT

16. Compliance reports.- (1) Every educational institution shall submit an annual report to the Directorate on the implementation of environmental education and sustainable practices.

(2) The format and content of the annual report shall be such as may be prescribed by the State Council.

17. Inspections and audits.- (1) The State Council or the Directorate may conduct or cause to conduct inspections and audits of educational institutions to verify compliance with the provisions of this Act.

(2) The procedure for conducting inspections and audits shall be such as may be prescribed.

18. Power to issue directions.- (1) The State Council may issue directions to any educational institution for the implementation of the provisions of this Act.

(2) Every educational institution shall comply with the directions issued by the State Council under sub-section (1).

19. Penalties.- (1) If an educational institution fails to comply with any provision of this Act or any direction issued under this Act, the State Council may, after giving a reasonable opportunity to be heard, impose a penalty not exceeding one lakh rupees.

(2) If an educational institution continues to be in default after the imposition of penalty under sub-section (1), the State Council may recommend to the appropriate authority for withdrawal of recognition or affiliation of such institution.

CHAPTER VII MISCELLANEOUS

20. Annual report of the State Council.- (1) The State Council shall prepare an annual report of its activities and submit it to the Government.

(2) The State Government shall cause the annual report to be laid before both Houses of the State Legislature.

21. Grant in aid.- (1) The State Government shall provide adequate funds for the implementation of the provisions of this Act.

(2) The State Government may establish a Green Education Fund for providing financial assistance to educational institutions for implementing environmental education and sustainable practices.

22. 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 appear to it to be necessary or expedient for removing the difficulty.

(2) Every order made under this section shall be laid before both Houses of the State Legislature.

23. Power to make rules.- (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the term of office and conditions of service of the nominated members of the State Council under sub-section (3) of section 3;

(b) the quorum and procedure for the conduct of meetings of the State Council under sub-section (2) of section 6;

- (c) the terms and conditions of appointment of the Director of Environmental Education under sub-section (2) of section 7;
 - (f) the format and content of annual compliance reports under sub-section (2) of section 16;
 - (g) the procedure for conducting inspections and audits under sub-section (2) of section 17;
 - (h) any other matter which is required to be, or may be, prescribed.
- (3) Every rule made under this Act 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 session 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 thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

24. Savings. — The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

STATEMENT OF OBJECTS AND REASONS

Environmental degradation and climate change are global phenomena where actions in one part of the world impact ecosystems and populations across the globe. Estimates suggest that if requisite action is not taken against the changing environment, approximately three billion people globally could experience chronic water scarcity. The global economy could lose up to eighteen per cent. of GDP by the year 2050.

Over the last two decades, several macro measures have been implemented globally to address environmental degradation and climate change, including policy reforms, economic incentives and regulations. Despite their enormous potential, actions required at the level of individuals, communities and institutions have received limited attention.

Changing individual and community behaviour alone can make a significant dent in the environmental and climate crises. According to the United Nations Environment Programme (UNEP), if one billion people out of the global population of eight billion adopt environment-friendly behaviours in their daily lives, global carbon emissions could drop by approximately twenty per cent.

The National Education Policy 2020, recognizes the importance of environmental awareness and education. It calls for integration of environmental awareness and sensitivity throughout the curriculum, inclusion of climate change, pollution, biodiversity, and conservation themes, experiential learning through local field visits and community projects on sustainability.

Furthermore, Article 6 of the UNFCCC (1992) and Article 12 of the Paris Agreement, 2015 call upon Parties to promote education, training, and public awareness regarding climate change. Environmental literacy is thus recognized as a tool for effective climate action. According to Goal 13, Target 13.3 of the Sustainable Development Goals, it is necessary to improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning.

The Bill, therefore, seeks to provide for compulsory teaching of environmental education in all educational institutions in Karnataka and align the curriculum in the lines of the National Education Policy, 2020 to encourage students to learn and adopt simple changes in their daily life that may contribute to climate change.

THE KARNATAKA PUBLIC FACILITIES FOR DISABLED BILL, 2025

A Bill to ensure accessible, inclusive, and equitable public facilities for persons with disabilities across the State of Karnataka and to provide for enforcement mechanisms, grievance redressal, and penalties for non-compliance.

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Public Facilities for Disabled Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

(4) Different dates may be appointed for different provisions of this Act and for different areas within the State.

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

(a) “Accessibility” means the design of products, devices, services, or environments for people with disabilities.

(b) “Accessibility Compliance Certificate” means a certificate issued by KSAA confirming conformity with prescribed accessibility norms.

(c) “Disability” shall have the same meaning as assigned under the Rights of Persons with Disabilities Act, 2016.

(d) “KSAA” means the Karnataka State Accessibility Authority constituted under Section 17. (e) “Prescribed” means prescribed by rules made under this Act.

(f) “Public Facility” means any building, service, transport, infrastructure, or digital platform meant for public use or accessed by the general public.

(g) “Retrofitting” means structural or technological modification of existing buildings, infrastructure, or services to comply with accessibility standards.

(h) “Universal Design” refers to the design of buildings, products, and environments to be usable by all people.

CHAPTER II
RIGHTS AND ENTITLEMENTS

3. Right to Accessibility.- (1) Every person with a disability shall have the right to access public facilities on an equal basis with others.

(2) No person shall be denied access to any public facility solely on the grounds of disability.

(3) The State shall promote progressive realization of full accessibility across public services through systemic reform, budgeting, and awareness.

(4) Access-related grievances shall be treated as violations of fundamental rights under Article 14 and 21 of the Constitution.

4. Accessibility in Public Buildings.- (1) All public buildings, including but not limited to government offices, police stations, courts, hospitals, schools, and colleges, shall be made accessible.

(2) Every new public building constructed after the commencement of this Act shall be fully compliant with the State Accessibility Code.

(3) Existing public buildings shall be retrofitted within a period not exceeding five years from the commencement of this Act.

(4) Accessibility features shall include, but are not limited to:

(a) ramps with non-slip surfaces and proper gradient;

(b) accessible elevators with tactile buttons and audio feedback;

(c) accessible toilets and drinking water stations;

(d) clear signage in Braille and audio format;

(e) tactile pathways for visually impaired persons.

5. Accessibility in Transport Facilities.- (1) The State Government shall ensure that public transportation systems, including State-run buses, metro systems, and feeder services, are accessible to persons with disabilities.

(2) All new transport vehicles procured by public authorities must comply with accessibility standards.

(3) Key transport terminals including bus stands, metro stations, and railway platforms must provide:

a) barrier-free entrances and exits;

b) auditory and visual announcements;

- c) priority queues and seating;
 - d) trained support staff for assistance.
- (4) Special permits and subsidies may be provided to private operators who upgrade their fleets for accessibility.

6. Accessibility in Digital Infrastructure.- (1) All official websites, mobile applications, and electronic platforms operated by or on behalf of the State Government shall conform to Web Content Accessibility Guidelines (WCAG) 2.1 or higher.

(2) Public service portals such as those used for utility bills, health records, transport booking, or grievance redressal shall provide alternative modes of access including text-to-speech and simplified interface options.

(3) All government notifications and documents must be issued in accessible formats, including but not limited to large print, Braille, and audio formats, wherever required.

7. Inclusive Urban Planning and Open Spaces.- (1) Urban planning authorities shall integrate accessibility into the approval, design, and monitoring of all city development plans and town planning schemes.

(2) Every park, pedestrian path, public toilet, recreational facility, and open space under municipal jurisdiction shall be planned and maintained in accordance with universal design principles.

(3) Housing boards, municipal corporations, and development authorities shall allocate at least 5% of project budgets for accessibility retrofitting or design in all projects exceeding ₹50 lakhs.

(4) Smart City and Atal Mission for Rejuvenation and Urban Transformation (AMRUT) projects shall mandatorily incorporate accessibility components.

CHAPTER III

OBLIGATIONS OF AUTHORITIES AND PRIVATE ENTITIES

8. Duty of State Government Departments.- (1) Every department of the State Government shall:

(a) designate a Nodal Accessibility Officer within 90 days of commencement of this Act;

b) prepare an Accessibility Action Plan within six months.

(2) The Nodal Officer shall:

a) maintain a register of facilities under their control and their compliance status; b) coordinate with KSAA for certification and inspections;

c) conduct quarterly self-assessments and publish reports online.

(3) The Principal Secretary of each department shall be accountable for failure to achieve compliance targets.

9. Responsibility of Local Bodies.- (1) Urban and rural local bodies shall: a) ensure that no building plan is approved without accessibility provisions; b) conduct biannual accessibility audits through third-party experts empanelled with KSAA.

(2) Zilla Panchayats and Taluk Panchayats shall maintain a database of accessible facilities within their jurisdictions.

(3) Local bodies may constitute Accessibility Monitoring Cells to engage NGOs, civil society groups, and PwD associations.

10. Accessibility Obligations of Private Establishments.- (1) All private establishments offering public services such as hotels, malls, theatres, banks, educational institutions, and hospitals shall ensure full accessibility as per State norms.

(2) No license, occupancy certificate, or operational clearance shall be granted without submission of an Accessibility Compliance Plan.

(3) Private entities shall:

- a) submit quarterly compliance progress reports;
- b) maintain accessible feedback mechanisms for users with disabilities.

(4) Existing establishments shall implement retrofitting within three years from the date of notification under this Act.

11. Requirement for Accessibility Certificates.- (1) No public or private facility shall commence operations without obtaining an Accessibility Compliance Certificate from KSAA.

(2) The certificate shall be valid for a period of five years and shall be renewed only upon successful re-inspection.

(3) In case of non-compliance during mid-term inspections, the KSAA may suspend or revoke the certificate, and recommend closure of the facility until rectification.

(4) A digital registry of all certified and non-certified establishments shall be maintained and made publicly accessible by the Authority.

CHAPTER IV

ACCESSIBILITY STANDARDS AND CERTIFICATION

12. State Accessibility Code.- (1) The State Government shall, in consultation with the KSAA, notify the Karnataka State Accessibility Code within six months from the commencement of this Act.

(2) The Code shall specify standards for:

- a) Architectural design and structural accessibility in public buildings;
- b) Accessible signage, tactile indicators, and auditory systems;

- c) Public transport vehicles, terminals, and pedestrian infrastructure;
 - d) Information and Communication Technology (ICT), including websites, apps, ATMs, and public service kiosks;
 - e) Emergency evacuation protocols for persons with disabilities.
- (3) The Code shall be reviewed every five years and updated based on technological advancements and evolving international standards.
- (4) Until such Code is notified, the Harmonized Guidelines and Standards for Universal Accessibility (2021) shall apply mutatis mutandis.
- 13. Accessibility Design Guidelines.-** (1) The KSAA shall issue sector-specific design templates and implementation manuals to assist compliance by government departments and private establishments.
- (2) These guidelines shall ,-
- (a) Be user-friendly, publicly accessible, and translated into Kannada and English;
 - (b) Incorporate universal design principles and low-cost accessible alternatives;
 - (c) Be developed in consultation with certified access auditors, urban planners, and disability rights organizations.
- 14. Accessibility Audits and Compliance Reports.-** (1) Every public facility shall undergo a mandatory Accessibility Audit at intervals not exceeding three years.
- (2) Audits shall be conducted by access auditors empanelled with the KSAA.
- (3) The audit report shall contain,-
- (a) An objective assessment of compliance;
 - (b) Photographic and schematic evidence of accessible or non-compliant areas;
 - (c) A proposed action plan for addressing gaps.
- (4) A summary of the audit shall be published on the official website of the KSAA.
- (5) Non-compliant entities shall be served a rectification notice with a time-bound mandate.

CHAPTER V

RETROFITTING AND INFRASTRUCTURE TRANSFORMATION

15. Retrofitting of Existing Facilities.-

- (1) All public facilities that existed prior to the commencement of this Act shall be made accessible through retrofitting within,-
- a) 36 months in urban municipalities and city corporations;
 - b) 60 months in rural and semi-urban areas.

- (2) Retrofitting projects shall not compromise structural safety and shall preserve heritage wherever applicable.
- (3) Accessibility in temporary public facilities (e.g., election booths, relief camps) shall be ensured through mobile or modular retrofitting kits.

16. Budgetary Allocations for Retrofitting.-

- (1) The Finance Department shall, in every State Budget, allocate a separate accessibility fund for retrofitting and barrier removal projects.
- (2) Every local authority shall earmark at least 2% of annual infrastructure development expenditure for accessibility-related improvements.
- (3) Funds shall be prioritized based on public usage, urgency, and complaints registered.

CHAPTER VI

INSTITUTIONAL FRAMEWORK

17. Establishment of Karnataka State Accessibility Authority (KSAA).-

- (1) The Government shall, by notification, establish the Karnataka State Accessibility Authority (KSAA) to oversee and enforce the provisions of this Act.
- (2) KSAA shall be a statutory body having perpetual succession, with power to acquire, hold, and dispose of property.
- (3) The KSAA shall consist of:
 - a) Chairperson – a retired High Court Judge or senior bureaucrat with experience in rights-based legislation;
 - b) Vice Chairperson – an expert in accessibility, universal design, or urban planning;
 - c) Members – not less than five, including at least two persons with disabilities and one representative from civil society;
 - d) Member Secretary – an officer of the State not below the rank of Joint Secretary.
- (4) The term of office shall be three years, renewable once.

18. Powers and Functions of KSAA.-(1) To frame and revise accessibility standards and codes;

- (2) To monitor and enforce compliance with accessibility obligations;
- (3) To accredit access auditors and maintain a public registry;
- (4) To provide training and capacity-building to officials, architects, and engineers;
- (5) To receive and redress complaints related to non-accessibility;
- (6) To advise the State Government on accessibility-related schemes and legislation;
- (7) To initiate or support research on inclusive public design.

CHAPTER VII

GRIEVANCE REDRESSAL AND ENFORCEMENT

19. Designated Accessibility Officers.- (1) Every government department, public authority, local body, and notified private service provider shall appoint a *Designated Accessibility Officer (DAO)*.

(2) The DAO shall:

- a) Act as the nodal officer for ensuring departmental compliance;
- b) Coordinate audits and assist in grievance redressal;
- c) Submit bi-annual reports to the KSAA.

20. District Accessibility Committees.- (1) The State Government shall constitute a District Accessibility Committee (DAC) in each district.

(2) DAC shall comprise:

- a) Deputy Commissioner – Chairperson;
- b) District Social Welfare Officer – Member Secretary;
- c) Two members from local disability rights groups;
- d) Executive Engineers from PWD and Transport;
- e) Other members as may be prescribed.

(3) DAC shall monitor local implementation and serve as the first-level grievance redressal body.

21. Grievance Redressal Mechanism.- (1) Any person with disability may file a written or digital complaint against a public facility for non-compliance.

(2) The concerned DAO or DAC shall initiate inquiry within 15 days and resolve it within 45 days.

(3) Appeals from DAC orders shall lie with KSAA.

22. Penalties for Non-Compliance.- (1) First contravention: Fine up to ₹25,000;

(2) Subsequent contraventions: Fine up to ₹1,00,000 and recommendation for license suspension;

(3) Continued violation beyond 90 days: Civil liability and blacklisting for public contracts.

(4) Penalties collected shall be credited to the Accessibility Fund.

CHAPTER VIII

MISCELLANEOUS

23. Accessibility Fund.- (1) The Karnataka Accessibility Fund shall be established

for implementation, retrofitting, training, and grievance redressal purposes.

(2) The Fund shall consist of:

- a) Budgetary grants by the State Government;
- b) Donations, CSR contributions, and fines collected under this Act;
- c) Any other source as may be notified.

Section 24. Annual Reports and Legislative Oversight.- (1) KSAA shall submit an Annual Report to the State Government detailing compliance status, enforcement actions, and financials.

(3) The report shall be tabled before the Karnataka Legislative Assembly.

25. Training and Capacity Building.-(1) The KSAA shall coordinate with universities, engineering institutions, and the PWD to develop certification modules on accessibility.

(2) Accessibility training shall be mandatory for:

- a) Urban planners and municipal engineers;
- b) Civil contractors and architects engaged in public projects.

26. Incentives for Compliance.-(1) The State Government may grant:

- a) Tax concessions to establishments complying ahead of schedule;
- b) Preferential access to public tenders for accessibility-compliant firms;
- c) Awards and public recognition for innovation in accessibility.

27. Technology and Innovation in Accessibility.- (1) KSAA shall maintain a Tech-for-Access Registry of assistive technologies.

(2) It shall fund or support pilot projects in AI, IoT, and digital solutions for enhancing public accessibility.

28. Awareness and Public Engagement.- (1) The Government shall run state-wide awareness campaigns through radio, TV, schools, and Panchayats.

(2) Annual observance of “Karnataka Accessibility Day” on a date notified by the Government.

29. Power to Make Rules.- The State Government may, by notification, make rules for carrying out the provisions of this Act.

30. Power to Remove Difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with this Act as it deems necessary.

31. Overriding Effect .- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other Karnataka

law for the time being in force.

32. Repeal and Savings.- Any provisions of local enactments or executive instructions inconsistent with this Act shall stand repealed or modified to the extent of inconsistency.

33. Protection of Action Taken in Good Faith.- No suit, prosecution, or other legal proceeding shall lie against the KSAA, its officers, or any public servant for any act done in good faith under this Act.

ANNEXURE

ACCESSIBILITY STANDARDS

(To be notified separately. Based on Harmonised Guidelines 2021, ISO 21542:2011, and Karnataka-specific planning codes.

Table of Sources /Authorities / References

Primary Indian Legislations & Policy Frameworks

- The Rights of Persons with Disabilities Act, 2016 (RPwD Act)
- The National Building Code of India (NBC), 2016 (Volume I, Part 3)
- Harmonised Guidelines and Standards for Universal Accessibility in India, 2021
- Accessible India Campaign (Sugamya Bharat Abhiyan), 2015
- Information Technology (Reasonable Security Practices and Procedures and Sensitive Personal Data or Information) Rules, 2011
- The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (now repealed)

Comparative State Laws and Rules

- Delhi Building Bye-Laws, 2016 – Chapter 9: Barrier-Free Access
- Tamil Nadu Guidelines for Accessibility in Government Buildings, 2017
- Rajasthan State Policy on Accessibility and Universal Design, 2019
- Karnataka Urban Development Policy Documents & PWD Circulars

International Laws and Standards

- United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), 2006
- Web Content Accessibility Guidelines (WCAG) 2.1 – by World Wide Web Consortium (W3C)
- Americans with Disabilities Act (ADA), 1990 (USA)
- Equality Act, 2010 (UK)
- European Accessibility Act, 2019

Other Academic and Institutional References

- National Centre for Promotion of Employment for Disabled People (NCPEDP) reports
- World Bank Reports on Inclusive Infrastructure and Accessibility (2019, 2021)

- Publications from Rehabilitation Council of India (RCI)
- Reports of Standing Committees of Parliament on RPwD Act (2016–2021)

STATEMENT OF OBJECTS AND REASONS

- (1) Karnataka lacks a comprehensive and specific legal framework for the protection of the disabled person. This Bill aims to establish a rights-based, inclusive institutional, and regulatory architecture to guarantee equitable access and dignity for persons with disabilities across the state.
- (2) It further aims to lay down clear accessibility standards and empower a dedicated authority, to remove the barriers faced by persons with disabilities in their day-today lives by transforming public spaces

THE AMBULANCE SIREN REGULATION AND MONITORING BILL, 2025

An Act to regulate the use of ambulance sirens, establish monitoring mechanisms, ensure compliance with prescribed standards, provide for penalties against misuse, and institute a real-time framework for Karnataka, thereby safeguarding public peace and ensuring prioritization of genuine medical emergencies.

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows :-

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the Ambulance Siren Regulation and Monitoring Act, 2025.

(2) It extends to the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) “ambulance” means any motor vehicle exclusively used for the purpose of transporting patients requiring urgent medical attention;

(b) “Bureau of Indian Standards” or “BIS” means the national standards body as constituted under the Bureau of Indian Standards Act, 2016;

(c) “Public Reporting” means and includes the systematic process by which citizens, civil society organizations, medical institutions, and other stakeholders can report instances of non-compliance, misuse, or abuse of ambulance sirens, as well as raise concerns related to siren volume, unauthorized use, or violations of permitted siren zones and times;

(d) “Regional Transport Authority” means the authority constituted under the Motor Vehicles Act, 1988;

(e) “RSRMF” means the Real-Time Siren Regulation and Monitoring Framework established for the State of Karnataka under this Act;

(f) “siren” means an audible signalling device used on ambulances for alerting the public and traffic;

(g) “silence zones” mean areas designated as such under applicable noise

- pollution laws, including but not limited to schools, hospitals, and courts;
- (h) “verified emergency call” means an emergency communication validated by authorized medical or emergency agencies;
- (2) Other terms shall have the meanings assigned to them under the Motor Vehicles Act, 1988, or any other applicable laws.

CHAPTER II

REGULATION OF SIREN USAGE

3. Conditions for use of sirens.-

- (1) No ambulance shall employ a siren except;
- (a) When responding to a verified emergency call; or
- (b) While transporting a patient who needs urgent or critical medical care.
- (2) All sirens installed on ambulances shall conform strictly to the standards prescribed by the Bureau of Indian Standards in terms of:
- (a) Sound frequency range, tone distinctiveness, and decibel levels to minimize disturbance while ensuring audibility;
- (b) Audible characteristics that distinguish ambulance sirens from other emergency service sirens.

CHAPTER III

OPERATIONAL REQUIREMENTS FOR AMBULANCE SERVICES

4. Maintenance of Siren Activation Logbook.- Every ambulance operator shall maintain a Siren Activation Logbook, documenting the following particulars for each usage of siren,-

- (a) Date and time of activation;
- (b) Purpose or nature of emergency necessitating siren;
- (c) Identity and credentials of the attending medical personnel involved during such activation.

5. Installation and maintenance of monitoring devices.- (1) Each ambulance shall be equipped with functional GPS tracking devices capable of transmitting real-time locational data.

(2) Electronic logging mechanisms connected with regional emergency control rooms shall be installed to record and transmit siren usage and vehicle movement data securely.

(3) No private ambulance service shall operate unless registered with the Regional Transport Authority and successful completion of compliance

audits conducted at intervals not exceeding six months.

CHAPTER IV

REAL-TIME SIREN REGULATION AND MONITORING FRAMEWORK

6. Establishment of Real-Time Siren Regulation and Monitoring Framework (RSRMF).-

(1) The Government of Karnataka shall establish and maintain the RSRMF composed of the following departments:

- (a) Department of Health and Family Welfare;
- (b) Transport Department;
- (c) Commissioner of Traffic Police.

(2) The RSRMF shall:

- (a) Maintain a live, GPS-linked dashboard displaying all ambulance movements and siren activations within Karnataka;
- (b) Issue digitally authenticated emergency transport authorisations for verification.

7. Permissible use and restrictions.-

(1) Ambulance sirens shall be used exclusively in Karnataka:

- (a) During verified emergency patient transfers;
- (b) When transporting critically ill or life-threatening cases;
- (c) In declared public health emergencies by the State Government.

(2) Use of sirens shall be strictly prohibited:

- (a) For return trips from hospitals or health institutions;
- (b) For VIP, administrative, private, or commercial purposes.

CHAPTER V

PENALTIES AND ENFORCEMENT

8. Penalties and sanctions.- (1) Any individual or entity found to have misused the siren contrary to the provisions of this Act shall be subject to:

- (a) A fine of ten thousand rupees (₹10,000) for the first offence;
- (b) A fine of twenty-five thousand rupees (₹25,000) for the second offence and
- (c) Suspension of vehicle registration for a period not exceeding thirty (30) days.

(2) In cases of repeated or wilful misuse, the offender shall be liable to:

(a) Suspension of the driver’s professional license for a term not exceeding six months;

(b) Prosecution under Section 190(2) of the Motor Vehicles Act, 1988 and Section 281 of the Bharatiya Nyaya Sanhita, 2023.

(3) The Motor Vehicle Inspector or any authorized officer shall have the authority to seize vehicles involved in misuse of siren and initiate appropriate legal proceedings as per applicable

CHAPTER VI

PUBLIC REPORTING AND GRIEVANCE REDRESSAL

9. Public complaint and redressal mechanism.- (1) The Government of Karnataka shall facilitate a public complaint mechanism through:

(a) A dedicated mobile application connected with the RSRMF; and

(b) Integration with the State Police Traffic Helpline for immediate reporting.

(2) Verified complaints shall entitle the complainant to a nominal incentive as prescribed by rules, and prompt inspection and flagging of the reported vehicle shall be undertaken.

CHAPTER VII

MISCELLANEOUS

10. Overriding effect.- The provisions of this Act shall have effect notwithstanding anything inconsistent contained in any other law for the time being in force.

11. Power to remove difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the Appropriate Government may, by order published in the Official Gazette, issue such directions or make such provisions as may be necessary to remove the difficulty.

ANNEXURE

A. Model Siren Activation Logbook Format.

7

Date (DD/MM/YYYY)	Time (HH:MM)	Purpose of Siren Use	Name & ID of Medical Personnel	Remarks
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		e.g., Responding to cardiac emergency	Dr. XYZ (Registration No. 12345)	
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B. Model Specifications for Ambulance Sirens (per BIS)

- Frequency Range: 1,000 to 2,500 Hz
- Maximum Sound Level: 110 dB (A) at 1 meter
- Distinct, pulsating tonal pattern distinguishable from police and fire sirens

STATEMENT OF OBJECTS AND REASONS

The proposed Bill seeks to strike a judicious balance between the imperative requirements of emergency medical transportation and the fundamental rights of citizens to public order, peace, and environmental health. The Bill recognizes the ambulance siren not merely as an auditory warning device but as a trust-based signal that must command automatic priority and respect on Indian roads. To ensure this, the sanctity of siren usage must be preserved by restricting its application strictly to verified emergencies, thus eliminating both real and perceived abuses.

Key objectives of the Bill are as follows:-

- 1). To monitor and regulate the employment of ambulance sirens so that they are exclusively used in circumstances of real medical urgency that have been duly verified by competent authorities or medical personnel and impose penalty on the violators
- 2) . To control noise pollution by prescribing adequate standards

KARNATAKA VICTIM JUSTICE BILL, 2025

A Bill to establish comprehensive support services for crime victims, create a streamlined victim compensation fund, mandate victim impact statements in sentencing proceedings, provide legal representation for victims and establish standards for trauma-informed forensic procedures.

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows

CHAPTER I

PRELIMINARY

- 1. Short title, extent and commencement.-** (1) This Act may be called the Karnataka Victim Justice Bill, 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 in the Official Gazette, appoint.
- 2. Definitions.-** (1) In this Act, unless the Context otherwise requires, –
 - (a) “audio-video electronic” means shall include the use of any communication device for the purposes of video conferencing, recording of processes of identification, search and seizure or evidence, transmission of electronic communication and for such other purposes and by such other means as the State Government may, by rules provide;
 - (b) “harm” means and shall include any physical, psychological and emotional suffering; and economic and other loss; and damage;
 - (c) “offence” means any act or omission punishable under the Bharatiya Nyaya Sanhita or any other special or local law in force;
 - (d) “Victim” means a person who has suffered any loss or injury caused by reason of the act or omission for which the accused person has been charged and includes the guardian or legal heir of such victim;
 - (e) “Victim Impact Statement” means the report prepared by the District Legal Services Authority under Section 8 of the Act;

- (f) “Victim Impact Report” means the report prepared by the District Legal Services Authority under Section 9 of the Act;

CHAPTER II

RIGHTS AND ENTITLEMENTS OF VICTIMS OF CRIME

- 3. Right to be impleaded.-** Victims, including their dependants, even Government Welfare bodies and voluntary organizations registered for welfare of victims of sexual offences, child victims, those in charge of the care of aged and handicapped persons to implead themselves as parties whenever the court finds it appropriate for a just disposal of the case.
- 4. Right to Legal Representation.-** (1) The victim has the right to engage with an advocate of his/her choice to aid and assist with prosecution.
(2) The Victim shall have the right to be heard.
(3) The victim shall also right to assist the court in the pursuit of the truth.
- 5. Right to Know.-** (1) Victims shall have the right to be informed of –
(i) The status of the investigation and criminal proceedings
(ii) The dates of court hearings and orders passed
(iii) The availability of legal aid, psychosocial support, compensation schemes, and protective measures.
(2) This right shall be ensured through timely communication by the Investigating Officer, District Legal Services Authority, and Victim Assistance Force.
- 6. Right to a Dedicated Trauma-Informed Advocate/Advisor.-** (1) All victims, depending on the nature of the case, shall have the right to be assigned a dedicated, professional, trauma-informed one-to-one advocate or advisor to support them throughout their criminal proceedings.
(2) The State Government shall have frame rules for the appointment, qualification, code of conduct, and duties of such advocates and advisors.
- 7. Medical examination of the victim of rape.-** Victim of Rape under Sections shall be examined by a Registered Practitioner as under Section 184 of the Bharatiya Nyaya Suraksha Sanhita.

CHAPTER III

VICTIM IMPACT STATEMENT AND VICTIM IMPACT REPORT

- 8. Victim Impact Statement.-** (1) The Victim may, after the Judgement rendered by the Court, by written, oral or audio-video electronic means, file a Victim Impact Statement to the Court or the Magistrate, which shall,-
(i) describe the impact of the offence on the victim,
(ii) include details of the harm suffered by the victim as a result of the offence
(2) The Victim Impact Statement, if written, shall be signed by the victim.

(3) The Victim Impact Statement, if oral, shall be reduced into writing by him or under his direction and shall be read over to the Victim and shall be signed by the Victim.

(4) The Victim Impact Statement, if in audio-visual electronic means, shall be taken on record by him on being signed within three days by the person giving it

(4) A copy of the Victim Impact Statement shall be provided to the Public Prosecutor, if any, and to the Accused as well as the Defence Counsel.

9. Victim Impact Report.- (1) The Court shall mandate the Karnataka State Legal Services Authority to file a Victim Impact Statement after the conclusion of any criminal trial upon the receipt of the affidavit of the accused and judgment of the court.

(2) The District Legal Services Authority shall conduct a summary inquiry and shall seek necessary assistance from the SDM, SHO, and/or prosecution to quantify the victims' loss as well as ascertain the accused's Paying capacity;

(3) The District Legal Services Authority shall, after conducting a summary inquiry, deliver a Victim Impact Report, which shall contain its recommendations, within thirty days to the Trial court.

10. Compensation.- (1) The trial Court shall, upon receipt of the Victim Impact Report, take into consideration the report detailing the impact of crime on the victims, the paying capacity of the accused and expenditure incurred on the prosecution; and after hearing the parties, including the victims of crime, the Court shall award the compensation to the victim(s) and may include the cost of prosecution to the State, if the accused has the capacity to pay the same.

(2) The Court shall direct the accused to deposit the compensation with the Karnataka Legal Services Authority.

(3) The Karnataka Legal Services Authority shall disburse the amount to the victims according to the Victim Compensation Scheme.

CHAPTER IV

MEDICAL AND PSYCHOLOGICAL ASSISTANCE TO VICTIMS

11. Treatment of Victims.- All hospitals, public or private, whether run by the Central Government, the State Government, local bodies or any other person, shall immediately provide the first-aid or medical treatment, free of cost, to the victims of any offence covered under section 122, section 64, section 66, section 67, section 68, section 70, section 71 or section 122 of the Bharatiya Nyaya, Sanhita, 2023 or under sections 4, 6, 8 or section 10 of the Protection of Children from Sexual Offences Act, 2012, and shall immediately inform the police of such incident.

12. Psychosocial Support and Counselling.- (1) The State Government shall ensure that victims of crime have access to comprehensive psychosocial support services, including psychological counselling, trauma therapy, and emotional rehabilitation.

Provided that victims of offences under Sections 63, 64, 65, 67, 68, 69, 70, 72,73, 74, 75, 76, 77, 100, 101, 109, 124 of the Bharatiya Nyaya Sanhita shall compulsorily be enrolled into such Psychosocial Support Services.

(2) The State Government shall provide such psychosocial support services to the victims by a psychiatrist or clinical psychologist of a Government hospital or Government Medical college for care and treatment.

(3) The State Government shall ensure that psychosocial support services are provided to the victims free of cost.

CHAPTER V

VICTIM'S ASSISTANCE FORCE

13. Constitution of Victim Assistance Force.- (1) The State Government shall constitute a Victim Assistance Force in each district to manage and operate the Victim Care and Support System, ensuring timely and efficient delivery of services to victims of crime.

(2) The Victim Assistance Force shall consist of ,–

- (i) Two Panel Advocates, including at least one female advocate with a minimum of five years' experience in criminal law.
- (ii) Two Para-Legal Volunteers from the District Legal Services Authority, including one female volunteer.
- (iii) Two Counsellors, one from a recognised Psychology Department of a reputed educational institution and one from a hospital, the Women and Child Development Department, or the District Legal Services Authority panel.
- (iv) Two NGO Representatives, one volunteer and one official from a State-accredited NGO.
- (v) One Special Police Officer, not below the rank of Sub-Inspector, for law enforcement coordination.
- (vi) One Protection Officer, available as needed.
- (vii) The Secretary of the District Legal Services Authority, designated as the Nodal Officer to coordinate all activities.

14. Frontline Services Provided by the Victim Assistance Force.- The Victim Assistance Force shall be responsible for,-

- (i) Medical Assistance: Escorting victims to medical facilities and coordinating with professionals for timely care and preparation of medico-legal reports.
- (ii) Police Station Assistance: Supporting victims with FIR registration, obtaining police records, and liaising with police authorities.

- (iii) Legal Aid and Assistance: Providing guidance on legal rights, court procedures, and filing compensation claims.
- (iv) Coordination with External Agencies: Assisting victims with insurance claims, banks, and other agencies.
- (v) Safety and Protection: Informing victims about the Witness Protection Scheme and assisting with safety plans.
- (vi) Victim Compensation: Guiding eligible victims through Victim Compensation Schemes and ensuring prompt disbursement.
- (vii) Court Accompaniment: Assisting victims with legal representation, court appearances, and updating case status.
- (viii) Rehabilitation Support: Facilitating referrals to government and non-government agencies for economic and social rehabilitation.
- (ix) Case Management: Developing tailored action plans for victims, including legal support, compensation, and rights education.
- (x) Psychosocial Counselling: Providing counselling and therapy to address emotional trauma, anxiety, and depression, promoting overall mental, emotional, and physical well-being.

CHAPTER VI

VICTIM COMPENSATION FUND

- 15. Victim Compensation Fund.-** (1) The State Government shall, in coordination with the Central Government, create a Victim Compensation Scheme to provide funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation.
- (2) Whenever a recommendation is made by the Court for compensation, the District Legal Service Authority or the Karnataka State Legal Service Authority, as the case may be, shall decide the quantum of compensation to be awarded under the scheme referred to in sub-section (1).
- (6) The State or the District Legal Services Authority, as the case may be, to alleviate the suffering of the victim, may order for immediate first-aid facility or medical benefits to be made available free of cost on the certificate of the police officer not below the rank of the officer in charge of the police station or a Magistrate of the area concerned, or any other interim relief as the appropriate authority deems fit.
- (7) The compensation payable by the State Government under this section shall be in addition to the payment of a fine to the victim under section 67(4), section 68, section 70(1) and Section 70(2) of Bharatiya Nyaya Sanhita, 2023.

STATEMENT OF OBJECTS AND REASONS

1. This Bill has been proposed to provide a victim-centric approach, by highlighting and addressing the rights of the victims during criminal proceedings, while upholding their physical, psychological and moral integrity. The Bill aims to address those consequences of the crime, which are capable of assessment in terms of compensation, and should be taken care of by the State.
2. This Bill is in line with the Apex Court ruling of Mallikarjun Kodagil v. State of Karnataka, which emphasised the rights of the victims and recommended adoption of steps like the Victim Impact Statement in line with Article 14 and Article 21 of the Constitution, to give crime victims a voice in the criminal justice process, and also recognised the need to refer victims to psychological support and counselling depending on the nature of the offence.
3. The Bill is in line with the recommendations suggested by the Committee on Reforms of Criminal Justice System, chaired by Justice Malimath in 2003, such as right to be impleaded in the legal proceedings, right to be represented by an advocate of his choice, victims right to participate in criminal trial- to produce evidence, put questions to the witnesses, and to seek legal services, and may extending to include psychiatric and medical help, interim compensation and protection against secondary victimisation, and victim compensation fund administered by the District Legal Services Authority.
4. The Bill adopts the format of the Victim Impact Report formulated in the Delhi High Court Judgement of Karan v State of NCT Delhi as a mandatory procedure undertaken at the conclusion of any trial, which will help the District Legal Services Authority to quantify the quantum of damages to be paid by the Accused to the victim, where fine does not form a part of the sentence, based on the impact of the crime on the victim and the capacity of the accused to pay.
5. The Bill also focuses on the emotional, psychological and psychosocial impacts of the crime, providing for Psychosocial Support and Counselling in line with the recommendations of the Malimath Committee, along with constitution of a Victim

assistance force in line with the State Legal Services Authorities of Punjab, Haryana and U.T. (Chandigarh) launched a Project for 'Victim Care & Support' which adopts a victim-oriented approach in the legal aid system to ameliorate the psychological, emotional, and financial conditions of the victim of crime through the legal aid system.

FORM-A

VICTIM IMPACT STATEMENT

Your Name

- **If you are not the direct (primary) victim of the crime, please write the name of the primary victim below and describe your relationship to the primary victim:**

Name of Primary Victim:

Your relationship to the primary victim:

Date of Birth (DD/MM/YYYY)

Email ID

Name of the Offender (if known)

Name of the Investigating Officer (if known):

Criminal charge (if known):

Name of Prosecutor:

- **Would you like your Victim Impact Statement read aloud in court?**
The Magistrate will decide if you can read all of your Victim Impact Statement or only some parts of it in court.

- No – I don't want my Victim Impact Statement read aloud in court
- Yes – I would like my Victim Impact Statement read aloud in court by:
 - Me
 - The prosecutor
 - Someone else that I nominate

Please answer the following

I want to ask the court to consider ordering restitution / offender-paid compensation

- Yes.
- No

If yes, how much compensation would you like to request ₹

(Please attach information to verify costs, e.g., replacement estimate, accounts or receipts.)

Remember: The offender may be given a copy of your statement to read and will be there when your statement is read in court.

● **Victim Impact Statement**

I, _____, would like to tell the court how the crime has affected me/my family

To the best of my knowledge, this statement is true and accurate.

Name

Signature

Date (dd/mm/yyyy)

You don't need to sign this form if you are sending it electronically.

You must sign it if you are printing it out to give to the investigating officer.

FORM B
VICTIM IMPACT REPORT
 ANNEXURE- A
 FORM OF THE AFFIDAVIT OF THE CONVICT
(To be filed by the Convict within ten days of the conviction)

AFFIDAVIT

I _____, son of/daughter of/wife of _____, aged about ____ years, resident of _____, do hereby solemnly declare and affirm as under:

Serial No	Description	Particulars

1.	FIR No., date and under Section(s)	
2.	Name of Police Station	
3.	Date, time and place of offence	
4.	Date of conviction	
5.	Name of the convict	
6.	Father's /Spouse's name	
7.	Age	
8.	Gender	
9.	Marital status	
10.	Addresses:	
	(i) Present	
	(ii) Permanent	
11.	Contact Info	
	(i) Mobile	
	(ii) Email Id	
12.	Educational and professional qualifications	
13.	Occupation	
14.	Monthly income from all sources including employment, business, vocation, interest, investment, income from properties, assets etc.	
15.	Whether you are assessed to Income Tax? If yes, file the copy of Income Tax Returns for the last three years.	
16.	Complete details of the immediate family members (Name, age, relation, occupation, income and their address)	
17.	<u>If the deponent is a salaried person:</u> (i) Designation (ii) Name and address of the employer (iii) Monthly Income including the salary, D.A., commissions/ incentives, bonus, perks etc.	

18.	<u>If the deponent is self-employed:</u> (i) Nature of business/profession (ii) Whether the business/profession is carried on as an individual, sole-proprietorship concern, partnership concern, company, HUF, joint family business or in any other form. (iii) Net monthly income			
19.	<u>Income from other sources:</u> Agricultural Income; Rent; Interest on bank deposits, FDRs, investments including deposits, NSC, IVP, KVP, Post Office schemes, PPF, loans; Dividends; Mutual Funds; Annuities etc			
20.	Income earned by the convict during incarceration			
21.	Any other income not covered above			
22.	Total Income	Monthly		
		Annual		
23.	<u>Immovable properties</u> Particulars of the immovable properties including joint properties, built up properties, lease hold properties, land/ agricultural land and investment in real estate such as booking of plots, flats etc. in your name or in joint names			
24.	Financial Assets Particulars of all bank accounts including Current and Savings, Demat accounts in your name or joint names held in the last three years	Account Number	Name of Bank	Current Balance
25.	<u>Investments</u> FDRs, NSC, IVP, KVP, Post Office schemes, PPF etc.; Deposits with Government and Non-Government entities; Stocks, shares, debentures, bonds, units and mutual funds, etc	Particulars		Current Value
26.	<u>Movable Assets</u>	Particulars		Cost of Acquisition

	Motor Vehicles, livestock, plant and equipment etc.		
27.	List of other assets not itemized above		
28.	Value of total assets		

DOCUMENTS TO BE FILED WITH THE AFFIDAVIT

S. No.	Particulars	Please Tick		
		Attached	NA	To Follow
29.	Aadhar Card			
30.	Voter ID Card			
31.	PAN Card			
32.	Statement of Account of all bank accounts including current, savings, DEMAT for the last three years			
33.	Income Tax Return(s) of the deponent along with the balance sheets, statement of income and Annexures for last three years			
34.	Income Tax Return(s) of the deponent along with the balance sheets, statement of income and Annexures for last three years			

Declaration:

1. I solemnly declare and affirm that I have made true, accurate and complete disclosure of my income from all sources and assets. I further declare and affirm that I have no income and assets other than set out in this affidavit.
2. I undertake to inform this Court immediately upon any material change in my income and assets or any other information disclosed in this affidavit.
3. I hereby declare that the contents of this affidavit have been duly explained to me and have been understood by me.
4. The copies of the documents filed with the affidavit are the true copies of the originals, and I have self-attested the copies after comparing them with their originals.
5. I understand that any false statement made in this affidavit may constitute an offence under Section 236 read with Sections 227 and 229 of the Bharatiya Nyaya Sanhita, 2023, punishable with imprisonment up to seven years and fine, and Section 246 of the Bharatiya Nyaya Sanhita, 2023 punishable with imprisonment

up to two years and fine. I have read and understood Sections 227, 229, 236 and 246 of the Bharatiya Nyaya Sanhita, 2023.

DEPONENT

Verification:

Verified at _____ on this ____ day of _____ that the contents of the above affidavit relating to my income and assets are true to my knowledge, no part of it is false and nothing material has been concealed therefrom. I further verify that the copies of the documents filed along with the affidavit are true copies of the originals.

DEPONENT

ANNEXURE B

FORMAT OF VICTIM IMPACT REPORT

(To be filed by DSLSA in all criminal cases, other than motor accident cases, within 30 days of conviction and to be considered by the Court at the time of sentencing)

Serial No	Description	Particulars
1.	FIR No., date and under Section(s)	
2.	Name of Police Station	
3.	Date, time and place of offence	
4.	Nature of injury/loss suffered by the victim(s)	
	(i) Physical harm	
	(a) Simple injuries	
	(b) Grievous injuries	
	(c) Death	
	(ii) Emotional harm	
	(iii) Damage/loss of the property	
	(iv) Any other loss/injury	
5.	Brief description of offence(s) in which the accused has been convicted	
6.	Name of the Victim	

7.	Father's /Spouse's name	
8.	Age	
9.	Gender	
10.	Marital Status	
11.	Addresses:	
	(i) Permanent	
	(ii) Present	
12.	Contact Info	
	(i) Mobile	
	(iii) Email Id	

I. Death Case

Serial No	Description	Particulars		
13.	Name of Deceased			
14.	Father's /Spouse's name			
15.	Age of Deceased			
16.	Gender of Deceased			
17.	Marital Status of Deceased			
18.	Occupation of Deceased			
19.	Income of Deceased			
20.	Name, Age and relationship of legal representatives of deceased:			
	Name	Age	Gender	Relation
(i)				
(ii)				
(iii)				
(iv)				
(v)				
(vi)				
21.	Details of Losses Suffered			
	(a) Pecuniary Losses			
(i)	Income of Deceased (A)			
(ii)	Add-Future Prospects (B)			
(iii)	Less-Personal expenses of the deceased (C)			
(iv)	Monthly loss of dependency [(A+B) – C = D]			
(v)	Annual loss of dependency (D x 12)			
(vi)	Multiplier (E)			
(vii)	Total loss of dependency (D x 12 x E = F)			
(viii)	Medical Expenses			

(ix)	Funeral Expenses	
(x)	Any other pecuniary loss/damage	
	(b) Non-Pecuniary Losses	
(xi)	Loss of consortium	
(xii)	Loss of Love and Affection	
(xiii)	Loss of estate	
(xiv)	Emotional harm/trauma, mental and physical shock etc	
(xv)	Post-traumatic stress disorder (anxiety, depression, hostility, insomnia, self-destructive behaviour, nightmares, agitation, social isolation, etc.) panic disorder or phobia(a) which got triggered by the incident/death of the deceased victim.	
(xvi)	Any other non-pecuniary loss/damage	
	Total loss suffered	

II. Injury Case

Serial No	Description	Particulars
22.	Name of injured	
23.	Father's /Spouse's name	
24.	Age of injured	
25.	Gender of injured	
26.	Marital Status of injured	
27.	Occupation of Deceased	
28.	Income of Deceased	
29.	Nature and description of injury	
30.	Medical treatment taken by the injured	
31.	Name of hospital and period of hospitalization	
32.	Details of surgeries, if undergone	
33.	Whether any permanent disability? If yes, give details	
34.	Whether the injured got reimbursement of medical expenses	
35.	Name, Age and relationship of legal representatives of deceased:	
	Name	Age
		Gender
		Relation

(i)			
(ii)			
(iii)			
(iv)			
(v)			
(vi)			
36.	<i>Details of Losses Suffered</i>		
	<i>(a) Pecuniary Losses</i>		
(i)	Expenditure incurred on treatment, conveyance, special diet, attendant etc.		
(ii)	If treatment is still continuing, give the estimate of expenditure likely to be incurred on future treatment		
(iii)	Loss of income		
(iv)	Any other loss which may require any special treatment or aid to the injured for the rest of his life		
(v)	Percentage of disability assessed and nature of disability as permanent or temporary		
(vi)	Percentage of loss of earning capacity in relation to disability		
(vii)	Loss of future Income - (Income x % Earning Capacity x Multiplier)		
(viii)	Any other pecuniary loss/damage		
	<i>(b) Non Pecuniary Losses</i>		
(i)	Pain and suffering		
(ii)	Loss of amenities of life, inconvenience, hardships, disappointment, frustration, mental stress, dejection and unhappiness in future life etc.		
(iii)	Post-traumatic stress disorder (anxiety, depression, hostility, insomnia, self-destructive behaviour, nightmares, agitation, social isolation, etc.) panic disorder or phobia(a) which got triggered by the incident		
(iv)	Emotional harm/trauma, mental and physical shock etc		
(v)	Disfiguration		
(vi)	Loss of marriage prospects		

(vii)	Loss of Reputation	
(viii)	Any other non-pecuniary loss/damage	
	Total Loss suffered	

III. Damage/ Loss to the Property

Serial No	Description	Particulars
37.	Description of the property damaged/ lost	
38.	The value of loss suffered	

IV. Paying capacity of the accused

The accused has submitted the affidavit of his assets and income in the format Annexure-A. The particulars given by the accused in his affidavit have been verified through SDM/Police/Prosecution and after considering the same, paying capacity of the accused is assessed as under:

Karnataka

Member Secretary

Dated:

Karnataka State Legal Services Authority

Documents considered and attached to the report

In death cases:

- (1) Death certificate
- (2) Proof of age of the deceased which may be in form of
 - (a) Birth Certificate;
 - (b) School Certificate;
 - (c) Certificate from Gram Panchayat (in case of illiterate);
 - (d) Aadhar Card
- (3) Proof of Occupation and Income of the deceased which may be in form of
 - (a) Pay slip/salary certificate (salaried employee);
 - (b) Bank statements of the last six months;
 - (c) Income tax Return; Balance Sheet
- (4) Proof of the legal representatives of the deceased (Names, Age, Address, Phone Number & Relationship)
- (5) Treatment record, medical bills and other expenditure
- (6) Bank Account no. of the legal representatives of the deceased with name and address of the bank

(7) Any other document found relevant

In injury cases:

- (8) Multi angle photographs of the injured
- (9) Proof of age of the deceased which may be in form of
- (a) Birth Certificate;
 - (b) School Certificate;
 - (c) Certificate from Gram Panchayat (in case of illiterate);
 - (d) Aadhar Card
- (10) Proof of Occupation and Income of the deceased which may be in form of
- (a) Pay slip/salary certificate (salaried employee);
 - (b) Bank statements of the last six months;
 - (c) Income tax Return; Balance Sheet
- (11) Treatment record, medical bills and other expenditure.
- (12) Disability certificate (if available)
- (13) Proof of absence from work where loss of income on account of injury is being claimed, which may be in the form of
- (a) Certificate from the employer;
 - (b) Extracts from the attendance register;
- (14) Proof of reimbursement of medical expenses by employer or under a Mediclaim policy, if taken.
- (15) Any other document found relevant.

ANNEXURE-B1
FORMAT OF VICTIM IMPACT REPORT

(To be filed by DSLSA in all criminal cases relating to motor accidents within 30 days of conviction and to be considered by the Court at the time of sentencing)

Serial No	Description	Particulars
1.	FIR No., date and under Section(s)	
2.	Name of Police Station	
3.	Date, time and place of offence	
4.	Nature of injury/loss suffered by the victim(s)	
	(xvii) Physical harm	
	(a) Simple injuries	
	(b) Grievous injuries	
	(c) Death	

	(xviii) Emotional harm	
	(xix) Damage/loss of the property	
	(xx) Any other loss/injury	
5.	Brief description of offence(s) in which the accused has been convicted	
6.	Name of the Victim	
7.	Father's /Spouse's name	
8.	Age	
9.	Gender	
10.	Marital Status	
11.	Addresses:	
	(iii) Permanent	
	(iv) Present	
12.	Contact Info	
	V. Mobile	
	VI. Email Id	

I. Death Case

Serial No	Description	Particulars		
13.	Name of Deceased			
14.	Father's /Spouse's name			
15.	Age of Deceased			
16.	Gender of Deceased			
17.	Marital Status of Deceased			
18.	Occupation of Deceased			
19.	Income of Deceased			
20.	Name, Age and relationship of legal representatives of deceased:			
	Name	Age	Gender	Relation
	(vii)			
	(viii)			
	(ix)			
	(x)			
	(xi)			
	(xii)			
21.	Details of Losses Suffered			
	(c) Pecuniary Losses			
	(iii) Income of Deceased (A)			

(iv)	Add-Future Prospects (B)	
(iii)	Less-Personal expenses of the deceased (C)	
(iv)	Monthly loss of dependency [(A+B) – C = D]	
(xxi)	Annual loss of dependency (D x 12)	
(xxii)	Multiplier (E)	
(xxiii)	Total loss of dependency (D x 12 x E = F)	
(xxiv)	Medical Expenses	
(xxv)	Funeral Expenses	
(xxvi)	Any other pecuniary loss/damage	
	(d) Non-Pecuniary Losses	
(xxvii)	Loss of consortium	
(xxviii)	Loss of Love and Affection	
(xxix)	Loss of estate	
(xxx)	Emotional harm/trauma, mental and physical shock etc	
(xxxi)	Post-traumatic stress disorder (anxiety, depression, hostility, insomnia, self-destructive behaviour, nightmares, agitation, social isolation, etc.) panic disorder or phobia(a) which got triggered by the incident/death of the deceased victim.	
(xxxii)	Any other non-pecuniary loss/damage	
	Total loss suffered	

II. Injury Case

Serial No	Description	Particulars
22.	Name of injured	
23.	Father's /Spouse's name	
24.	Age of injured	
25.	Gender of injured	
26.	Marital Status of injured	
27.	Occupation of Deceased	
28.	Income of Deceased	
29.	Nature and description of injury	
30.	Medical treatment taken by the injured	

31.	Name of hospital and period of hospitalization	
32.	Details of surgeries, if undergone	
33.	Whether any permanent disability? If yes, give details	
34.	Whether the injured got reimbursement of medical expenses	
35.	Name, Age and relationship of legal representatives of deceased:	
	Name	Age
(vii)		
(viii)		
(ix)		
(x)		
(xi)		
(xii)		
36.	Details of Losses Suffered	
	(c) Pecuniary Losses	
(ix)	Expenditure incurred on treatment, conveyance, special diet, attendant etc.	
(x)	If treatment is still continuing, give the estimate of expenditure likely to be incurred on future treatment	
(xi)	Loss of income	
(xii)	Any other loss which may require any special treatment or aid to the injured for the rest of his life	
(xiii)	Percentage of disability assessed and nature of disability as permanent or temporary	
(xiv)	Percentage of loss of earning capacity in relation to disability	
(xv)	Loss of future Income - (Income x % Earning Capacity x Multiplier)	
(xvi)	Any other pecuniary loss/damage	
	(d) Non Pecuniary Losses	
(ix)	Pain and suffering	
(x)	Loss of amenities of life, inconvenience, hardships, disappointment, frustration, mental stress, dejection and unhappiness in future life etc.	

(xi)	Post-traumatic stress disorder (anxiety, depression, hostility, insomnia, self-destructive behaviour, nightmares, agitation, social isolation, etc.) panic disorder or phobia(a) which got triggered by the incident	
(xii)	Emotional harm/trauma, mental and physical shock etc	
(xiii)	Disfiguration	
(xiv)	Loss of marriage prospects	
(xv)	Loss of Reputation	
(xvi)	Any other non-pecuniary loss/damage	
	Total Loss suffered	

III. Damage/ Loss to the Property

Serial No	Description	Particulars
37.	Description of the property damaged/ lost	
38.	The value of loss suffered	

IV. Conduct of the Accused

Serial No	Description	Particulars
39.	Whether the accused fled from the Spot If so, when he/ she appeared before Police/ Court or arrested?	
40.	Whether the Accused reported the accident to the Police/ family of the victim	
41.	(i) Whether the Accused provided any assistance to the victim? (ii) Whether the Accused took the victim to the hospital? (iii) Whether the Accused visited the victim at the hospital?	
42.	Whether the Accused remained at the spot till police arrived	
43.	Whether the Accused cooperated in the investigation	

44.	Whether the Accused removed his/ her vehicle from the spot before police arrived	
45.	Whether the Accused paid compensation/ medical expenses to victim/ his family	
46.	Whether the Accused has previous convictions	
47.	Whether the Accused is/ was a close relative or friend of the victim	
48.	Age of the Accused	
49.	Gender of the Accused	
50.	Whether accused suffered injuries during the accident	
51.	Whether the Accused discharged the duties under Sections 132 and 134 of the MV Act, 1988? If no, whether the Accused has been prosecuted under Section 187 of MV Act	
52.	Whether the Driver has been previously involved in a motor accident case If Yes, provide following details: FIR Number and Police Station	
53.	In case the driver fled from the spot, did the owner comply with the provisions of Section 133 of MV Act	
54.	Any other information regarding the conduct of the Accused	
55.	Apparent contributing circumstances	
(i)	Driving without valid driving license (vii) (viii) (ix) (x) (xi) (xii)	
(ii)	Driving while disqualified	
(iii)	Learner driving without supervision	
(iv)) Vehicle not insured	
(v)	Driving a stolen vehicle	
(vi)	Vehicle taken out without the consent of the owner	
(vii)	Driving dangerously or at excessive speed	
(viii)	Dangerously loaded vehicle/ Overloaded	
(ix)	Parking on the wrong side of the road	

(x)	Improper parking/ Parking on wrong side of road	
(xi)	Non-observance of traffic rules	
(xii)	Poorly maintained vehicle	
(xiii)	Fake/forged driving license	
(xiv)	History of convulsions/ seizures	
(xv)	Fatigued/ Sleepy	
(xvi)	Guilty of violation of traffic rules in the past	
(xvii)	Previous convictions	
(xviii)	Suffering from medical condition that impairs driving	
(xix)	Using mobile phone while driving (Handheld)	
(xx)	Using mobile phone while driving (Handsfree)	
(xxi)	More than one injured/ dead	
(xxii)	Under the influence of alcohol or drugs	
56.	Aggressive Driving	
(i)	Jumping Red Light	
(ii)	Abrupt braking	
(iii)	Neglect to keep to the left of road	
(iv)	Criss Cross Driving	
(v)	Driving on the wrong side	
(vi)	Driving close to vehicle in front	
(vii)	Inappropriate attempts to overtake	
(viii)	Cutting in after overtaking	
(ix)	Exceeding Speed Limit	
(x)	Racing/ Competitive Driving	
(xi)	Disregarding any warnings	
(xii)	Overtaking where prohibited	
(xiii)	Driving with loud music	
(xiv)	Improper reversing	
(xv)	Improper passing	
(xvi)	Improper turning	
(xvii)	Turning without indication	
(xviii)	Driving in no-entry zone	
(xix)	Not slowing at junctions/ crossings	
(xx)	Turning with indication	

(xxi)	Not respecting stop sign	
(xxii)	Not respecting right of way to pedestrians	
57.	Irresponsible Behaviour	
(i)	Failing to stop after accident	
(ii)	Ran away from the spot after leaving the vehicle	
(iii)	Destruction or attempt to destroy the evidence	
(iv)	Falsely claiming that one of the victims was responsible for the accident	
(v)	Trying to throw the victim off the bonnet of the vehicle by swerving in order to escape	
(vi)	Causing death/injury in the course of dangerous driving post commission of crime or chased by police in an attempt to avoid detection or apprehension	
(vii)	Offence committed while the offender was on bail	
(viii)	Took any false defence	
(ix)	Misled the investigation	
(x)	Post-accident road rage behaviour	

V. Paying capacity of the accused

The accused has submitted the affidavit of his assets and income in the format Annexure-A. The particulars given by the accused in his affidavit have been verified through SDM/Police/Prosecution and after considering the same, paying capacity of the accused is assessed as under:

Karnataka

Member Secretary

Dated:

Karnataka State Legal Services Authority

Documents considered and attached to the report

In death cases:

- (16) Death certificate
- (17) Proof of age of the deceased which may be in form of
 - (a) Birth Certificate;
 - (b) School Certificate;

- (c) Certificate from Gram Panchayat (in case of illiterate);
- (d) Aadhar Card
- (18) Proof of Occupation and Income of the deceased which may be in form of
 - (a) Pay slip/salary certificate (salaried employee);
 - (b) Bank statements of the last six months;
 - (c) Income tax Return; Balance Sheet
- (19) Proof of the legal representatives of the deceased (Names, Age, Address, Phone Number & Relationship)
- (20) Treatment record, medical bills and other expenditure
- (21) Bank Account no. of the legal representatives of the deceased with name and address of the bank
- (22) Any other document found relevant

In injury cases:

- (23) Multi angle photographs of the injured
- (24) Proof of age of the deceased which may be in form of
 - (a) Birth Certificate;
 - (b) School Certificate;
 - (c) Certificate from Gram Panchayat (in case of illiterate);
 - (d) Aadhar Card
- (25) Proof of Occupation and Income of the deceased which may be in form of
 - (a) Pay slip/salary certificate (salaried employee);
 - (b) Bank statements of the last six months;
 - (c) Income tax Return; Balance Sheet
- (26) Treatment record, medical bills and other expenditure.
- (27) Disability certificate (if available)
- (28) Proof of absence from work where loss of income on account of injury is being claimed, which may be in the form of
 - (a) Certificate from the employer;
 - (b) Extracts from the attendance register;
- (29) Proof of reimbursement of medical expenses by employer or under a Mediclaim policy, if taken.
 - Any other document found relevant.

THE PLEA BARGAINING (REFORM) AMENDMENT BILL, 2025

A Bill to comprehensively amend the plea-bargaining provisions under the Bharatiya Nagarik Suraksha Sanhita, 2023, to bring them in conformity with international standards, to strengthen procedural safeguards, to ensure effective participation of victims, to provide sentencing guidelines, and to enhance transparency and accountability.

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Plea Bargaining (Reform) Amendment Act, 2025.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of Section 290 of Bharatiya Nagarik Suraksha Sanhita, Act 2023 .- In Section 290 of the principal Act,-

(a) Sub-section (1) shall be substituted with the following:

"(1) A person accused of an offence punishable with imprisonment of less than ten years, and not being an offence affecting the socio-economic condition of the country or committed against a woman or a child below the age of fourteen years, may, at any stage before the commencement of trial, file an application for plea bargaining in the Court in which such offence is pending for trial."

(b) Insert a new sub-section (1A):

"(1A) Plea bargaining shall be available only where the accused has voluntarily admitted guilt and has been informed of their legal rights, including the right to a fair trial, legal

representation, and the consequences of entering a plea."

(c) In sub-section (2), after the words "plea bargaining in his case," insert the words "and that the application is made voluntarily, with full knowledge of the consequences and after consultation with legal counsel or legal aid where necessary."

CHAPTER II

AMANDMENT TO BHARATIY NAGARIKA SURAKSHA SANHITA, 2023

3. Insertion of New Section 290A – Right to Counsel and Information 290A.-

(1) Every person seeking to enter into a plea agreement shall be informed of their right to be represented by a lawyer.

(2) Legal aid shall be mandatorily provided to indigent persons through the Legal Services Authorities constituted under the Legal Services Authorities Act, 1987.

(3) The Court shall conduct a preliminary hearing to determine that the accused:

- (a) Understands the nature of the charge,
- (b) Understands the possible sentence on pleading guilty,
- (c) Has not been coerced, threatened, or unduly influenced to enter the plea.

4. Insertion of New Section 290B – Pre-Plea Disclosure and Discovery 290B.- (1) The accused shall be entitled to disclosure of all material evidence in possession of the prosecution before entering a plea.

(2) The disclosure shall include:

- (a) Statements of witnesses,
- (b) Medical reports,
- (c) Forensic evidence,
- (d) Any exculpatory material.

(3) The Public Prosecutor shall certify that all material has been disclosed.

5. Substitution of Section 291 – Mutually Satisfactory Disposition.-

(1) The Court shall convene a conference involving the accused, the prosecution, the investigating officer, and the victim.

(2) The proceedings shall be held in camera and recorded confidentially.

(3) The plea agreement shall include,-

- (a) Agreed charges,
- (b) Recommended sentence or sentencing range,
- (c) Victim compensation or restitution,

- (d) Rehabilitative or corrective measures where relevant.
- (4) The Court shall accept the agreement only after being satisfied that,-
 - (a) The plea is voluntary,
 - (b) The accused understands the consequences,
 - (c) The victim has been consulted and heard,
 - (d) The proposed outcome is not contrary to public interest or justice.
- 6. Insertion of New Section 291A – Sentencing Guidelines and Judicial.- Discretion 291A.** (1) In cases of plea bargaining, the Court may reduce the sentence by up to,-
 - (a) 50% for first-time, non-violent offenders,
 - (b) 33% for repeat offenders or offences involving moderate harm,
 - (c) 25% in cases involving aggravating circumstances.
- (2) The Court may consider alternative sentences including,-
 - (a) Community service,
 - (b) Restorative justice programs,
 - (c) Probation and conditional release,
 - (d) Mandatory counselling or treatment.
- (3) Sentencing decisions shall be guided by the principles of proportionality, rehabilitation, and public safety.

CHAPTER III

- 7. Insertion of New Section 291B – Recording and Use of Statements 291B.-** (1) Any admission, confession, or statement made in the course of plea bargaining shall not be used in any other judicial proceeding unless the plea agreement is approved by the Court.
- (2) All proceedings shall be documented and sealed by the Court.
- (3) If the plea is rejected or withdrawn, the case shall proceed to trial as if no plea was entered.

- 8. Insertion of New Section 291C – Role and Rights of Victims.-**

- 291C.-** (1) Victims shall have the right to,-
 - (a) Receive notice of plea proceedings,
 - (b) Make representations during the process,
 - (c) Seek restitution and compensation,
 - (d) Appeal the Court’s acceptance of a plea if it violates their rights.
- (2) The Court shall ensure the victim's dignity, safety, and privacy are protected at all stages.
- (3) Victim participation shall be in conformity with the UN Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power.

CHAPTER IV

OVERSIGHT, MONITORING, AND MISCELLANEOUS

10. Insertion of New Section 291D – Oversight and Data Collection.-

291D. (1) The National Judicial Data Grid shall publish anonymised statistics of plea bargaining outcomes.

(2) Each High Court shall establish a Plea-Bargaining Oversight

Committee to: (a) Review implementation,

(b) Address complaints and misuse,

(c) Recommend improvements annually.

(3) The Ministry of Law and Justice shall table an Annual Report in Parliament on plea bargaining trends, compliance, and reforms.

11. Insertion of New Section 291E – Establishment of the National Plea-Bargaining Regulatory Board.-

291E. (1) The Central Government shall, by notification, establish a body to be known as the National Plea-Bargaining Regulatory Board (hereinafter referred to as the "Board") within six months from the commencement of this Act.

(2) The Board shall consist of,-

(a) A retired Judge of the Supreme Court or High Court as Chairperson,

(b) One member nominated by the Ministry of Law and Justice,

(c) One representative from the National Legal Services Authority,

(d) One senior prosecutor of national standing,

(e) One academic or expert in criminal justice reforms,

(f) One representative from an accredited victim rights organization.

(3) The functions of the Board shall include:,-

(a) Issuing national-level guidelines for plea bargaining practices,

(b) Reviewing annual data and performance reports,

(c) Advising the Central Government on legal and policy reforms,

(d) Conducting audits and inspections,

(e) Monitoring and evaluating the functioning of state-level oversight committees,

(f) Promoting training, awareness, and best practices among judicial officers and legal professionals.

(4) The Board shall submit a detailed annual report to the Parliament.

(5) The Board shall have the power to call for records, issue recommendations, and seek compliance from State Governments and subordinate courts.

12. Insertion of New Section 291F – Protection Against Coercion and Duress.-

291F. (1) No plea agreement shall be valid if obtained through coercion, duress, undue influence, threat, inducement, or promise not sanctioned by law.

(2) The Court shall ensure and record, in writing, that the plea was entered voluntarily and without any improper pressure or inducement.

(3) Any person found to have coerced or influenced the accused unlawfully shall be liable to penal consequences as may be prescribed.

(4) The accused may withdraw a plea at any stage prior to its acceptance by the Court upon showing that it was entered under coercion or duress.

13. Amendment of Section 300 – Non-Applicability of Chapter.- (1) In Section 300, sub-section (1), the following proviso shall be inserted,-

"Provided that the Central Government may, by notification, include additional offences within the scope of plea bargaining subject to conditions and safeguards as may be prescribed."

14. Repeal and Savings.- (1) All rules, notifications, and procedures inconsistent with this Act shall stand repealed or modified to the extent of such inconsistency.

(2) Notwithstanding such repeal, all applications, agreements, and proceedings under the pre amended provisions shall be valid and shall continue in accordance with the law as it existed prior to this amendment.

STATEMENT OF OBJECTS AND REASONS

- 1.The existing provisions of plea bargaining in India have been underutilised due to procedural ambiguities and inadequate safeguards. This Bill seeks to reform and modernise the legal framework to ensure transparency, accountability, and justice.
- 2.Drawing upon international instruments and comparative practices, the Bill establishes clearer processes, strengthens protections against coercion, ensures full disclosure, provides sentencing guidance, and safeguards victim rights. It aims to relieve caseload burdens on the judiciary while enhancing the fairness and effectiveness of the criminal justice system.

**KARNATAKA ADMINISTRATIVE DISPUTE RESOLUTION AND
EFFICIENCY BILL, 2025**

A Bill to establish specialized Administrative Courts in the State of Karnataka for expeditious and effective adjudication of disputes by or against the Government and public officers, to streamline procedures for resolution of administrative grievances, and to provide for matters connected therewith or incidental thereto.

WHEREAS citizens encounter difficulties and delays in the resolution of disputes against the Government through ordinary courts due to overburdening of civil courts and the absence of strict and categorised timelines for resolution of disputes;

AND WHEREAS it is expedient to establish specialized Administrative Courts with streamlined procedures to ensure timely and effective resolution of disputes instituted by or against the Government and public officers;

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:–

CHAPTER I

PRELIMINARY

1. Short title, extent, and commencement. – (1) This Act may be called the KARNATAKA ADMINISTRATIVE DISPUTE RESOLUTION AND EFFICIENCY BILL, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

2. Definitions. – (1) In this Act, unless the context otherwise requires, –

(a) “ADR”, means Alternative Dispute Resolution mechanisms including arbitration, conciliation, Lok Adalat, mediation and pre-litigation settlement as provided under Section 89 of the Code;

(b) “Code”, means the Code of Civil Procedure, 1908 (Act No. 5 of 1908);

(c) “Court”, means the Administrative Court established under section 3 of this Bill and includes the Administrative Appellate Court established under section 4 of this Bill;

(d) “Government”, means the Government for the State of Karnataka and the Central Government for the Union of India;

(e) “State Government”, means the Government for the State of Karnataka;

(f)“Specified Value”, means the value of the subject matter of the dispute as determined in accordance with section 13of this Bill, which shall not be less than twenty five lakh rupees or such higher value, as may be notified by the State Government.

CHAPTER II

ESTABLISHMENT AND CONSTITUTION OF ADMINISTRATIVE COURTS

3. Establishment of Administrative Courts.- (1) The State Government may, after consultation with the High Court, by notification in the Official Gazette, establish not less than one Administrative Courts in each district of the State for the purpose of exercising the jurisdiction and powers conferred on such Courts under this Bill.

(2) The State Government may establish separate Administrative Courts for different categories of disputes against the State Government in a district.

4. Establishment of Administrative Appellate Courts.- The State Government may, after consultation with the Chief Justice of the High Court, by notification in the Official Gazette, designate such number of Administrative Appellate Courts at the District level, as it may deem necessary, for the purposes of exercising the jurisdiction and powers conferred on those Courts under this Bill.

5. Composition of Administrative Courts.-(1)The Court shall consist of one Judge nominated by the Chief Justice of the High Court, in consultation with the State Government.

(2) The Judge so appointed shall be a person having demonstrable expertise in administrative law as evidenced by their academic qualifications, publications, or professional experience.

(3) The Judge so appointed shall hold office for a term of three years or until they attain the age of sixty-five years, whichever is earlier, and may resign from office by giving notice in writing to the State Government.

(3) In the event of a vacancy in the office of a Judge of the Court by reason of absence or leave, the duties of the office shall be performed by a Judge of any other district, as the Chief Justice of the High Court may, in consultation with the State Government, appoint for the purpose and the Judge so appointed shall have all the jurisdiction and powers of a Judge of the Court including the powers to pass final orders.

6. Distribution of cases amongst the Courts.- The Chief Justice of the High Court may, from time to time, by general or special order in this regard, make provisions as to the distribution of cases amongst the Judges.

CHAPTER III

JURISDICTION, POWERS AND FUNCTIONS

7. Jurisdiction of Administrative Courts.- (1) Notwithstanding anything contained in any other law for the time being in force, the Court shall have exclusive jurisdiction to hear and decide all suits, appeals and other proceedings instituted under Section 79 of the Code by or against the Government, or by or against public officers in respect of any Bill done or purported to be done by him in his official capacity and such other matters as may be notified by the State Government, or those that are transferred to it.

Explanation:— For the purposes of this Section, the Court shall have the power to issue directions or orders for enforcement of any civil right against the Government or public officer or for the redressal of any grievance.

8. Procedure of Administrative Courts.— (1) Save as otherwise provided in this Bill, the provisions of the Code shall, in so far as they are not inconsistent with the provisions of this Bill, apply to the proceedings before the Court.

(2) The Court shall exercise its jurisdiction as per the provisions of sub-section (1) in accordance with the provisions of Section 79 to Section 82 of the Code which shall apply to this Bill as if they were herein re-enacted.

Provided that nothing in sub-section (2) shall restrict the power of the State Government to categorize disputes based on their specified value, nature and urgency, and the State Government shall frame appropriate procedures for each category as may be prescribed.

(3) In adjudicating upon any dispute or other proceedings, the Court may adopt such procedure as it may deem fit consistent with the principles of natural justice.

9. Powers of Administrative Courts.— (1) The Court shall have the same powers as are vested in a Civil Court under the Code while trying a suit in respect of the following matters:

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or document from any court or office;
- (e) issuing commissions for the examination of witnesses or documents;
- (f) reviewing its decisions; and,
- (g) any other matter which may be prescribed.

(2) The Court shall have the power to impose costs and award reasonable compensation in case of malicious suits or to undo any damage and other appropriate instances.

10. Power to Punish for Contempt.— The Court shall have the same powers as are vested in a High Court to punish for contempt of itself under the Contempt of Courts Act, 1971.

CHAPTER IV

PROCEDURE AND TIMELINES

11. Procedure for Filing Applications.— (1) All suits, appeals and applications to the Court shall be filed in such form, verified in such manner, and accompanied by such fees as may be prescribed by the State Government by Rules framed in this regard.

(2) The Court shall adopt a simplified procedure for filing applications, including facilitating electronic filing through the official website.

(3) The Court may, in its discretion, permit a person, at any stage, to file suits, appeals and applications without the payment of fees or with deferred payment of fees in whole or in part if it is satisfied with sufficient reasons that such person is unable to pay the prescribed fees at the prescribed time.

12. Determination of Specified Value.-(1) The disputes in the Court can be categorised as per the Specified Value of the subject matter of the dispute in a suit, appeal, or application which shall be determined in the following manner:-

- (a) where the relief sought in the suit or application is for recovery of money, the money sought to be recovered therein inclusive of interest, if any, computed up to the date of filing of the suit or application, as the case may be, shall be taken into account for determining such Specified Value;
 - (b) where the relief sought in a suit, appeal or application relates to movable property or to a right therein, the market value of the movable property as on the date of filing of the suit, appeal or application, as the case may be, shall be taken into account for determining such Specified Value;
 - (c) where the relief sought in a suit, appeal or application relates to immovable property or to a right therein, the market value of the immovable property, as on the date of filing of the suit, appeal or application, as the case may be, shall be taken into account for determining Specified Value; and,
 - (d) where the relief sought in a suit, appeal or application relates to any other intangible right, the market value of the said rights as estimated by the plaintiff shall be taken into account for determining Specified Value.
- (2) For the purposes of sub-section (1), the aggregate value of the claim, set-off and counterclaim, if any, as set out in the plaint or written statement, as the case may be, shall be considered for the purpose of determining the Specified Value.

13. Streamlined Procedures.-The Court shall adopt distinct streamlined procedures for different categories of disputes as provided hereunder, the subject matter in which, the Specified Value exceeds twenty five lakh rupees:

- (a) disputes under or arising out of contracts, land acquisition, taxation, any right, title or interest over land, compensation or damages and other matters as may be prescribed by the State Government, within a period of one hundred and eighty days from the date of filing;
- (b) disputes relating to environmental clearances or other matters affecting public interest and other as may be prescribed by the State Government, within thirty days from the date of filing; and,
- (c) disputes in such other categories, within such period of time as may be prescribed by the State Government.

Provided nothing in this Section shall restrict the power of the Court to adopt a summary procedure and dispose a suit, appeal, application or other proceeding within sixty days from the date of filing in case the specified value of the dispute does not exceed twenty five lakh rupees.

14. Government Response Timelines. – (1) The Government or the public officer, as the case may be, may tender a reply to the notice served under Clause (1) of Section 80 of the Code within a period of fifteen days from the date of service of notice.

(2) The Government or public officer shall make all endeavour to amicably resolve the claim(s) of the person(s) serving the notice under Clause (1) of Section 80 of Code as expeditiously as possible, and unless otherwise provided under an agreement for the resolution of disputes, through any of the methods of resolution of disputes as provided under Section 12, within a period of sixty days from the date of service of notice.

(3) If the claim(s) are not fully settled to the satisfaction of all parties within the period as aforesaid under sub-section (2), the aggrieved party shall have the right to file a suit against the Government or public officer.

(4) The Government or public officer shall file its response to any suit, appeal or application within thirty days from the date of service of summons.

Provided that if the Government fails to file its written statement within the period of thirty days as aforesaid, they shall be allowed to file the written statement on such other day as may be specified by the Court, for sufficient reasons to be recorded in writing, but which shall not be later than ninety days from the date of service of summons.

Provided further that if the Government fails to file its written statement within ninety days from the date of service of summons, the right to file a written statement shall stand forfeited and the Court shall not allow the written statement to be taken on record.

(5) Government officials or public officer responsible for persistent delays in filing responses may be held personally liable for costs as determined by the Court.

15. Alternative Dispute Resolution.- (1)The Court shall, at the first hearing, if satisfied that the dispute may be settled and there exists elements of settlement that may be acceptable to the parties, refer the dispute for resolution through any one of the dispute resolution mechanisms as provided under Section 89 of the Code such as arbitration, conciliation, mediation, Lok Adalat, or effect a judicial settlement.

(2) The proceedings in any of the methods of alternative dispute resolution under sub-section (1) shall commence within seven days of the date of order of the Court and shall be completed within ninety days from such date.

Provided that the period for completion of the proceedings may be extended for a further period of thirty days with the consent of the parties.

(3) The parties shall, within fifteen days from the date of commencement of the proceedings under sub-section (2), file an affidavit to the Court regarding the progress of the dispute settlement process and their willingness or not to have the dispute resolved through the method specified under the order of referral made under sub-section (1).

(4) On the instance of the parties expressing their unwillingness to have the dispute settled through any one of the methods of alternative dispute resolution in their affidavit filed under sub-section (2) or on its failure, the parties shall specify in their affidavit of their willingness to have the dispute settled through adjudication, and the Court shall commence the trial forthwith.

Provided that in case the parties express their unwillingness to have the dispute settled through the methods under sub-section (1) or on its failure, the period during which the

parties remained occupied with the alternative dispute resolution process, shall not be computed for the purpose of limitation under the Limitation Bill, 1963.

(5) Notwithstanding anything contained in this Bill, the provisions of Clause (2) of Section 80 of the Code shall apply to this Section in the manner as it applies to Clause (1) of Section 80 of the Code.

CHAPTER V

APPEALS AND LIMITATION

16. Appeals.- (1) Any person aggrieved by a judgement of the Court in a dispute of a Specified Value of less than twenty five lakh rupees may file an appeal to the Administrative Appellate Court within sixty days from the date of receipt of a certified copy of the judgement, and a second appeal to the High Court within 30 days from the date of receipt of a certified copy of the judgement of the Administrative Appellate Court. Provided that the Court may entertain an appeal after the expiry of sixty days or thirty days, as the case may be, but not beyond ninety days, if it is satisfied that there was sufficient cause for not filing it within the prescribed period.

(2) Any person aggrieved by a judgement of the Court in a dispute of a Specified Value of more than twenty five lakh rupees may file an appeal to the High Court within sixty days from the date of receipt of a certified copy of the judgement, and an appeal filed beyond such period shall not be maintainable for any reason.

(3) No appeal or review shall lie in a decree passed with the consent of the parties.

CHAPTER VI

TRANSPARENCY AND ACCOUNTABILITY

17. Transparency in Proceedings.- (1) All proceedings before the Court shall be open to the public, except where the Court, for reasons to be recorded in writing, directs otherwise in the interest of public or privacy of parties, to hold in-camera proceedings.

(2) The State Government shall facilitate the conduct of proceedings before the Court in physical and electronic means.

(3) All orders and judgments of the Court shall be published on its website within seven days of their pronouncement.

18. Reporting of Outcomes.- (1) The Court shall maintain a comprehensive database of all cases filed, their status, and outcomes and facilitate the accessibility of the records of all proceedings to the public.

(2) The Court shall prepare quarterly statistical reports, which shall be published on its official website and submitted to the State Government and the High Court, providing details of:

(a) number of cases filed, disposed, and pending;

- (b) category-wise distribution of cases;
 - (c) average time taken for disposal;
 - (d) compliance with timelines prescribed under this Bill;
 - (e) success rate of ADR mechanisms; and,
 - (f) any other matter as may be prescribed.
- (3) The Court shall prepare an annual report, which shall be published on its official website and laid before the State Legislature, providing details of:
- (a) the particulars stated in sub-section (2) of section 17;
 - (b) identification of recurrent issues in government functioning; and,
 - (c) suggestions for legal and policy reforms.
- (4) The annual report in sub-section (3) shall be reviewed by a Committee appointed by the State Legislature which shall evaluate the performance of the Court based on parameters including disposal rate, quality of judgments, compliance with timelines, and stakeholder feedback.
- (5) The report of the Committee shall be laid before the State Legislature and published on the website of the Department of Parliamentary Affairs and Legislation of the State Government.
- 19. Execution of Orders.-** (1) The orders of the Court shall be executable as a decree of a Civil Court and the provisions contained in Sections 36 to 74 of the Code shall apply to this Bill as if they were herein re-enacted.

CHAPTER VII MISCELLANEOUS

- 20. Power to Make Rules.-** (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Bill.
- (2) Without prejudice to the generality of the foregoing power, such rules may provide for:
- (a) the form and manner of filing applications as provided under sub-section (1) to section 10;
 - (b) the fees payable for filing applications;
 - (c) the category-wise procedures to be adopted by the Courts as provided under sub-section (2) to section 7;
 - (d) Powers of the Court as provided under clause (g) of sub-section (1) of section 8;
 - (e) Timelines for resolution of disputes as provided under section 12;
 - (f) the functioning of ADR mechanisms; and,
 - (g) the format and content of reports to be prepared by the Court under section 17.
- (3) Every rule made under this Act 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, and if, before the expiry of the session, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect.

21. 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 be necessary for removing the difficulty.

(2) No order under sub-section (1) shall be made after the expiry of a period of two years from the commencement of this Act.

(3) Every order made under this section shall be laid before the State Legislature for not less than 15 days, for the purpose of deliberations and modifications, on the expiry of which, the order shall be deemed to have been passed.

22. Savings.-(1)The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

(2) The provisions of the Code in respect of all suits, appeals, applications and other proceedings shall apply to suits, appeals, applications and other proceedings instituted under this Act.

Explanation:—For the purposes of this section, any suits, appeals, applications and other proceedings instituted prior to the commencement of this Act shall be transferred from the trial court, appellate court or execution court as the case may be, to the Court under this Act.

STATEMENT OF OBJECTS AND REASONS

Civil suits by or against either the State Government or the Central Government comprises of the majority of the subordinate judiciary's docket. While some disputes can be resolved even without judicial interference, some others require a proper adjudication be made to the competing interests. To address the situation of overburdening of the judiciary to adjudicate on cases even of the former kind, it is considered necessary to propose this Bill with the following objectives:

1. The inaction or inadequacy of solutions from the Government to a notice served under Clause (1) of Section 80 of the Civil Procedure Code, 1908, forces citizens to approach the courts. Therefore, it is proposed to make it mandatory for the Government furnish an appropriate reply and end eavour to resolve the dispute within strict timelines;

2. In the event the dispute is not amicably resolved as aforesaid, as a second opportunity to resolve the dispute without judicial interference, it is proposed to empower the Administrative Courts under this Bill to refer the parties to Alternative Dispute Resolution at the first hearing of the suit;

3. In the event the dispute is not resolved through either of the methods as aforesaid, the case shall be heard and decided by the Administrative Courts established under this Bill; and,

4. This measures are to reduce the incidence of cases by or against the State Government or Central Government, reduce the burden of cases from the civil courts, provide for expedient and amicable resolution of disputes through Alternative Dispute Resolution and special Administrative Courts.

Hence, the Bill

KARNATAKA STRAY ANIMAL (MANAGEMENT AND WELFARE) BILL, 2025

A Bill to provide for the management, control, and welfare of stray animals in the State of Karnataka, to protect public health and safety, to prevent cruelty to animals, and to ensure humane, scientific, and sustainable methods for population control, feeding, and rehabilitation of stray animals, and for matters connected therewith or incidental there to.

Whereas it is expedient to ensure the humane treatment, management, and welfare of stray animals, including but not limited to dogs, cats, cattle, pigs, equines, and other free-roaming domestic animals, in urban and rural areas of Karnataka in accordance with constitutional duties under Article 51A(g) and the provisions of the Prevention of Cruelty to Animals Act, 1960;

And Whereas unregulated stray animal populations can lead to public health hazards, road accidents, damage to property, and spread of zoonotic diseases;

And Whereas it is necessary to harmonise State law with the provisions of the Prevention of Cruelty to Animals Act, 1960, the Animal Birth Control Rules, 2023, and other applicable Central enactments;

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. Short title, extent, and commencement.—(1) This Act may be called the Karnataka Stray Animal Management and Welfare Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) "Animal Birth Control (ABC)" means sterilisation and vaccination procedures for controlling the population of stray animals, conducted as per applicable laws;

(b) "Adoption" means the process of legally taking responsibility for the care, maintenance, and ownership of a stray animal in accordance with this Act and the rules framed thereunder.

(c) "Adopter" means a person who adopts a stray animal under the provisions of this Act and undertakes to provide for its lifelong welfare.

(d) "Adoption Agreement" means a written undertaking executed between the adopter and the Competent Authority or a registered Animal Welfare Organisation, specifying the adopter's responsibilities and obligations under this Act.

(e) "Adoption Camp" means an event organised by the Competent Authority or a registered Animal Welfare Organisation for the purpose of facilitating the rehoming of stray animals.

(f) "Attack" means any incident where a stray animal causes injury to a person by biting, scratching, goring, trampling, or any other physical contact resulting in bodily harm.

- (g) "Community Animal" means any stray animal that is not owned but lives within a human community, is dependent partially or wholly on human care and feeding, and occupies a specific locality or territory.
- (h) "Community Feeding" means the provision of food and/or water to community animals in a public or private space in accordance with designated spots, timings, and conditions prescribed under this Act.
- (i) "Community Feeder" means any person who regularly or occasionally engages in community feeding of animals, either individually or as part of an organisation, in compliance with the provisions of this Act.
- (j) "Competent Authority" means the Director of Animal Husbandry and Veterinary Services, or any officer authorised by the State Government;
- (k) "Feeding Spot" means a location notified by the municipal authority, panchayat, or authorised body for the lawful feeding of community animals.
- (l) "Foster Care" means the temporary care of a stray animal in a home or facility approved by the Competent Authority or a registered Animal Welfare Organisation until the animal is adopted or placed in permanent care.
- (m) "Injury" shall have the same meaning as has been defined under Section 2(14) of the Bharatiya Nyaya Sanhita, 2023, and includes puncture wounds, lacerations, abrasions, bruises, permanent disability, or death resulting from an attack by a stray animal.
- (n) "Lifetime Care Facility" means a registered animal shelter or sanctuary that provides permanent housing and care for stray animals that are unsuitable for adoption.
- (o) "Local Authority" means a municipal committee, district board or other authority for the time being invested by law with the control and administration of any matter within a specified local area.
- (p) "Medical Officer" means a qualified medical practitioner registered under the Karnataka Medical Registration Act, 1961, or employed in a government or empanelled hospital.
- (q) "Owner" means any person having possession, custody, or control over an animal, whether permanently or temporarily, and includes a person who habitually feeds, houses, or otherwise assumes care of such animal; but does not include a registered Animal Welfare Organisation caring for stray animals in the course of its duties.
- (r) "Stray Animal" means any domesticated or previously domesticated animal found wandering in a public place without a permanent home or identifiable owner, including dogs, cats, cattle, pigs, goats, or other livestock.;
- (s) "Shelter Home" means a facility registered with the State Government for temporary or permanent housing of stray animals;
- (t) "Victim" means a person who has sustained injury, or the legal representatives of a person who has died, due to an attack by a stray animal.
- (u) "Wound Certificate" means the medical certificate issued in the prescribed form by a Medical Officer describing the nature and extent of injuries sustained in an attack by a stray animal.

CHAPTER II
RESPONSIBILITIES OF LOCAL BODIES

3. Duty to prepare Stray Animal Management Plan.- Every Local Authority shall prepare and implement an annual Stray Animal Management Plan covering identification, vaccination, sterilisation, sheltering, feeding, and adoption measures.

4. Population control measures.- (1) Local Authorities shall carry out ABC programmes for dogs and cats, and equivalent humane control measures for other stray animals, in consultation with veterinary experts.

(2) No stray animal shall be destroyed except in cases of incurable disease, terminal illness, or threat to public safety, and only as per the Prevention of Cruelty to Animals Act, 1960.

5. Registration of shelters and rescue organisations.- (1) All shelters, gaushalas, rescue homes, and animal care facilities housing stray animals shall be registered with the Competent Authority.

(2) The State Government shall prescribe minimum standards for infrastructure, sanitation, veterinary care, and record-keeping.

CHAPTER III

ANIMAL WELFARE & PUBLIC SAFETY

6. Feeding of stray animals.- (1) Feeding of stray animals in public places shall be permitted only at designated feeding spots identified by the Local Authority in consultation with the Animal Welfare Board of Karnataka.

(2) No person shall obstruct or harass any individual engaged in lawful feeding at such designated spots.

7. Public health and sanitation.- Local Authorities shall ensure regular cleaning and waste disposal at Feeding Zones, shelters, and other areas where stray animals are housed or treated.

8. Zoonotic disease prevention.- All stray animals shall be vaccinated against rabies and other prescribed diseases under veterinary supervision, and records shall be maintained in a digital registry.

9. Relocation.- Relocation of stray animals from their original territory shall be prohibited, except in cases of:

- (a) ABC and vaccination procedures;
- (b) Threat to public safety; or
- (c) Disaster or emergency relief operations.

CHAPTER IV
COMMUNITY FEEDING OF COMMUNITY ANIMALS

10. Right to Feed Community Animals.- (1) In accordance with the Prevention of Cruelty to Animals Act, 1960, and orders of the Hon'ble Supreme Court, it shall be lawful for any person to feed community animals, including stray dogs and cats, subject to the provisions of this Chapter.

- (2) No person, association, or institution shall harass, intimidate, obstruct, or otherwise interfere with lawful feeding of community animals carried out in accordance with this Act.

11. Designated Feeding Spots.-(1) Every local authority and panchayat shall, in consultation with the local Animal Welfare Organisations and community feeders, notify designated feeding spots in public areas.

- (2) Feeding of community animals shall be carried out only at designated spots, at notified timings, and in a manner that does not cause public nuisance, obstruction, or health hazards.
- (3) In gated communities, residential complexes, or institutional premises, the management shall, in consultation with the local authority, assign safe feeding locations away from entrances, exits, children's play areas, basement parking, and other sensitive locations.

12. Duties and Responsibilities of Community Feeders.- Persons who voluntarily feed community animals shall,-

- (a) Maintain regularity in feeding to avoid distress or aggression in animals;
- (b) Provide nutritionally adequate food and clean drinking water;
- (c) Avoid food items that may cause harm, such as raw meat left unattended or high-sugar biscuits;
- (d) Ensure the feeding area is cleaned after feeding and no leftovers are left to attract pests;
- (e) Cooperate with local authorities in facilitating vaccination, deworming, and sterilisation of animals they feed;
- (f) Avoid trespassing on private property without permission;
- (g) Avoid feeding during high public density hours or in unsafe, isolated locations;
- (h) Carry valid identification and, where possible, relevant animal welfare guidelines while feeding.

13. Responsibilities of Resident Welfare Associations, Institutions, and Employers.-

- (1) No association, institution, or employer shall impose bye-laws or rules that prohibit or unreasonably restrict lawful feeding of community animals.
- (2) They shall;
- (a) Assign feeding spots and timings in coordination with local authorities;
- (b) Permit external feeders where internal feeders are unavailable, as per Animal Birth Control Rules, 2023;
- (c) Coordinate with municipal authorities for vaccination, deworming, and sterilisation;
- (d) Ensure no relocation of animals from their original territory except for lawful ABC or medical treatment purposes, and ensure return thereafter;
- (e) Conduct awareness programmes on animal laws, dog bite prevention, and peaceful conflict resolution.

14. Prohibited Acts.-(1) It shall be unlawful to;

- (a) Relocate, kill, maim, or cause distress to community animals;
- (b) Chase, beat, or threaten animals, including through security agencies;

- (c) Destroy or remove feeding arrangements made at designated spots;
- (d) Obstruct municipal or AWO personnel from carrying out vaccination, sterilisation, or treatment.

(2) Any violation shall attract penalties under this Act and the Prevention of Cruelty to Animals Act, 1960.

15. Role of Local Authorities.-(1) Local authorities shall;

- (a) Map and notify feeding spots;
- (b) Facilitate ABC and vaccination of all community animals in the area;
- (c) Provide signage and advisories at feeding spots, including feeding timings and safety precautions;
- (d) Maintain a helpline for reporting disputes, cruelty, or urgent animal welfare needs;
- (e) Train municipal and security staff in humane handling of animals.

(2) Local authorities shall encourage feeders to form neighbourhood feeder groups for coordination and backup during emergencies.

16. Dispute Resolution.- (1) Disputes between feeders, residents, and other stakeholders shall, as far as possible, be resolved through mediation by the local authority in consultation with the State Animal Welfare Board.

(2) Police intervention shall be sought only where there is a threat to life, limb, or public order.

CHAPTER V

ADOPTION OF STRAY ANIMALS

17. Power to Frame Adoption Guidelines.- (1) The Competent Authority shall, in consultation with the State Animal Welfare Board and registered Animal Welfare Organisations, frame guidelines for the adoption and rehoming of stray animals in the State of Karnataka.

(2) Such guidelines shall ensure the welfare of the animal, promote responsible ownership, and safeguard public health and safety.

18. Eligibility of Animals for Adoption.- (1) Any stray animal rescued, rehabilitated, or housed in a registered shelter home may be considered for adoption, subject to,—

- (a) Completion of a veterinary health check-up;
- (b) Vaccination as per prescribed veterinary protocol;
- (c) Sterilisation, except where—
 - (i) the animal is below the minimum sterilisation age; or
 - (ii) sterilisation is deferred for certified medical reasons.

(2) Dangerous or aggressive animals may be adopted only after behavioural assessment and rehabilitation, and with the informed consent of the adopter.

19. Eligibility of Adopters.- (1) Any person above eighteen years of age, of sound mind, and financially capable of providing adequate care, may adopt a stray animal.

(2) The adopter shall,-

- (a) Provide proof of residence and identity;

- (b) Consent to home inspection by the Competent Authority or authorised Animal Welfare Organisation;
- (c) Have adequate space, facilities, and resources for the care of the animal;
- (d) Undertake to comply with all applicable laws relating to pet ownership, including licensing where required.

20. Adoption Procedure.- (1) An application for adoption shall be made in the prescribed form to the Competent Authority or a registered Animal Welfare Organisation.

(2) The Competent Authority or authorised Animal Welfare Organisation shall,-

- (a) Verify the details of the adopter and inspect the premises, if necessary;
- (b) Assess the suitability of the adopter.

(3) The adopter shall sign an adoption agreement undertaking,-

- (a) To provide lifelong care and not abandon the animal;
- (b) To provide annual vaccination and medical treatment;
- (c) Not to use the animal for breeding, fighting, or any unlawful purpose;
- (d) To return the animal to the Competent Authority or authorised organisation if unable to continue care.

(4) The animal shall be handed over to the adopter with,-

- (a) A vaccination record;
- (b) Sterilisation certificate, if applicable;
- (c) Microchip or tag identification.

21. Post-Adoption Monitoring.- (1) The Competent Authority or authorised organisation may conduct follow-up visits or enquiries for a period of at least one year after adoption.

(2) Where neglect, cruelty, or breach of the adoption agreement is found, the animal may be reclaimed without compensation to the adopter, and appropriate legal action may be taken.

22. Adoption Camps and Awareness.- (1) The Competent Authority shall organise, in collaboration with registered Animal Welfare Organisations, periodic adoption camps in public spaces, educational institutions, and community centres.

(2) Awareness programmes shall be conducted to promote the adoption of stray animals and educate the public on responsible ownership and the legal consequences of abandonment.

23. Special Provisions.- (1) Priority may be given to adoption by senior citizens, persons with disabilities, and organisations providing therapy animal programmes, subject to suitability.

(2) Stray animals that are unsuitable for adoption due to age, disability, or special needs shall be placed in long-term foster care or lifetime care facilities.

CHAPTER VI

COMPENSATION FOR INJURIES CAUSED BY STRAY ANIMALS

24. Right to Compensation.- (1) Any person who sustains injury, or the legal representatives of a person who dies, as a result of an attack by a stray animal within the State of Karnataka shall be entitled to claim compensation under this Chapter.

(2) Where the owner of the animal is identifiable, compensation shall be recoverable from such owner in accordance with law, and no liability shall arise under this Chapter.

25. Authority to Determine Compensation.- (1) The State Government shall notify an “Authority for Determination of Compensation” for each district, headed by the Joint Director or equivalent officer of the Department of Animal Husbandry.

(2) The Authority shall,-

- (a) Receive and process claims;
- (b) Conduct necessary inquiry;
- (c) Determine the compensation payable, including reimbursement of medical expenses;
- (d) Maintain records in a prescribed register.

26. Application Procedure.- (1) The victim, or in case of a minor, the guardian, shall submit an application in the prescribed form within thirty days of the incident, along with;

- (a) Copy of the police complaint or local authority incident report;
- (b) Medical wound certificate;
- (c) Bills and receipts for medical expenses;
- (d) Photographs or other evidence of injury.

(2) Delay in filing may be condoned if sufficient cause is shown.

(3) Applications may also be filed online in the prescribed portal.

27. Investigation.- (1) Upon receipt of the application, the designated veterinary officer shall verify that;

- (a) The attack was by a stray animal;
- (b) The victim did not provoke the attack;
- (c) The injury was not caused by a pet or owned animal.

(2) The officer shall prepare a written report and forward it to the Authority within seven days.

28. Determination of Compensation.- (1) The Authority shall determine compensation in accordance with the following scale:

Sl. No.	Type of Injury/Outcome	Compensation Amount	Medical Expenses (if no free medical aid availed)
1	Minor contact (no puncture)	Nil	Nil
2	Puncture wounds (per wound)	₹2,000	₹1,000
3	Deep bruising with puncture (per wound)	₹3,000	₹2,000
4	Multiple bite attack	₹10,000	₹5,000
5	Death – Child	₹50,000	Actual medical expenses before death + ₹5,000 funeral costs
6	Death – Adult	₹1,00,000	Actual medical expenses before death + ₹5,000 funeral costs

(2) The State Government may revise these amounts every two years by notification.

29. Medical Aid.- (1) All victims of stray animal attacks shall be entitled to;

- (a) Free treatment at government or empanelled hospitals;
- (b) Free anti-rabies vaccination and immunoglobulin in case of dog bites;
- (c) Follow-up care for at least three months.

(2) In case of emergency, treatment at private hospitals shall be reimbursed as per prescribed rates.

30. Appeals.- (1) Any person aggrieved by the order of the Authority may file an appeal before the District Collector within thirty days of such order.

(2) The Collector shall decide the appeal within thirty days after hearing the parties.

(3) A further appeal shall lie to the High Court under Article 226/227 of the Constitution of India.

31. False or Fraudulent Claims.- (1) Any person who knowingly files a false or fraudulent claim shall be liable to;

- (a) Refund the compensation with interest at 18% per annum;
- (b) Prosecution under applicable laws.

(2) Any officer found colluding in such fraudulent claims shall face disciplinary proceedings and prosecution.

32. Power to Make Rules.- The State Government may frame rules prescribing;

- (a) Formats of claim forms and registers;
- (b) Procedure for online filing;
- (c) Medical certification formats;
- (d) Empanelment of hospitals for free treatment.

CHAPTER VII

ENFORCEMENT AND PENALTIES

33. Appointment of Animal Welfare Officers.- The State Government shall appoint Animal Welfare Officers in each district to oversee implementation of this Act.

34. Penalties.- (1) Any person who subjects a stray animal to cruelty, illegal relocation, or abandonment shall be punishable with fine which may extend to ₹25,000, or with imprisonment which may extend to six months, or with both.

(2) Any shelter or organisation operating without registration shall be liable to closure and penalty as prescribed.

CHAPTER VIII

FUNDING AND MISCELLANEOUS

35. Karnataka Stray Animal Welfare Fund.- (1) The State Government shall establish a dedicated fund for the purposes of this Act.

(2) The fund shall be credited with:

- (a) Budgetary allocations;
- (b) Grants from the Central Government;
- (c) Donations from individuals or organisations; and
- (d) Penalties collected under this Act.

36. Power to make rules.- The State Government may, by notification, make rules to carry out the purposes of this Act.

37. Protection of action taken in good faith.- No legal proceeding shall lie against any officer or person acting in good faith under this Act.

38. Repeal and saving.- On and from the commencement of this Act, any provisions in existing State laws inconsistent with this Act shall stand repealed to the extent of such inconsistency.

**KARNATAKA CHILD ONLINE SAFETY, AWARENESS AND PROTECTION BILL,
2025**

A Bill to provide for the protection, safety, and digital well-being of children in the State of Karnataka from online harms through education, awareness, preventive measures, and State-level enforcement; to promote responsible and secure use of digital technologies among children; to create mechanisms for reporting, investigation, and rehabilitation; and for matters connected therewith or incidental thereto.

Whereas the State of Karnataka recognises the vulnerability of children to risks and harms in the digital environment;

And Whereas it is expedient to take measures within the State's competence relating to public order, police, education, public health, and protection of children to ensure a safe digital experience;

And Whereas matters concerning the technical regulation of telecommunications and the internet fall within the Union List, and this Act does not purport to legislate upon such matters but supplements the provisions of the Information Technology Act, 2000 and other Central laws;

Be it enacted by the Karnataka State Legislature in the Seventy-Sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

- 1. Short Title and Commencement.-** (1) This Act may be called the Karnataka Child Online Safety, Awareness and Protection Act, 2025.
- (2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
- 2. Definitions. -** In this Act, unless the context otherwise requires,-
- (a) "Authority" means the Karnataka Child Online Safety Authority established under Section 3;
- (b) "Child" means a person who has not completed the age of eighteen years;
- (c) "Cyber Safety Cell" means a unit established under this Act within the State police force for enforcement and victim assistance.
- (d) "Digital literacy" means the knowledge, skills, and attitudes enabling safe, responsible, and effective use of digital technologies.
- (e) "Educational institution" means any school, college, or other recognised learning institution under the jurisdiction of the State;

(f) “Online harm” includes cyber bullying, online grooming, harassment, exposure to harmful content, identity theft, and any other activity detrimental to the safety and well-being of a child in the digital environment;

(i) “Cyberbullying” means any act of harassment, intimidation, humiliation, or threat carried out through digital devices, online platforms, or social media, including repeated hostile behaviour intended to cause emotional distress to a child;

(ii) “Online grooming” means any deliberate act by an adult or a person in a position of trust, using the internet or digital communication, to establish an emotional connection with a child for the purpose of sexual exploitation, trafficking, radicalisation, or any other unlawful act;

(iii) “Identity theft” means the unauthorised acquisition, use, transfer, or possession of a child’s personal information, credentials, or digital identity with the intent to commit fraud, impersonation, or any unlawful activity;

(g) “Service provider” means any person or entity offering digital services or platforms accessible within Karnataka, to the extent regulated by applicable law;

CHAPTER II

STATE CHILD ONLINE SAFETY AUTHORITY

3. Establishment of Authority.- (1) The State Government shall, by notification, constitute the Karnataka Child Online Safety Authority.

(2) The Authority shall coordinate child online safety initiatives, monitor State-level compliance, develop awareness programmes, and liaise with law enforcement and educational institutions.

4. Composition of Authority.-

(1) The Authority shall consist of, –

(a)	Minister-in-charge of the Department of Women and Child Development	Ex-officio Chairperson;
(b)	the Additional Chief Secretary or Principal Secretary or secretary to Government, Department of Women and Child Development	Ex-officio Vice Chairperson;
(c)	the Additional Chief Secretary or Principal Secretary or secretary to Government, Department of Primary and Secondary Education	Ex-officio Member;
(d)	the Additional Chief Secretary or Principal Secretary or secretary to Government, Department of Higher Education	Ex-officio Member;
(e)	the Additional Chief Secretary or Principal Secretary or secretary to Government, Department of Home	Ex-officio Member;
(f)	the Additional Chief Secretary or Principal Secretary	Ex-officio Member;

	or secretary to Government, Department of Electronics, Information Technology, Biotechnology and Science & Technology.	
(g)	Director General & Inspector General of Police, Karnataka	Ex-officio Member;
(h)	Director, State Forensic Science Laboratory	Ex-officio Member;
(i)	An officer not below the rank of Deputy Secretary from the Department of Women and Child Development, who shall handle administration, coordination, and record-keeping.	Member Secretary;
(j)	One expert in child rights, preferably from the Karnataka State Commission for Protection of Child Rights, to be nominated by the State Government.	Member;
(k)	One expert in cyber law or technology law to be nominated by the State Government.	Member;
(l)	One psychologist or child behaviour specialist to be nominated by the State Government.	Member;
(m)	One representative from a recognised NGO working in the field of child online safety or digital literacy to be nominated by the State Government.	Member;
(n)	One representative from the teaching profession with expertise in digital pedagogy to be nominated by the State Government.	Member

(2) The nominated members of the Authority shall have a term of three years:

Provided that, the State Government may extend their tenure for another one year if it deems appropriate

(3) In the event of any vacancy occurring on account of death, resignation, disqualification or removal under sub-sections 5, such vacancy shall be filled by the State Government by fresh nomination for the remaining term.

(4) Any nominated member of the Authority may at any time resign from his office by writing under his hand addressed to the Chairperson, and his office shall, on acceptance of resignation, become vacant.

(5) No person shall be chosen as, or continue to be, a nominated member of the Authority who,-

(a) is or at any time has been adjudged insolvent; or

(b) is found to be a lunatic or becomes of unsound mind and stands so declared by a competent Court; or

(c) is or has been convicted of any offence involving moral turpitude; or

(d) is absent without leave for more than three consecutive meetings of the Authority.

(6) The nominated members of the Authority shall be entitled for allowances for attending the meetings of the Authority, at such rates as may be prescribed.

5. Meetings of the Authority.- (1) The Authority shall meet at such time and place and observe such rules of procedure for transaction of business at its meetings as may be prescribed:

Provided that, the Authority shall meet at least once quarterly:

Provided further that, the Chairperson may convene a meeting of the Authority upon a written request from at least one fourth members of the Authority.

(2) In the absence of the Chairperson, the Vice-Chairperson shall preside over the meeting of the Authority; and in the absence of both the Chairperson and the Vice-Chairperson, any other member, as decided by the members present, shall preside over the meeting.

(3) All questions which come up before any meeting of the Authority shall be decided by a majority of votes of the members present and voting, and in the event of equality of votes, the Chairperson, or in his absence, the person presiding, shall have a second or a casting vote.

(4) The quorum for the meeting of the Authority shall be fifty percent of the total members.

6. Powers and Functions of the Authority. - The Authority shall,-

- (a) Formulate State-level policies, guidelines, and protocols for the prevention of online harms to children, in consultation with relevant stakeholders.
- (b) Advise the State Government on legislative and administrative measures required to enhance child online safety.
- (c) Recommend updates to the school and higher education curriculum on digital literacy, safe internet use, and online rights of children.
- (d) Develop standardised digital literacy modules for schools, and colleges, ensuring they are age-appropriate and culturally sensitive.
- (e) Design and implement State-wide public awareness campaigns to educate children, parents, teachers, and the general public on online safety.
- (f) Approve training programmes for teachers, law enforcement officers, and child protection officials on emerging online threats and child-friendly investigation techniques.
- (g) Require educational institutions to submit annual compliance reports on their online safety measures, awareness activities, and grievance redressal mechanisms.
- (h) Conduct inspections of educational institutions, in collaboration with the Department of Education, to verify implementation of online safety norms.
- (i) Monitor the effectiveness of State-level online safety policies and submit annual progress reports to the State Legislature.
- (j) Maintain a 24×7 State Child Online Safety Helpline for receiving complaints from children, parents, educators, and the public.
- (k) Refer complaints to the appropriate Cyber Safety Cell or other competent authority for investigation.

- (l) Facilitate inter-departmental coordination between the police, Department of Women and Child Development, Department of Education, and other agencies in handling online harm cases.
- (m) Commission studies and research on trends, patterns, and emerging risks in child online safety.
- (n) Maintain anonymised statistical data on reported cases, action taken, and outcomes, and publish annual safety and awareness reports.
- (o) Issue compliance advisories and directions to educational institutions, public libraries, and other child-serving organisations in relation to their online safety obligations.
- (p) Where necessary, recommend to the State Government the imposition of administrative penalties or withdrawal of State funding/grants from non-compliant institutions.
- (q) Assist Cyber Safety Cells with technical expertise, victim support arrangements, and liaison with national agencies such as the Indian Cyber Crime Coordination Centre (I4C).
- (r) Organise specialised training for district-level Child Protection Units, police officers, and prosecutors on cybercrime involving children.
- (s) Develop child-friendly online reporting portals and awareness toolkits for use by schools and community-based organisations.
- (t) Collaborate with the Karnataka State Commission for Protection of Child Rights, NGOs, and youth-led organisations to strengthen outreach and peer-to-peer safety education.

7. Power to Call for Information.- The Authority may, for the purposes of this Act, call for such information from educational institutions, public authorities, and service providers operating within the State as may be necessary to discharge its functions, provided that such power shall be exercised in conformity with the Information Technology Act, 2000 and rules made thereunder.

8. Power to Issue Recommendations and Directives.- (1) The Authority may issue recommendations to any State Government department or agency for improving child online safety.

(2) The Authority may issue binding directives to educational institutions and State-funded child care facilities in respect of online safety standards.

CHAPTER III

PREVENTIVE EDUCATION AND AWARENESS

9. Mandatory Digital Literacy Curriculum.- (1) All educational institutions under the State shall integrate modules on safe and responsible internet use from Class I onwards.

(2) Such modules shall include—Online etiquette and respect for others; Protection of privacy and personal data; Recognising and reporting harmful conduct; Understanding safe use of social media and gaming platforms.

10. Awareness Campaigns. - The State Government shall, through the Authority and relevant departments, conduct periodic awareness campaigns using print, electronic, and digital media to promote online safety among children, parents, and educators.

CHAPTER IV SAFEGUARDS AND ENFORCEMENT

11. Cyber Safety Cells.- (1) The State Police shall establish Cyber Safety Cells in each district to—receive complaints regarding online harm to children; Investigate offences within the scope of State powers; Coordinate with central agencies where necessary.

(2) Cyber Safety Cells shall maintain victim confidentiality and provide counselling support.

12. Obligations of Educational Institutions. - Every educational institution shall,-

(a) Nominate an Online Safety Officer from its staff;

(b) Establish internal reporting mechanisms for students;

(c) Conduct at least two awareness workshops each academic year.

13. Mandatory Reporting. - Any person, including a teacher, parent, or guardian, who becomes aware of online harm to a child shall report such incident to the Cyber Safety Cell or the police without delay.

CHAPTER V PENALTIES

14. Penalties for Non-compliance by Educational Institutions. -The failure by an educational institution to comply with Sections 9 or 12 may result in a fine up to ₹1,00,000 and withdrawal of certain State grants until compliance.

15. Offences by Individuals. - Individuals causing online harm to children shall be liable under applicable provisions of Central and State laws.

CHAPTER VI VICTIM SUPPORT

16. Counselling and Rehabilitation. - The State Government shall, in coordination with the Authority, provide access to counselling services and rehabilitation measures for child victims of online harm.

CHAPTER VII MISCELLANEOUS

17. Power to Make Rules. - The State Government may by notification in the official Gazette make rules after previous publication for carrying out the purposes of this Act.

18. Protection of Action Taken in Good Faith. - No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made there under.

19. Annual Report.- (1) The Authority shall submit an annual report to the State Government detailing implementation and recommendations.

(2) The State Government shall, as soon as may be after the receipt of report under sub-section (1), cause the same to be laid before the each Houses of the State Legislature.

20. Act to be in Addition to Any Other Law.-The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

**THE KARNATAKA MICRO, SMALL AND MEDIUM ENTERPRISES FACILITATION
BILL, 2025**

A Bill to provide for exemption from certain approvals and inspections required for the establishment and operation of micro, small and medium enterprises in the State of Karnataka in their initial years and matters connected therewith or incidental thereto.

Whereas, it is expedient to give effect to exemption from certain approvals and inspections required for the establishment and operation of micro, small and medium enterprises in the State of Karnataka in their initial years as part of promoting ease of doing business in the State and matters connected therewith or incidental thereto.

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India, as follows:-

1.Short title, extent and commencement.-(1) This Act may be called the Karnataka Micro, Small and Medium Enterprises Facilitation Act, 2025.

(2) It shall extend to the whole of the State of Karnataka.

(3) It shall come into force from such date as the State Government may, by notification in the official Gazette, appoint.

2.Definitions.-(1) In this Act, unless the context otherwise requires,-

(a) “Appellate Authority” means the Appellate Authority constituted under sub-section (1) of section 8 of this Act;

(b) “approval” means licenses, permissions, approvals, no objection certificate, clearances, consent, registration, and such other similar instrument by whatever name called, required under any State law with regard to the establishment or operation of micro, small and medium enterprise in the State of Karnataka;

(c) “Certificate of In Principle Approval” means the Certificate issued under sub-section (3) of section 5 of this Act;

(d) “competent authority” means any department or agency of the Government or a local authority, statutory body, State owned corporation or board, Urban Development Authorities or any other authority or agency constituted or established by or under any State law or under the administrative control of the Government, which is entrusted with the powers or responsibilities to grant or issue approvals for establishment or operation of an enterprise in the State;

(e) “District level Single Window Clearance Committee” means the District level Single Window Clearance Committee constituted under sub-section (1) of section 9 of the Karnataka Industries (Facilitation) Act, 2002 (45 of 2003).

(f) “enterprises” means a micro, small or medium enterprise;

(g) “Government” means the Government of Karnataka;

(h) “micro, small and medium enterprises” means the micro, small or medium enterprises as defined in clause (e) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006 (Central Act 27 of 2006);

(i) “nodal agency” means nodal agency referred to in section 3 of this Act;

(j) “notification” means the notification published in the Official Gazette of Karnataka State, and the expression “notify” shall be construed accordingly;

(k) “prescribed” means prescribed by rules made under this Act;

(l) “self- certification” means submission of relevant and accurate information, by an enterprise or person under any State law for the purpose of availing of the benefit under this Act;

(m) “single window clearance system” means the committees constituted under the Karnataka Industries (Facilitation) Act, 2002 (45 of 2003) as a single point of granting approvals for the projects placed before it.

(n) “State” means the State of Karnataka;

(o) “State law” means any law enacted or adopted by the Legislature of the State of Karnataka;

(p) “State Level Single Window Clearance Committee” means the State Level Single Window Clearance Committee constituted under sub-section (1) of section 6 of the Karnataka Industries (Facilitation) Act, 2002 (45 of 2003).

(2) All words and expressions used but not defined in this Act and defined in other Acts shall have the meanings respectively assigned to them in those Acts.

3. Nodal Agency.- The District level Single Window Clearance Committee constituted under section 9 of the Karnataka Industries (Facilitation) Act, 2002 (45 of 2003), shall be the nodal agency for the purpose of this Act.

4. Powers and functions of nodal agency.- Subject to the superintendence, direction and control of the Government, the powers and functions of the nodal agency shall be as follows, namely:-

(a) to assist and facilitate the establishment of enterprises in the State;

(b) to facilitate the process of filing the self- certification and issuance of Certificate of In Principle Approval;

(c) to maintain the record of self-certification received and Certificate of In Principle Approval issued under section 5 of this Act;

(d) to create awareness and capacity building of all stakeholders including the officials of the Government;

(e) to redress grievances of the micro, small and medium enterprises;

(f) any other function so assigned by the Government for facilitation and promotion of micro, small and medium enterprises in the State and for giving effect to the provisions of this Act.

5. Filing of Self-Certification.- (1) Any person who intends to start an enterprise other than those included as 'Red Category' by the Karnataka State Pollution Control Board may, furnish before the nodal agency, as self- certification to start such an enterprise in such form and in such manner, as may be prescribed.

(2) If any person has filed any application before the competent authority to obtain all or any of the approvals as defined in clause (b) of section 2, before the commencement of this Act, such person may also opt to furnish self- certification to start an enterprise under sub-section (1);

(3) On receipt of a self- certification completed in all respects, the nodal agency shall, forthwith, issue a Certificate of In Principle Approval, in the prescribed form, to the person who furnished the self-certification under sub-section (1);

Provided that if the Certificate of In Principle Approval is not issued within five working days of the filing of the completed self-certification, such approval shall be deemed to have been issued.

6. Effect of the Certificate of in Principle Approval.- (1) A Certificate of In Principle Approval issued under sub section (3) of section 5 shall, for all purposes, have effect as an approval, as defined in clause (b) of section 2, for a period of three years from the date of its issuance.

(2) During the course of validity of the Certificate of In Principle Approval, the enterprise shall obtain all required approvals as defined in clause (b) of section 2 through the single window clearance system established under the Karnataka Industries (Facilitation) Act, 2002 (45 of 2003).

(3) During the validity of Certificate of In Principle Approval, no competent authority shall undertake any inspection for the purpose of, or in connection with, any approval as defined in clause (b) of section 2, except on the basis of complaints as specified in sub-section (4) of this section.

(4) Where any complaints of serious nature arises against any enterprises during the validity of Certificate of In Principle Approval only the Head of the concerned authority or department, as the case may be, alone may order inspection after recording reasons in writing for such an inspection.

Provided that the inspection report shall be made available online to the enterprise and the concerned department within forty eight working hours after the inspection.

(5) A Certificate of In Principle Approval shall not entitle a person to use a land in deviation to the land use or any stipulations specified in the master plan notified under the Karnataka Town and Country Planning Act, 1961 (11 of 1963), wherever such plan is in force, or contrary to the provisions of any other law for time being in force, which dealt with the use of land in State of Karnataka.

7. Revocation of a Certificate of In Principle Approval.- Where an application or self-certification submitted under this Act contained any willful submission of false and fraudulent information or violation of any provisions of the relevant rules, the Certificate of In Principle Approval shall be revoked by the nodal agency after giving an opportunity of being heard.

8. Appeal.- (1) The State Level Single Window Clearance Committee constituted under the Karnataka Industries (Facilitation) Act, 2002 (45 of 2003) shall exercise the powers of the Appellate Authority under this Act.

(2) Any person aggrieved by the decision of the nodal agency may, within thirty days from the date of such decision, file an appeal before the Appellate Authority, in such manner as may be prescribed.

(3) The Appellate Authority after receipt of appeal may call for additional details or documents as it may considered necessary and on production of such details or documents and after giving an opportunity of being heard to the aggrieved person and the nodal agency, the Appellate Authority shall dispose of such appeal within a period of thirty days from the date of filing of such appeal and the decision of the Appellate Authority on such appeal shall be final.

(4) Notwithstanding anything contained in any other law for the time being in force, the Appellate Authority may, either suo-motu or on a reference, examine any order passed by the nodal agency and pass appropriate orders as it deems fit, and such orders shall be final.

9. Grant of Exemption.- When the Government or any authority under it is empowered to exempt any enterprise from any approval or inspection or any provisions relating thereto under any Central Act, the Government or, as the case may be, any such authority shall, subject to the provisions of such Central Act, exercise such powers to grant such exemption to an enterprise established in the State for at least a period of three years from the date of issue of the Certificate of In Principle Approval.

10. Offences and Penalties.- (1) If the nodal agency finds, that any enterprise, contravened the conditions or undertaking in the self-certification submitted to the nodal agency, such enterprise shall be punishable with fine for an amount not exceeding rupees three lakh after considering submission, if any, submitted by such enterprise.

(2) Where an offence under this Act is committed by an enterprise, the enterprise as well as every person in charge of, and responsible to, the enterprise for the conduct of its business at the time of commission of the offence, shall be deemed to be guilty of the offence and liable to be punished under this section.

(3) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or that commission of the offence is attributable to any neglect on the part of proprietor, managing partner, any director, manager, secretary or any other officer, such proprietor, managing partner, director, manager, or any other

officer shall also be deemed to be guilty of that offence and shall be liable to be punished under this section.

Explanation:- For the purpose of this section,-

(a) enterprise means anybody corporate and includes a firm or other association of individuals; and

(b) director in relation to a firm, means a partner in the firm.

11. Protection of action taken in good faith.- No suit, prosecution or other legal proceedings shall lie against any officer or other employee of the Government or the nodal agency or any other competent authority, for anything which is in good faith done or intended to be done under this Act for the facilitation of micro, small and medium enterprises in the State of Karnataka.

12. Act to override other laws.-Notwithstanding anything inconsistent therewith contained in any other State law, for the time being in force, the provisions of this Act shall have an overriding effect except to the extent expressly permitted by this Act.

13. Savings.-Nothing in this Act shall be construed as exempting any enterprise from the application of the provisions of any State law for the time being in force, or any regulatory measures and standards prescribed thereunder, except to the extent expressly provided in this Act.

14. Power to make rules.-The Government may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

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

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

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

THE KARNATAKA PROTECTION OF CHILDREN OF INCARCERATED PARENTS BILL, 2025

A Bill to provide for the identification, protection of children of incarcerated parents in the State of Karnataka, the welfare measures of such children and for matters connected there with and incidental there to.

Be it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India, as follows:-

1. Short title, extent and commencement.-(1) This Act may be called the Karnataka Protection of Children of Incarcerated Parents Act, 2025

(2) It shall extend to the whole of the State of Karnataka.

(3) It shall come into force from such date as the State Government may, by notification in the official Gazette, appoint.

2. Definitions.-(1) In this Act, unless the context otherwise requires,-

(a) “best interest of child” means the basis for any decision taken regarding the child, to ensure fulfilment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development;

(b) “child friendly” means any behavior, conduct, practice, process, attitude, environment or treatment that is humane, considerate and in the best interest of the child;

(c) “child labour” means the employment of children or adolescents which is prohibited and regulated under the Child Labour (Prohibition and Regulation) Act, 1986 (61 of 1986);

(d) “Child Welfare Committee” means the Committee constituted under Section 27 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016);

(e) “Child Welfare Officer” means an officer designated under sub-section (1) of section 107 of the Juvenile Justice (Care and Protection) Act, 2015 (2 of 2016);

(f) “Child Welfare Police Officer” means an officer designated under sub-section (1) of section 107 of the Juvenile Justice (Care and Protection) Act, 2015 (2 of 2016);

(g) “child” means a person who has not completed eighteen years of age;

(h) “Children’s Home” means a Children’s Home, established or maintained, in every district or group of districts, by the State Government, either by itself, or through a voluntary or non-governmental organisation, and is registered for the purposes specified in section 50 of the Juvenile Justice (Care and Protection) Act, 2015 (2 of 2016);

(i) “fit facility” means a facility being run by a governmental organisation or a registered voluntary or non-governmental organisation, prepared to temporarily own the responsibility of a particular child for a specific purpose, and such facility is recognised as fit for the said purpose,

by the Child Welfare Committee, under sub-section (1) of section 51 of the Juvenile Justice (Care and Protection) Act, 2015 (2 of 2016);

(j) “Government” means the Government of Karnataka;

(k) “incarcerated mother” means the mother of a child whether biological, adoptive or step mother who is in prison whether under trial or conviction or under lawful custody by police or any other law enforcement agency;

(l) “incarcerated parents” means parents of a child who are in prison either under trial or conviction or under lawful custody by police or any other law enforcement agency, and also includes parent of a single parent child who is in prison either under trial or conviction or under lawful custody, or parent of a child who is the sole earning member of the family of the child and is in prison either under trial or conviction or under lawful custody;

(m) “notification” means the notification published in the Official Gazette of Karnataka State, and the expression “notify” shall be construed accordingly;

(n) “open shelter” means a facility for children, established and maintained by the State Government, either by itself, or through a voluntary or non-governmental organisation under sub-section (1) of section 43 of the Juvenile Justice (Care and Protection) Act, 2015 (2 of 2016);

(o) “parent” means father or mother whether biological, adoptive or step father or step mother as the case may be;

(p) “prescribed” means prescribed by rules made under this Act;

(q) “single parent child” means a child who is raised by either father or mother and is depended on that parent due to death or legal separation of his parents and also includes child of an unmarried person who is raised by that person.

(2) All words and expressions used but not defined in this Act and defined in other Acts shall have the meanings respectively assigned to them in those Acts.

3. Protection of the children of incarcerated parents.- (1) Notwithstanding anything contained in any other laws for time being in force, the State shall protect the best interest of the children of incarcerated parents, such as;

(a) ensuring safe and child-friendly shelter and accommodation facilities;

(b) ensuring free and compulsory education till secondary education;

(c) providing financial assistance for higher education including professional courses;

(d) providing measures for the health care including mental health and financial assistance for it;

(e) enabling regular visit of such children with incarcerated parents, as the case may be and providing child-friendly facilities for such visit;

(f) providing measures permitting female prisoners to retain children upto the age of six years and ensuring child-friendly facilities in the jail for such retention;

(g) prohibiting engagement of any kind of child labour or continuation of child labour;

(h) any other measures which in the opinion of the government appropriate and necessary for protecting the best interest of the children of incarcerated parents.

(2) Notwithstanding anything contained in sub-section (1), if Child Welfare Committee of any district is in the opinion for providing any other measure for protecting the best interest of any one or more children of incarcerated parents, it can recommend to the government for adopting such other measure.

4. Procedure on the arrest or lawful custody or imprisonment of parents.-

(1) Notwithstanding anything contained in any other laws for time being in force, where both parents of a child or the sole parent of a single parent child is arrested or imprisoned or taken in the lawful custody by police or any other law enforcement agency, the Child Welfare Police Officer of such jurisdiction shall inform the details of such child to the Child Welfare Committee immediately.

Provided that where only one parent is arrested or imprisoned or taken in the lawful custody and such parent is the sole earning member of the family of the child, or where the child is less than six years and his mother is arrested or imprisoned or taken in the lawful custody, the Child Welfare Police Officer shall inform to the Child Welfare Committee.

(2) On receiving the information under sub-section (1), the Child Welfare Committee shall direct the Child Welfare Officer or any other authorised person to visit the residence of such child immediately and to submit a preliminary report to it.

(3) On the basis of the preliminary report, the Child Welfare Committee shall decide and order for the temporary protection and care of the child to any relatives or Children's Home or open shelter or fit facility considering the best interest of such child.

Explanation: For the purpose of this sub-section, "relatives" means a paternal uncle or aunt or a maternal uncle or aunt, or paternal or maternal grandparent of the child.

(4) The Child Welfare Officer shall submit a social investigation report of the child of the incarcerated parents to the Child Welfare Committee within one week on the basis of which the Child Welfare Committee shall pass a final order on the sheltering and care of such child considering his best interest.

Provided that all efforts shall be made to keep siblings together, unless it is in their best interest not to be kept together.

Provided further that the child below the age of six years may be permitted to stay with his incarcerated mother if the Child Welfare Committee considered it as necessary for his best interest and the government shall make necessary arrangements as may be prescribed.

5. Register of the children of incarcerated parents.- The Child Welfare Committee of a district shall maintain and update a register containing particulars of children of incarcerated parents in the district.

6. Educational facilities to the children.- (1) The Child Welfare Committee shall ensure the continuation of education of the children of incarcerated parents, if they already enrolled in any educational institution, or take appropriate measures for enrolling in any educational institution, if found necessary.

Provided that where the Child Welfare Committee is in the opinion that, for the best interest of the child change of his educational institution is necessary, it can order for such change.

(2) Where such child is in between six to fourteen years of age, the Child Welfare Committee shall ensure the compliance of the Right of Children to Free and Compulsory Education Act, 2009 (35 of 2009) and appoint or authorise any person as guardian of the child, if found necessary.

(3) The Government shall provide financial assistance to the children of incarcerated parents for their educational needs in accordance with the scheme formulated for the purpose within six months of the commencement of this Act.

7. Periodical Counselling.- Periodical Counselling shall be given to children of incarcerated parents at a place which is child- friendly and if any difficulty faced by such children is found in the counselling, the Child Welfare Committee or Child Welfare Officer with the permission of the Child Welfare Committee, can take appropriate action to remove such difficulty.

8. Medical Facilities to the children.- (1) Where any children of incarcerated parents is found to be suffering from a disease requiring prolonged medical treatment or physical or mental complaint that will respond to treatment, the Child Welfare Committee may send the child to any place recognised as a fit facility as prescribed for such period as it may think necessary for the required treatment.

(2) Where it appears to the Child Welfare Committee that any children of the incarcerated parents is suffering from mentally illness or addicted to alcohol or other drugs which lead to behavioural changes in a person, it may order removal of such child to a psychiatric hospital or psychiatric nursing home in accordance with the provisions of the Mental Health Act, 1987 (14 of 1987) or the rules made thereunder.

(3) Where for the purpose of sub-section (1) or (2) or for any other difficulties faced by the children of incarcerated parents for which medical treatment is required, the Government shall provide financial assistance to such children in accordance with the scheme formulated for the purpose within six months of the commencement of this Act.

9. Other facilities or allowances.- Where the Government considers it is necessary to provide any other allowances or grants to the children of incarcerated parents or their guardians or the institutions recognised under this Act, for ensuring the best interest of the child or to make child-friendly environment, it can formulate scheme providing for such allowances or grants as it deem fit.

10. Relieving from the protection.- (1) Where any children of incarcerated parents is protected in any Children's Home or fit facility or any other arrangement ordered by the Child Welfare Committee, such child will be relieved from such protection on the permanent release of his incarcerated parents or on attaining age of majority.

Provided that if the Child Welfare Committee considers it necessary to provide continued protection to any children of incarcerated parents after attaining majority, it can order for his continued protection in the same facility or any other facilities.

(2) Any children relieving from the facility ordered by the Child Welfare Committee on attaining majority under sub-section (1), may be provided with financial support in order to facilitate child's re-integration into the mainstream of the society in the manner as may be prescribed.

(3) Where the parents of children under protection ordered by the Child Welfare Committee are released from jail for a temporary period, the Child Welfare Committee may permit by order for the cohabitation of such children for such temporary period on the basis of a report submitted by the Child Welfare Officer.

Provided that if the Child Welfare Committee found that the cohabitation of such children with their parents is against the best interest of the child, it shall cancel the order made under sub- section (3) and take such children back to its protection.

11. Reports to be treated as confidential.- All reports related to the children of incarcerated parents prepared or, submitted to, or considered by the Child Welfare Committee or government or any other authority shall be treated as confidential;

12. Offences and Penalties.- (1) Any person or officer who is entrusted with the responsibility of taking care of the children of incarcerated parents including the control over such children is failed to perform such responsibility shall be punishable with imprisonment for a term which may extend to two years or with fine of fifty thousand rupees or with both.

(2) Whoever, having control over a child of incarcerated parents, assaults, abandons, abuses, or wilfully neglects the child or causes or procures the child to be assaulted, abandoned, abused, or neglected in a manner likely to cause such child unnecessary mental or physical suffering, shall be punishable with imprisonment for a term which may extend to three years or with fine of one lakh rupees or with both.

Provided that if such offence is committed by any person employed by or managing an institution, which is entrusted with the care and protection of the child, he shall be punished with

rigorous imprisonment which may extend up to five years, and fine which may extend up to five lakhs rupees:

Provided further that on account of the aforesaid cruelty, if the child is physically incapacitated or develops a mental illness or is rendered mentally unfit to perform regular tasks or has risk to life or limb, such person shall be punishable with rigorous imprisonment, not less than three years but which may be extended up to ten years and shall also be liable to fine of five lakhs rupees.

(3) Whoever willfully discloses or causes to disclose any information or report which is prepared or, submitted to, or considered by the Child Welfare Committee or government or any other authority and which is considered as confidential, shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to one lakh rupees or with both.

13. Protection of action taken in good faith.- No suit, prosecution or other legal proceedings shall lie against any person authorised by the Act for anything which is done in good faith or intended to be done in pursuance of this Act or any rule made there under.

14. Appeal.- (1) Subject to the provisions of this Act, any person aggrieved by an order made by the Child Welfare Committee under this Act may within thirty days from the date of such order, prefer an appeal to the District Magistrate concerned.

Provided that the District Magistrate may entertain the appeal after the expiry of the said period of thirty days, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time and such appeal shall be decided within a period of thirty days.

15. Revision.- The High Court may, at any time, either on its own motion or on an application received in this behalf, call for the record of any proceeding in which any Child Welfare Committee or District Magistrate has passed an order, for the purpose of satisfying itself as to the legality or propriety of any such order and may pass such order in relation thereto as it thinks fit:

Provided that the High Court shall not pass an order under this section prejudicial to any person without giving him as reasonable opportunity of being heard.

16. Procedure to be followed.- (1) Save as otherwise expressly provided by this Act, the Child Welfare Committee while holding any inquiry or deciding a matter under any of the provisions of this Act, shall follow such procedure as may be prescribed and subject thereto, shall follow, as far as may be, the procedure laid down in the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) for trial of summons cases.

(2) Save as otherwise expressly provided by or under this Act, the procedure to be followed in hearing appeals or revision proceedings under this Act shall be, as far as practicable, in accordance with the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023).

17.Bar of suits and prosecutions.- No suit, prosecution or other proceedings shall lie against the Government or any officer of the Government, or against any person appointed under this Act, for any act done or purporting to be done under this Act, without the previous sanction of the Government.

18. Monitoring of implementation of Act.- (1) The State Commission for Protection of Child Rights constituted under section 17 of the Commissions for Protection of Child Rights Act, 2005 (4 of 2006) shall, in addition to the functions assigned to them under the said Act, also monitor the implementation of the provisions of this Act, in such manner, as may be prescribed.

(2) The State Commission shall, while inquiring into any matter relating to any offence under this Act, have the same powers as are vested under the Commissions for Protection of Child Rights Act, 2005 (4 of 2006).

19.Power to make Rules.- The Government may by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

20. Power to formulate guidelines or schemes.-The Government may by notification in the official Gazette formulate guidelines or schemes for giving effect to any of the provisions of this Act.

21. 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 such law.

22. Retrospective application of the provisions of the Act.- Save as otherwise provided in this Act, the Child Welfare Committee and Government shall take measures for registering the details of the children whose parents are incarcerated before the commencement of this Act and to apply the protections and benefits available under this Act to such children.

23.Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary or expedient for removal of the difficulty.

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

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

THE KARNATAKA PUBLIC INFORMATION FOR GOVERNANCE AND CITIZEN AWARENESS BILL, 2025

A Bill to regulate and facilitate the publication of Government information, schemes, and public notices through hoardings and signage in urban and rural areas for the awareness and benefit of the general public, and to provide for penalties in case of misuse.

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called The Karnataka Public Information for Governance and Citizen Awareness Act, 2025.

- (1) It extends to the whole of the State of Karnataka.
- (2) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

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

- (a) “Government” means the Central Government or any State Government, as the case may be.
- (b) “Hoarding” means and includes any structure, billboard, signage board or device (including electronic display) used for the display of information, advertisements, or public notices in a physical public space.
- (c) “Authorized Agency” means any government department, municipal body, panchayat, or agency duly authorized by the Government including agency engaged privately.
- (d) “Public Information” includes government schemes, policies, legal rights, public notices, offences, penalties, and any other communication deemed necessary in public interest.
- (e) “Designated Area” means an area notified by the competent authority for placement of public hoardings.

CHAPTER II IMPLEMENTATION AND OVERSIGHT

3. Implementation Authority (Appointment and Qualification).- (1) The Board of Public Relations (BPR), Government of Karnataka, shall be the nodal agency for implementation and regulation under this Act.

- (2) The BPR shall coordinate with the nodal authority within district as mentioned in Section 8 along with panchayat and other departments for operational execution wherever it deems necessary.
- (3) BPR shall consist of a Chairman along with two members, where one must be a woman member.

- (4) Chairman of BPR shall be the original executive responsible for the oversight, strategy and regulation of public information dissemination through hoardings across Karnataka.
 - (5) BPR in consultation with nodal authority within district will identify and prepare a list of designated locations for installing hoardings.
 - (6) BPR shall prioritise designated locations of public gatherings such as markets, bus stops, metro station, railway station, airport, educational institutions, square roads, highways etc.
- 4. Qualification & Disqualification.-** A persona shall be eligible for the appointment as chairman and member, if they possess the following qualification and experiences:
- (1) Educational qualification;**
- (1) Must be a citizen of India
 - (2) Must be 35 years old or above
 - (3) Must be a graduate in any stream
- (2) Experience;**
- (1) For Chairman Minimum of 7 years of experience in one or more of the following fields:
 - (1) Government service
 - (2) Medial and public relations with demonstrated work in public awareness campaigns.
 - (2) For Member, Minimum of 3 years of experience in one or more of the following fields:
 - (1) Government service
 - (2) Medial and public relations with demonstrated work in public awareness campaigns.
- 5. Disqualification.-** a person shall not be eligible for appointment as chairman and member if:
1. He/she is of unsound mind
 2. Has been convicted of an offence
 3. Has been dismissed or removed from government service
 4. Has any direct commercial interest in outdoor advertising or hoarding related business.
- 6. Terms of Office.-** the chairman and member shall hold the office for a term of three years, extendable by one additional term based on performance and review by the State Government.
- 7. Appointment Process.-** The chairman and members shall be appointed by the State government on the recommendation of a Committee comprising of
- (1) Chief Secretary to the Government of Karnataka as Chairperson
 - (2) Principal Secretary, urban Development Departement.
 - (3) Any one Official from Department of Information and Public Relation
 - (4) Any one external expert in civic communication or urban regulation.

8. Designated Authority within district.- (1) The Government shall designate a nodal department in each district responsible for oversight and coordination of information hoardings.

- (1) The authority shall maintain a register of hoardings installed, along with photographic documentation and installation date.
- (2) The authority can appoint the members from the local area where the hoardings are installed for continuous monitoring of its operations and maintenance.

CHAPTER III PUBLICATION AND MAINTENANCE OF HOARDINGS

9. Publication of Government Information through Hoardings.- (1) Every Government department shall publish key public information and schemes through physical hoardings in designated public areas.

- (2) Government can utilise the assistance of a private agency, corporation etc. with duly notifications, and by entering into contractual procedures.
- (3) The content must be clear, concise, and in the local language of the area and with due permission of the authority, in English also.
- (4) Information disseminated through such hoardings may include and cover:
 - (a) Government welfare schemes or ,
 - (b) Public health and safety announcements or ,
 - (c) Laws, offences, and penalties applicable to the area or,
 - (d) Helplines, Emergency contact details and disaster preparedness instructions or,
 - (e) Citizen rights and grievance redressal mechanisms

10. Approval and Standards.- (1) No hoarding under this Act shall be erected without prior approval of the BPR

- (2) The content must be non-political, non-commercial, and strictly informational.
- (3) The content shall be designed to be visually engaging, culturally sensitive, and inclusive.
- (4) The hoardings must be of a standard size and format as prescribed by the Rules under this Act
- (5) The design, font size, and dimensions shall conform to standards prescribed by the Government to ensure readability and accessibility.
- (6) Design and Layout may be modified on the basis of need or exigency with prior approval of the local authority.
- (7) QR codes or digital integration shall be encouraged for detailed information access.

- (8) Information on hoardings must be updated at least once in every three months or as needed.
- (9) Time sensitive information may be updated on a rolling basis as per government directives.

11. Fund and Budget Allocation.- (1) A dedicated budget shall be allocated annually by the State Government for the purpose of this Act

- (2) Funds may be sourced from the Central/State schemes, public - private partnership or CSR contributions.

12. Maintenance and Upkeep.- (1) The designated local authority within district shall be responsible for maintenance, cleanliness and security of the hoardings.

- (2) Any defacement or damage shall be reported and rectified within 15 (fifteen) working days.

CHAPTER IV OFFENCES AND PENALTIES

13. Prohibition of Unauthorised Use.- (1) No person or entity shall use or erect a hoarding space allocated for government information for any private or commercial purpose without authorisation.

- (2) No political, religious, commercial or personal advertisement shall be allowed under the guise of public information hoardings.
- (3) Defacing, removing, or damaging such hoardings shall be a punishable offence.

14. Offences & Penalties.- (1) Unauthorised use or defacement of government hoardings shall attract a fine of up to ₹50,000 or imprisonment up to 3 months, or both.

- (2) Repeat offences shall attract a fine up to ₹1,00,000 and/or imprisonment up to 6 months.
- (3) Local authorities shall be empowered to inform, remove or confiscate illegal hoardings installed in violation of this Act
- (4) BPR with the assistance of Nodal authority within district shall have the power to remove unauthorised hoardings posting as public information, whenever it deems necessary.
- (5) Any citizen can report any such instances as mentioned in Subsection 1 of Section 14 to the nodal agency within district.

15. Annual Review and Transparency.- (1) Each nodal authority shall submit an annual report on the information dissemination efforts through hoardings.

- (2) All information displayed shall also be made available digitally through the Government's online portal.

- (3) A monitoring committee shall be constituted at the district level to oversee implementation and installation.

CHAPTER V MISCELLANEOUS

- 16. Protection of Action Taken in Good Faith.-** No suit, prosecution, or other legal proceeding shall lie against any person acting under this Act in good faith.
- 17. Power to Make Rules.-** The Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act

SCHEDULE

Recommended Locations for Hoardings.-

- (1) Public transport stations (bus stops, railway stations)
- (2) Panchayat Bhavans and Municipal Offices
- (3) Schools and colleges
- (4) Marketplaces and community halls
- (5) Entry and exit points of towns and villages
- (6) National or State Highways
- (7) Crossroads within town or village

THE KARNATAKA WORK FROM HOME BILL, 2025

A Bill to regulate remote working arrangements in the State of Karnataka, to ensure the protection of rights of remote workers, promote flexible work culture, and prescribe obligations of employers in maintaining standards of employment.

BE it enacted by the Karnataka State Legislature in the Seventy-Sixth Year of the Republic of India as follows:

CHAPTER I PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the Karnataka Work from Home Bill, 2025.

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

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

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

(a) “Remote Work” means work performed by an employee outside the employer’s premises, facilitated by information and communication technologies.

(b) “Employer” means any person or organization employing individuals under a contract of employment.

(c) “Employee” means a person employed to do any skilled, semi-skilled, or unskilled work remotely in return for remuneration.

(d) “Workplace” includes any location, including homes, co-working spaces, or other places, from where an employee carries out remote work.

(e) “Monitoring” means any activity undertaken by an employer to assess or track the work-related activities of an employee.

(f) “Confidential Information” includes all proprietary, business, client, and personal information disclosed or accessed during employment.

CHAPTER II GENERAL CONDITIONS OF REMOTE EMPLOYMENT

3. Right to Remote Work.- (1) An employee shall not be compelled to work remotely or on-site unless mutually agreed in writing.

(2) Remote working shall be provided as an option wherever feasible.

4. Employment Contracts for Remote Workers.- (1) All remote work arrangements shall be governed by written employment contracts which shall include—

(a) location(s) of work;

(b) working hours and rest intervals;

(c) terms of equipment provision and cost reimbursements;

(d) confidentiality obligations;

(e) grievance redressal mechanisms.

(2) Modifications to remote work terms shall be recorded through supplementary agreements.

5. Working Hours and Overtime.- (1) Remote employees shall not be required to work beyond forty-eight hours per week unless expressly agreed with overtime compensation.

(2) Use of time-tracking tools shall be subject to written employee consent and shall not breach privacy.

6. Provision of Equipment and Reimbursements.-(1) Employers shall provide necessary digital tools, devices, and access required for work.

(2) Reimbursement for electricity and internet expenses shall be prescribed by rules.

CHAPTER III

WORKER PROTECTIONS AND EMPLOYER OBLIGATIONS

7. Confidentiality and Data Security.-(1) Every employee shall ensure that confidential information accessed during remote work is protected and not disclosed without prior authorization.

(2) Employers shall adopt suitable data encryption, secure login, and device protection protocols.

(3) Breach of confidentiality shall invite disciplinary action and legal liability under applicable data protection laws.

8. Online Harassment and Virtual Workplace Misconduct.-(1) The definition of “workplace” under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 shall include virtual workspaces.

(2) Employers shall ensure that communication platforms are moderated and free from harassment or inappropriate behaviour.

(3) Virtual POSH committees shall be established for receiving complaints from remote workers.

(4) All employers shall sensitize remote employees through digital workshops on respectful workplace behaviour.

9. Equal Treatment and Non-Discrimination.-(1) Remote workers shall receive equal pay, leave, welfare, and social security benefits as on-site employees.

(2) Discrimination based on work location shall be prohibited.

10. Mental Health and Work-Life Balance.- (1) Employers shall adopt best practices to prevent “always-on” culture and allow flexible log-off times.

(2) Employees shall be entitled to disconnect from work outside designated hours without prejudice.

CHAPTER IV

ENFORCEMENT AND DISPUTE RESOLUTION

11. Grievance Redressal and Inspections.- (1) Every employer shall constitute an internal virtual grievance redressal mechanism.

(2) The State Labour Department may conduct virtual inspections and audits to assess compliance.

12. Penalties.- (1) Any employer found violating this Act shall be liable to a penalty not less than ₹10,000 and up to ₹1,00,000.

(2) In case of repeat violations, additional penalties and temporary suspension of remote work privileges may be imposed.

CHAPTER V MISCELLANEOUS

13. Remote Work Advisory Council.- (1) The Government shall constitute a Remote Work Advisory Council comprising,-

- (a) Representatives from the IT/ITES sector;
- (b) Labour unions;
- (c) Legal and mental health professionals.

(2) The Council shall submit biannual reports on the state of remote work practices in Karnataka.

14. Power to Make Rules.- (1) The State Government may frame rules to carry out the provisions of this Act, including reimbursement caps, time-tracking norms, and virtual compliance checklists.

15. Savings.- Nothing in this Act shall prejudice rights conferred under any other Central or State enactment.

16. Repeal and Amendment.- (1) The Government may, by notification, amend existing service rules to align with this Act.

17. Power to Remove Difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provisions not inconsistent with this Act, as may appear necessary.

STATEMENT OF OBJECTS AND REASONS

This Act aims to institutionalize remote working by providing legal recognition, ensuring fair employment practices, and protecting employees' rights in Karnataka. It encourages responsible flexibility, digital inclusivity, and mental well-being for a future-ready workforce.

KARNATAKA WOMEN TRAFFIC POLICE WELFARE BILL, 2025

A Bill to provide for the welfare, safety, infrastructure, healthcare, and professional development of women serving in the Traffic Police Department in the State of Karnataka and to ensure a supportive and inclusive working environment for them, and for matters connected therewith or incidental there to.

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:-

CHAPTER I PRELIMINARY

1. Short title, extent and commencement.- (1) This Act may be called the Karnataka Women Traffic Police Welfare Act, 2025.

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

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

2. Definitions.- In this Act, unless the context often wise required,-

(1) "Government" means the State Government of Karnataka.

(2) "Welfare Board" means the Karnataka Women's Traffic Police Welfare Board constituted under this Act.

(3) "Women traffic police personnel" includes all female officers and staff appointed to traffic-related duties under the Karnataka State Police Department.

(4) "Infrastructure facilities" include restrooms, changing rooms, crèche facilities, lactation rooms, and resting areas.

(5) "Maternity Benefits" is as defined as in the Maternity Benefit Act, 1963.

CHAPTER II WOMEN TRAFFIC PPLICE WELFARE BOARD

3. Constitution of Welfare Board.- (1) The Government shall constitute a Karnataka Women's Traffic Police Welfare Board, consisting of:

(a) Chairperson: Additional Commissioner of Police (Traffic)

(b) Two women traffic police personnel nominated by the State Government

(c) One women medical expert nominated by the State Government

(d) One women mental health expert (psychology department) nominated by the State Government

(e) One representative from the Department of Women and Child Development

(f) One advocated nominated by the State Government

(g) One member from amongst non-governmental organisations or associations committed to the cause of women

(2) The Chairperson and the members of the Board shall hold office for five years, or as notified by the State Government.

(3) The Welfare Board shall work in consonance with the Karnataka Police Kalyana Abhivruddhi Sansthe.

4. Functions of the Welfare Board.- The Board shall be empowered to perform the following functions, namely:-

- (a) Formulate welfare policies for women traffic police personnel.
- (b) Implement and monitor welfare schemes related to health, safety, and family support.
- (c) Manage the welfare fund and ensure transparent allocation of resources.
- (d) Address grievances related to service conditions and workplace harassment.
- (e) Conduct training programs on gender sensitization and professional development.
- (f) Submit annual reports to the government with recommendations for improvement.

5. Power of the Board.- (1) Frame rules and guidelines for implementing welfare schemes.

- (2) Summon documents or individuals related to welfare grievances or inquiries.
- (3) Sanction financial assistance from the welfare fund in deserving cases.
- (4) Inspect traffic police facilities to ensure proper welfare standards.
- (5) Recommend disciplinary action against those violating welfare provisions.
- (6) Collaborate with other agencies for training, counseling, or support services.

CAPTER III WELFARE PROVISIONS

6. Health and Wellness Provisions.- (1) Subject to the provisions of this Act:

- (a) Annual health check-ups for all women traffic police personnel.
- (c) Menstrual hygiene support and leave (if required).
- (d) Access to free psychological counseling services.
- (e) Maternity leave, childcare leave, and nearby crèche facilities.
- (f) Comprehensive health insurance for self and dependents.
- (g) Emergency medical support during duty-related incidents.
- (h) Clean restrooms, drinking water, rest areas, and first-aid at duty posts.

(2) Reimbursement of medical expenses for job-related injuries or chronic conditions exacerbated by field duties shall be streamlined and time-bound.

7. Infrastructure Provisions.- The State Government shall ensure the provision of,-

- (1) Gender-segregated restrooms and changing rooms at duty points
- (2) Sanitation kits, water, and first-aid
- (3) Shelters and seating arrangements during long duty hours.

8. Working Hours.-The women traffic police personnel can be deployed during night shifts provided that the State government has taken appropriate measures to ensure the safety of the personnel deployed.

9. Safe & Equitable Work Conditions.- (1) Women traffic police personnel shall not be deployed alone on night shifts.

(2) Uniform policies shall include provisions for women-specific protective gear.

10. Maternity Benefits.-All the applicable provisions of the Maternity Benefit Act, 1961 and the ILO Maternity Benefit Convention (C183) shall be extended to women traffic police.

11. Child care & Accommodation.- (1) Crèches and childcare centres shall be established at zonal headquarters.

(2) Hostels with security and transport shall be provided to the women traffic police personnel, where applicable.

12. Equal Opportunity & Representation.- (1) There shall be no discrimination in recruitment, postings, or promotions.

(2) A 25% reservation shall apply to women candidates in the traffic police recruitment.¹

13. Protection Against Harassment.-The State Government shall take all necessary measures to ensure that no woman traffic police personnel deployed is subjected to any form of harassment while on duty, including the travelling time as well.

CHAPTER IV

REDRESSAL MECHANISM

14. Complaints regarding lack of welfare.- (1) The complaints from the aggrieved women traffic police personnel regarding a lack of welfare measures or any inconsistencies in them would be dealt with by the Board, upon an application made by the aggrieved women traffic police personnel.

(2) Any complaint made before the Board shall be decided by the Board within 45 days from the date of application.

15. Complaints regarding harassment.- (1) Any woman traffic police personnel subjected to harassment while on duty or during the commute to work shall file an application to the Internal Complaints Committee

(2) The Internal Complaints Committee shall perform their duties and exercise the same functions and powers as the Internal Complaints Committee provided for in the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

(3) Any complaint made before the Internal Complaints Committee shall be decided within 30 days from the date of application.

16. Punishment.-Any person who acts in contravention of the Act shall be liable to pay a fine of not less than one lakh, or imprisonment up to one year, or both.

17. Appeal.-Any person aggrieved by the decision of the Board or the Internal Complaints Committee can file for an appeal to the High Court under Article.226 of the Constitution of India,-?

¹<https://www.deccanherald.com/india/karnataka/25-reservation-for-women-in-police-force-governor-805695.html>

CHAPTER V
MISCELLANEOUS

18. Training and Professional Development.- (1) The Karnataka Police Training Academy shall design specialised modules for women traffic police personnel, covering:

- (a) Leadership, digital traffic management, and public engagement skills;
 - (b) Legal literacy, including rights at the workplace and self-defence.
- (2) The Department shall encourage deputation and exchange programs for women officers with traffic police departments of other states or international bodies.
- (3) A merit-based fast-track promotion channel shall be instituted for women officers with exceptional performance records.

19. Representation and Advisory Council.- (1) The Government shall establish a Women Traffic Police Welfare Advisory Council, comprising

- (a) Senior women officers;
 - (b) Representatives from women personnel of different ranks;
 - (c) Civil society and legal experts.
- (2) The Council shall,-
- (a) Recommend policy improvements.
 - (b) Monitor the implementation of welfare schemes.
 - (c) Submit an annual report to the Department and the State Legislature.

20. Board to submit annual report.- The Board shall, in each calendar year, prepare, in such form and time as prescribed, an annual report for their workings and the matters dealt with by the Internal Complaints Committee, which shall be submitted to the State Government.

21. Power of the State Government to make rules.- (1) The State Government may make rules to carry out the provisions of this Act. Such rules may provide for,-

- (a) The manner of constitution and functioning of the Welfare Board.
 - (b) The procedure for disbursal and management of the Welfare Fund.
 - (c) Eligibility criteria and application process for welfare benefits.
 - (d) Formats for reports, records, and audits to be maintained by the Board.
 - (e) Standards for grievance redressal mechanisms and inquiries.
 - (f) Any other matter which is required to be, or may be, prescribed under this Act.
- (2) Such rules shall be laid before each house of the State Legislature for a total period of 30 days.

22. Power to remove difficulties.- If any difficulty arises in implementing this Act, the State Government may issue orders to remove such difficulty within 2 years from the commencement of the Act.

23. Act not in derogation of any other law.- The provisions of this Act shall be in addition to and not in derogation of the provisions of any other laws for the time being in force.

FINANCIAL MEMORANDUM

The provisions of the Karnataka Women's Traffic Police Welfare Bill, 2025 will involve expenditure from the Consolidated Fund of the State for the following purposes:

- (1) Establishment and functioning of the Women's Traffic Police Welfare Board, including administrative expenses such as staffing, office infrastructure, and logistics.
- (2) Creation and maintenance of the Women's Traffic Police Welfare Fund, to finance welfare schemes such as healthcare, maternity benefits, insurance, childcare support, fitness programs, and emergency relief.
- (3) Implementation of health and wellness provisions, including regular health check-ups, counselling services, fitness training, and provisioning of rest and sanitation facilities at traffic posts

The exact financial implications will be determined annually based on budgetary allocations made by the State Government. However, initial establishment and operational costs are expected to be met through budgetary support under the Home Department or Police Welfare Schemes.

Necessary provision for such expenditure shall be made in the annual budget of the State.

MEMPRANDUM ON DELEGATED LEGISLATION

[Clause 1]of the Karnataka Women's Traffic Police Welfare Bill, 2025 seeks to empower the State Government to make rules for carrying out the purposes of the Act.

The matters in respect of which the Government may make rules include,-

- SConstitution and functioning of the Welfare Board,
- (a) Procedures for the implementation of welfare schemes,
- (b) Administration of the Welfare Fund,
- (c) Eligibility and disbursement of benefits,
- (d) Grievance redressal mechanisms, and
- (e) Other incidental or procedural matters necessary for the effective implementation of the Act.

Since these matters are procedural and require flexibility for future adjustments, they are left to be prescribed by rules made by the Government. Such delegation of legislative power is essential for the smooth and effective administration of the Act and is confined to matters of detail that do not affect the substantive rights under the legislation.

The power to make rules is subject to the condition of prior publication and laying before the State Legislature, thereby ensuring legislative oversight.

KARNATAKAK DIGITAL DEYOX AND WORK-LIFE BALANCE BILL, 2025

A Bill to safeguard employees' mental health and personal time by regulating after-hours digital work communication and promoting healthy boundaries.

Be it enacted by the Karnataka State Legislature in the Seventy-Sixth year of the Republic of India as follows:-

CHAPTER I PRELIMINARY

1. Short Title, Extent & Commencement.- (1) This Act may be cited as the Karnataka Digital Detox & Work-Life Balance Act, 2025.

(3) It extends to the whole of the State of Karnataka

(4) 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, -

(1) "Employee" and "Employer" refer to terms under the Karnataka Shops & Commercial Establishments Act, 1961.

(2) "Working hours": As per the said Act, including overtime.

(3) "Non-working hours": Periods outside official duty hours, weekly offs, holidays, and leave.

(4) "Digital work communication": Includes emails, calls, chats, and notifications tied to employment duties.

(5) "Digital Well-being Officer": A designated official in establishments with more than twenty employees to ensure compliance.

(6) "Digital presenteeism": The pressure to remain digitally responsive post-work hours²

(7) "Burnout": A recognised medical condition characterised by exhaustion, cynicism, and reduced professional efficacy.

CHAPTER II OBJECTIVES AND RIGHTS

3. Legislative Intent and Policy Objectives.- (1) Protection of mental health and personal well-being of employees.

(1) Prevention of digital fatigue caused by prolonged connectivity.

(2) Reinforce boundaries between work and personal life, addressing Karnataka's tech-sector burnout.

4. Right to Disconnect.- (1) Every employee shall be given at least one 15-minute screen break every two hours.

(2) Every employee shall be given at least one 15-minute screen break every two hours.

(3) Every employee shall be given one digital detox day per quarter, free from internal meetings or non-essential screen use.

(4) Employees have the right to disconnect from all digital communications during non-working hours, including but not limited to phone calls, emails, messages, or any other digital or electronic communication, without any adverse consequences.

(5) Exercising this right must not result in penalties, discrimination, or negative evaluations.

CHAPTER III

EMPLOYER RESPONSIBILITIES

5. Drafting & Dissemination of Policy.- (1) Employers must, in consultation with employees, establish a “Right to Disconnect” policy addressing;

(a) Defined non-working hours.

(b) Guidelines for permissible communications.

(c) Protocols for exceptions and response times.

(d) Grievance and escalation procedures.

(2) Policies must be displayed, communicated, and submitted to the Labour Department within 90 days of the enforcement.

6. Appointment of Digital Welfare Officer.-(1) The Government may, by notification in the official Gazette, appoint such officers as it considers necessary to be known as *Digital Welfare Officers* for the purposes of this Act in organisations with more than *twenty* employees.

(2) The Digital Welfare officer shall exercise such powers and perform such functions under this Act in such area or for such class of establishments as may be specified in the notification.

(3) The Digital Welfare Officer shall,-

(a) monitor the implementation of the provisions of this Act and the rules made thereunder;

(b) receive complaints from employees regarding violations of the right to disconnect;

(c) conduct inspections and inquiries as may be necessary;

(d) make recommendations to employers for compliance with digital welfare norms; and

(e) perform such other functions as may be prescribed.

7. Training and Awareness.- Employers must,-

(1) Provide annual training on mental health, burnout prevention, and digital hygiene to the employees.

(2) Partner with recognised institutions (e.g., NIMHANS) for expert-led workshops.

CHAPTER IV

EXCEPTIONS AND COMPLIANCE

8. Exceptions to Disconnection.- (1) Employees in on-call or emergency roles may be contacted outside non-working hours, as mentioned and agreed upon between the employer and employee in the job agreement.

(2) The criteria for such exceptions must be expressly documented in employment contracts and policies.

9. Prohibition of Retaliation for Exercising the Right to Disconnect.-(1) No employer shall take any adverse action, whether directly or indirectly, against any employee for failing to respond to calls, emails, messages, or any other work-related communication outside the official-designated working hours.

(1) For this section, “adverse action” includes but is not limited to-

- (a) Reduction in pay or denial of promotion;
- (b) Intentional negative performance reviews;
- (c) Demotion, suspension, or termination of employment;
- (d) Exclusion from official meetings, projects, or communications;
- (e) Any form of verbal or written reprimand or undue pressure

10. Grievance Redressal.- (1) Any employee who believes that their right to disconnect under this Act has been violated may submit a written grievance to the Digital Welfare Officer having jurisdiction over the area or establishment concerned.

(2) Upon receipt of a grievance, the Digital Welfare Officer shall conduct a preliminary inquiry within fifteen days.

(2) If the grievance is found to be prima facie valid, the officer shall conduct a detailed investigation and may call for records, summon persons, and inspect the workplace as required.

(3) The Officer shall, within thirty days of receiving the grievance, pass a reasoned order either dismissing the grievance or directing suitable remedial action.

(4) Any person aggrieved by the order of the Digital Welfare Officer may file an appeal with the Labour Commissioner within 60 days.

(5) The Labour Commissioner is to resolve the grievance within 45 days from the date of receipt of such appeal.

(6) All grievances filed and proceedings conducted under this section shall maintain the confidentiality of the complainant, unless disclosure is necessary for inquiry.

CHAPTER V INSPECTIONS, PENALTIES AND REMEDIES

11. Entry, Inspection & Records.-Labour inspectors may,-

- (1) Inspect policies, complaint logs, training records, and response registers.
- (2) Issue compliance notices and demand action.

12. Penalties.- (1) Violation of duties under Sections 5 and 7:- An employer who fails to comply with the provisions mentioned in Section 5 and Section 7 shall be liable to a fine which may extend to ₹50,000 for the first offence and ₹1,00,000 for every subsequent offence.

13. Employee Remedies.- (1) Employees suffering harm from violations (e.g., health, family strain) may claim compensation from the employer.

(2) Such an employee may submit an application for compensation to the Digital Welfare Officer in such form and manner as prescribed.

(3) After conducting an inquiry, the Digital Welfare Officer may award compensation having regard to;

- (a) The nature and frequency of the violation;
- (b) The degree of harm and distress caused;

CHAPTER VI PROMOTION OF WELL-BEING AND AWARENESS

14. State-Wide Digital Detox Campaign.- The government shall run programs promoting digital wellness, supported by data from Karnataka's digital detox initiatives.

15. Mental Health Partnerships.- The employers shall collaborate with NGOs, hospitals, and mental health professionals to:

- (1) Offer helplines and support.
- (2) Publish policy briefs and best-practice guides on healthy work cultures.

CHAPTER VII MONITORING AND REVIEW

16. Annual Reporting.- (1) Digital Well-being Officers must submit yearly reports to the Labour Department covering complaints, resolutions, trainings, and audits.

(2) The Labour Department shall publish an annual public evaluation report.

17. Biennial Review.-

- (1) Every two years, the Government shall review:
 - (a) Policy effectiveness of the Act.
 - (b) IT/ITeS sector work trends.

CHAPTER VIII RULE-MAKING, PROTECTION AND MISCELLANEOUS

18. Rule-Making Powers.- The State government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

19. Protection of Action Taken in Good Faith.- No suit, prosecution or other legal proceeding shall lie against any officer of the Government, any authority of the Government, any authority constituted under this Act, or any employer, in respect of anything which is done or intended to be done in good faith under the provisions of this Act or the rules made thereunder

20. Saving & Transitional Provisions.- Existing policies remain effective until superseded. Any action conflicting with this Act is void.

CHAPTER IX AUTHORITIES AND IMPLEMENTATION

21. Designated Nodal Authority.- (1) The Department of Labour, Government of Karnataka, shall be the nodal authority responsible for,-

- (a) Overseeing the implementation of the provisions of this Act.
- (b) Issuing directions, circulars, or guidelines as may be necessary from time to time.
- (c) Conducting inspections, inquiries, and audits under the Act.

- (d) Collaborating with mental health institutions, industry bodies, and NGOs to promote digital well-being initiatives.
 - (e) Reviewing annual reports submitted by employers and Digital Well-being Officers.
- (2) The State Government may, by notification, designate or establish a *Digital Work-Life Balance Advisory Board*, consisting of:
- (a) Representatives from the Department of Labour, Department of Health, and Department of IT/BT;
 - (b) Experts in mental health and occupational safety;
 - (c) Representatives from the IT/ITeS industry and employee unions;
 - (d) Such other members as may be prescribed.
- (3) The Advisory Board shall,-
- (a) Advise the Government on amendments, emerging trends, and sector-specific needs;
 - (b) Recommend policy reforms and training modules;
 - (c) Ensure inclusive and equitable representation in digital well-being policymaking.

THE KARNATAKA SPEED BREAKER REGULATION AND DESIGN BILL, 2025

A Bill to regulate the construction, maintenance and standardization of speed breakers in the State of Karnataka, to promote road safety, prevent public inconvenience, reduce vehicular damage and establish regulatory oversight for compliance and redressal.

BE it enacted by the Karnataka State Legislature in the Seventy-Sixth Year of the Republic of India as follows:

Whereas it is expedient to regulate the construction, design, placement, and maintenance of speed breakers across the State of Karnataka to ensure road safety, uniform standards, and public convenience;

And whereas unregulated and unsafe speed breakers have resulted in accidents, traffic congestion, and violation of citizens' rights,

It is hereby enacted to provide a comprehensive legal framework for the scientific implementation and monitoring of speed breakers in accordance with national guidelines and judicial directives-

CHAPTER I PRELIMINARY

1: Short Title, Extent and Commencement.- (1) This Act may be called the *Karnataka Speed Breaker Regulation and Design Act, 2025*.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) "Speed breaker" means any engineered traffic calming structure, including humps, bumps, rumble strips or raised pedestrian crossings, designed to reduce vehicle speed.

(b) "Designated Authority" refers to the Public Works Department (PWD), Urban Local Bodies (ULBs) or any authority appointed by the State Government for the implementation.

(c) "Standard Specifications" mean the approved design parameters including height, width, slope, placement, visibility and materials as prescribed under this Act.

(d) "Unauthorised Speed Breaker" means any speed breaker constructed or modified without written approval of the designated authority.

(e) "Road User" includes all users of public roads including motorists, cyclists, and pedestrians.

(f) "Maintenance Authority" means the government body, agency, or concessionaire responsible for the upkeep of the road segment.

CHAPTER II REGULATION AND DESIGN OF SPEED BREAKERS

3: Regulation of Construction and Removal.- (1) No person or authority shall construct or alter any speed breaker on a public road without prior written sanction from the designated authority.

(2) The designated authority shall maintain a digital registry of all sanctioned speed breakers.

(3) Any unauthorised speed breaker shall be removed within fifteen (15) days of detection or complaint.

4: Design and Placement Norms.- (1) The State Government shall notify standard specifications for the design and placement of speed breakers, in line with Indian Road Congress (IRC) guidelines.

(2) Speed breakers shall be permitted only in locations justified by;

(a) Accident history;

(b) Presence of schools, hospitals, or senior citizen zones;

(c) Speed zone mismatch and high pedestrian volume.

(3) All sanctioned speed breakers must;

(a) Be painted with reflective thermoplastic paint;

(b) Be preceded by signage in regional language and English;

(c) Be illuminated or retro-reflective for night visibility.

CHAPTER III ENFORCEMENT AND COMPLIANCE

5: Mandatory Inspections and Public Dashboard.-(1) The designated authority shall conduct physical audits of speed breakers bi-annually.

(2) An online public dashboard shall be maintained with geolocation, approval status, and design compliance of all speed breakers in Karnataka.

6: Penal Provisions.- (1) Unauthorized construction of a speed breaker shall attract a penalty of ₹10,000 for individuals and ₹50,000 for institutions or local bodies.

(2) Repeat or willful violations shall attract a penalty up to ₹1,00,000 and cost of removal.

(3) Public officials who fail to act within 30 days of a valid complaint shall face disciplinary proceedings.

7: Accident-linked Compensation.- (1) If a road user sustains injury or property damage due to an unauthorised or non-compliant speed breaker, they shall be eligible for compensation.

(2) The designated authority shall create a streamlined claim process and resolve compensation applications within sixty (60) days.

**CHAPTER IV
INSTITUTIONAL MECHANISMS**

8: Karnataka Speed Breaker Oversight Authority (KSBOA).- (1) The Government shall constitute the Karnataka Speed Breaker Oversight Authority (KSBOA) to:

- (a) Review and approve placement requests;
- (b) Publish compliance reports;
- (c) Investigate complaints and accidents linked to speed breakers.

(2) The KSBOA shall consist of members from the PWD, Traffic Police, Urban Planning, and civil society.

9: Public Grievance Redressal.- (1) Citizens may lodge complaints regarding unsafe, unmarked, or unauthorised speed breakers through an online portal or helpline.

- (2) All grievances must be resolved within twenty-one (21) working days.
- (3) An appellate mechanism shall be provided for unresolved or disputed cases.

**CHAPTER V
MISCELLANEOUS**

10: Public Awareness and Signage Campaigns.-The State Government shall undertake regular awareness drives in schools, driving schools, and traffic departments on;

- (a) Purpose and correct usage of speed breakers; ;
- (b) Identification of compliant and non-compliant speed breakers ;
- (c) How to report violations.

11: Power to Make Rules.- The State Government may, by notification, make rules to carry out the provisions of this Act, including but not limited to :

- (a) Procedural rules for KSBOA;
- (b) Technical manuals for design;
- (c) Redressal and compensation formats.

STATEMENT OF OBJECTS AND REASONS

In recent years, Karnataka has witnessed a surge in the construction of unauthorised and poorly designed speed breakers, causing vehicular accidents, emergency response delays, and infrastructure damage. This Bill seeks to introduce a uniform, scientifically informed, and accountable framework for the regulation of speed breakers across the State. It addresses gaps in approval, design, enforcement, and grievance redressal. By empowering a statutory authority and digitising public access to information, the Bill aims to uphold road safety, reduce citizen inconvenience, and align with best practices in traffic management.

THE KARNATKA EQUITABLE PRICING AND MARKET TRANSPARENCY BILL, 2025

A Bill to regulate equitable pricing and ensure market transparency in Karnataka, to safeguard consumer rights while protecting the livelihood of vendors, to establish reference pricing mechanisms, municipal oversight, and digital transparency tools, and for matters connected therewith or incidental there to.

Whereas, it is expedient to secure equitable access to goods and services at reasonable prices for the people of Karnataka, consistent with the directive Principles of State Policies under Article 39;

And whereas, it is necessary to prevent exploitative pricing practices while safeguarding the livelihoods of vendors;

And whereas, there exists no dedicated statutory mechanism to ensure fair pricing in informal and semi-formal markets;

BE it enacted by the Karnataka state legislature in the 76th year of Republic of India as follows:-

CHAPTER I PRELIMINARY

1: Short Title, Extent and Commencement.- (1) This act may be called the Karnataka Equitable Pricing and Market Transparency Bill, 2025

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

(3) It shall come into force on such date as the government may, by notification, appoint, and may be brought into force into different areas on different dates

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

- (a) “Vendor” means any person engaged in selling goods in a market, street, vending zone, or through mobile vending, whether permanent or temporary.
- (b) “Consumer” shall have the same meaning as under the Consumer Protection Act, 2019
- (c) “Reference Price” means the indicative market price for goods notified by the competent authority for a given zone.
- (d) “Fair Price” means a selling price not exceeding the Reference Price by more than the permissible margin prescribed under this Act.
- (e) “Municipality” means a municipal corporation, municipal corporation, town panchayat, or any local authority notified under this Act.
- (f) “Competent Authority” means the directorate of consumer affairs or any authority notified by the government for the purpose of carrying out the objectives of this Act.
- (g) “Digital Price Display System” means an electronic board, screen, or a digital App displaying current Reference Prices and permissible margins, updated daily.

CHAPTER II REFERENCE PRICING SYSTEM

3: Zonal Reference Price Notifications.- (1)The Competent Authority shall divide each municipality into price zones based on geography, accessibility, and cost factors.

(2)The reference prices for essential goods shall be notified weekly for each zone, based on,-

- (a) Wholesale market rates,
- (b) Transport and storage costs,
- (c) Seasonal supply functions, and
- (d) Quality supply standards.

(3)The list of essential goods shall be determined by the Government and may be revised periodically.

4: Digital Real-Time Price Display.- (1) Every municipality/panchayat shall establish Digital Price Display Systems in major markets, vending zones, and municipal offences.

(2)The display shall include:

- (a) Current reference prices;
- (b) Permissible margin for vendors
- (c) Last updated date and time,
- (d) QR code linking to Karnataka Fair Price mobile app.

(3) Updates shall be made daily, or more frequently if market fluctuations exceed 10 percent from the last reference price.

CHAPTER III VENDOR OBLIGATIONS AND RIGHTS

5: Price Display by Vendors.- (1) Every vendor shall display their selling price prominently in Kannada and English.

(2)For goods covered under reference pricing, both the selling price and reference price shall be displayed.

(3)Vendors may price above the reference price only within the permissible margin, unless exempted under Section 7 of this Bill.

6: Permissible Margin.- (1) The permissible margin shall not exceed 10 percent above the reference price, unless otherwise notified by the Government.

(2)The Government may prescribe different margins for different goods or seasons.

7: Justified Price Variation.-A vendor may exceed the permissible margin if,-

- (1) Documented higher procurement costs exit,
- (2) Goods are of premium quality or unique origin,
- (3) The product is perishable and incurred higher storage costs.

Such justification shall be presented to the Market Oversight Committee upon inspection.

CHAPTER IV MUNICIPAL/PANCHAYAT MARKET OVERSIGHT

8: Market Oversight Committees.- (1) Each municipality/panchayat shall constitute a Market Oversight Committee consisting of:

- (a) One senior municipal/panchayat officer (Chairperson),
 - (b) One vendor association representative,
 - (c) One consumer rights representative,
 - (d) One representative from the Directorate of Consumer Affairs,
 - (e) One IT official for managing digital price displays.
- (3) Functions of the Committee:
- (a) Monitor compliance,
 - (b) Resolve consumer and vendor disputes,
 - (c) Recommend change to reference pricing

9: Role of Municipalities/Panchayat.- (1) Municipalities/Panchayat shall,-

- (a) Install and maintain digital price boards,
 - (b) Disseminate reference prices via Mobile App, SMS alerts, and notice boards,
 - (c) Conduct weekly inspections
- (2) Municipalities/Panchayats shall submit a monthly compliance report to the Competent Authority.

CHAPTER V ENFORCEMENT AND PENALTIES

10: Inspections.- (1) Municipal/Panchayat officers shall have the power to check price displays, verify compliance with reference pricing, and demand costs documentation from vendors.

- (2) Inspections shall be random but conducted at least once a month for each market zone.

11: Penalties.- (1) First Offence – Written warning and Training session.

- (2) Second Offence – Fine upto one thousand rupees
- (3) Third Offence – Fine up to two thousand rupees and temporary suspension of vending license for up to 15 days.

12: Appeals.- (1) Any vendor fined under the bill may file an appeal before the Municipal Commissioner/Panchayat within 15 days from the date of the fine imposed.

- (2) The Commissioner/Panchayat shall decide the appeal within 30 days after the receipt of such appeal.

CHAPTER VI FUNDING AND IMPLEMENTATION

13: Fair Pricing Fund.- (1) A dedicated “Fair Pricing and Market Transparency Fund” shall be established to finance,-

- (a) Digital display systems
- (b) Price monitoring technology
- (c) Vendor and consumer awareness programmes

- (2) Funding Sources,-
- (a) State budget allocation,
 - (b) Central Government scheme,
 - (c) Corporate Social Responsibility (CSR) contributions

CHAPTER VII
MISCELLEANOUS

14: Rule-Making Power.-The Government may frame rules to carry out the purposes of this Act, including the procedure for fixing references prices, permissible margins, and exemptions.

15: Protection of Action in Good Faith.-No suit, prosecution, or legal proceeding shall lie against any person acting in good faith under this Act.

16: Annual Review.-The Competent Authority shall conduct an annual review of the Act's implementation and place the report before the State Legislature.

STATEMENT OF OBJECTS AND REASONS

The purpose of this Bill is to address the growing problem of arbitrary price variation in Karnataka's markets, where consumers are often charged differently across urban, semi-urban, and rural areas without justifiable cost differences, thereby undermining their right to fair value for money. At the same time, vendors, particularly small traders and street vendors, face challenges of fluctuating demand, rising procurement costs, and competitive pressures, making it essential to safeguard their livelihood under Article 19(1)(g) of the Constitution. Existing laws such as the Consumer Protection Act, 2019, the Legal Metrology Act, 2009, and municipal by-laws provide partial remedies but lack a comprehensive framework to regulate pricing fairly. Drawing on successful international models, particularly South Korea's real-time digital reference pricing, Singapore's consumer enforcement systems, and Malaysia's anti-profiteering framework, this Bill introduces reference pricing mechanisms, mandatory price display, municipal oversight, and digital transparency tools to harmonize consumer rights with vendor autonomy. It seeks to create an equitable, transparent, and sustainable market environment that balances consumer protection with vendor livelihoods, consistent with the principles of fairness, proportionality, and socio-economic justice enshrined in the Constitution

THE KARNATAKA BREAST FEEDING AND LACTATING MOTHERS' (WELFARE AND PROTECTION) BILL, 2025

Whereas it is expedient to recognize, promote, and protect the rights of breastfeeding and lactating mothers in the State of Karnataka;

And whereas breastfeeding is essential for the optimal health, nutrition, and development of infants and contributes significantly to reducing infant and maternal morbidity and mortality;

And whereas there is a need to ensure a safe, supportive, and enabling environment for mothers to breastfeed and express milk, both in public and at workplaces;

And whereas it is necessary to provide legal safeguards, entitlements, awareness, and infrastructure to support breastfeeding and lactating mothers in a dignified and inclusive manner;

Be it enacted by the Karnataka State Legislature in the Seventy-Sixth Year of the Republic of India as follow

CHAPTER-I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called The Karnataka Breastfeeding and Lactating Mothers (Welfare and Protection) Act, 2025.

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

(3) It shall come into force on such date as the State Government may notify.

2. Definitions.- (1) "Appropriate Government" means the Government of Karnataka.

(a) "Authorities" means the bodies or committees constituted under this Act at the Panchayat, Taluk, District, and State levels for the purpose of implementing, monitoring, regulating, promoting awareness, addressing grievances, and coordinating activities relating to the protection, promotion, and support of breastfeeding and lactating mothers.

(b) "Beneficiary" means any woman who is eligible for benefits under this Act by virtue of being pregnant, recently delivered, breastfeeding, or lactating, as notified by the State Government.

(c) "Breast feeding" means the act of feeding a child with milk directly from the mother's breast, either exclusively or in combination with other nutrition, as per medical recommendations.

(d) "Breast feeding Mother" means a biological mother nursing an infant up to the age of 2 years.

(e) "Discrimination" includes denial of access, harassment, or exclusion in public or private spaces due to breastfeeding.

(f) "Electric Breast Pump" means a mechanical device powered by electricity or battery, designed to extract milk from the human breast by creating a rhythmic suction, simulating an infant's natural nursing pattern. These pumps are used by lactating mothers to express, collect, and store breast milk, particularly when they are away

from their infants or facing breastfeeding challenges. Electric breast pumps may be single (for one breast) or double (for both breasts simultaneously), and may include features such as adjustable suction levels, digital displays, and portable designs for user convenience.

- (g) “Entitlements” means the rights, monetary benefits, non-monetary services, and facilities that a breastfeeding or lactating mother is eligible to receive under this Act.
- (h) “Health Worker” means an Auxiliary Nurse Midwife (ANM), Accredited Social Health Activist (ASHA), Anganwadi Worker (AWW), or any person appointed by the State Government to provide maternal and child care services.
- (i) “Infant” means a child from birth up to twelve months of age.
- (j) “Lactating Mother”: A woman who is nursing her child after childbirth, typically considered within one year of delivery. This definition is essential to ensure who is eligible for benefits under the Act
- (k) “Lactating Period”: The time span after childbirth during which a mother breastfeeds her baby, often counted up to 12 months. It is during this time that the mother needs special nutritional and health support
- (l) “Lactation Room” means a clean, private, and safe facility for breastfeeding and milk expression.
- (m) “Nutritious Food”: Food that meets health and dietary standards as defined by the state government or expert nutritionists. This may include supplements, fortified foods, and healthy meals necessary for the mother’s recovery and the baby’s development.
- (n) “Sterile Storage Container” means a medically approved, contamination-free container designed and maintained under aseptic conditions for the collection, storage, and transportation of expressed human breast milk or other biological substances. Such containers must be manufactured using non-toxic, food-grade, BPA-free materials, and shall be pre-sterilized or sterilizable to ensure the safety, quality, and hygiene of the contents. These containers shall be sealed, labeled, and stored in accordance with standards prescribed by the relevant health authorities.
- (o) “Workplace” means any place, public or private, where a woman is employed for wages in any capacity, including organized and unorganized sectors.

CHAPTER- II

INFRASTRUCTURE AND SERVICE PROVISIONS

3. Breast Milk Expression & Storage Devices.-(1) The State Government shall, by notification, establish and maintain facilities at all district hospitals, taluk hospitals, maternity homes, and such other health centres as it may deem necessary, for providing access to safe, hygienic, and appropriate breast milk expression and storage devices for lactating mothers.

(2) Such facilities shall include the provision of manual or electric breast pumps, sterile storage containers, and appropriate refrigeration units or freezers to ensure

the safe storage of expressed breast milk, in accordance with the standards and guidelines issued by the Government.

(3) The Government may, by rules, prescribe the standards, operational procedures, and fees (if any) for the use, maintenance, and distribution of these devices, including criteria for the subsidized or free supply to eligible mothers, as may be determined.

(4) Every such centre shall ensure privacy, counseling support, and trained assistance to lactating mothers for the proper and safe use of breast milk expression and storage devices.

4. Establishment of Breast Milk Collection and Feeding Centres.- (1) The State Government shall establish and maintain at least one Breast Milk Collection and Feeding Centre in every district, and in such other locations as it may notify from time to time. Where feasible, these Centres may also function as Human Milk Banks.

(2) The Breast Milk Collection and Feeding Centres shall perform the following functions:

(a) Provide lactating mothers with a safe, hygienic, and private environment to express, store, and feed breast milk.

(b) Facilitate the voluntary donation of surplus breast milk to recognized Human Milk Banks, subject to the informed written consent of the donor mother and in accordance with prescribed safety and screening protocols.

(c) Educate and counsel mothers on scientifically approved methods of breast milk expression, storage, hygiene, and infant feeding practices.

5. Constitution of the Karnataka State Breast Milk Support and Monitoring Committee (KSBMSMC).- (1) The State Government shall, by notification, constitute a committee to oversee, advise, and monitor the implementation of the provisions under Sections 12 and 13 of this Act, to be known as the Karnataka State Breast Milk Support and Monitoring Committee (KSBMSMC).

(2) The composition of the Committee shall be as follows;

(a) Principal Secretary, Department of Health and Family Welfare – *Chairperson*

(b) Joint Director (Maternal Health), Department of Health – *Member Secretary*

(c) Mission Director, National Health Mission – Karnataka – *Member*

(d) Director of Medical Education – *Member*

(e) Director of Health Services – *Member*

(f) One representative from a non-governmental organisation working in the field of maternal and child health, nominated by the State Government – *Member*

(g) One senior lactation consultant from a government medical college – *Member*

(h) One representative from a recognised working women's association – *Member*

(3) The functions and powers of the Committee shall include,-

- (a) Formulating guidelines and Standard Operating Procedures (SOPs) for the provision, operation, maintenance, and safe use of breast milk expression devices and breastfeeding support centres.
- (b) Advising the State Government on financial planning, including budgetary allocations, for the effective implementation and expansion of support facilities under this Act.
- (c) Monitoring and evaluating the implementation of relevant provisions of the Act, and submitting comprehensive annual reports and policy recommendations to the State Government.
- (d) Recommending awareness campaigns, outreach strategies, and training modules for health workers, institutional staff, and lactating mothers.
- (e) Identifying systemic gaps, reviewing challenges, and suggesting evidence-based improvements for better service delivery and policy effectiveness.

CHAPTER III

INSTITUTIONAL FRAMEWORK

6. Constitution of the State-Level Authority.- (1) The State Government shall, by notification, constitute a State-Level Authority to be responsible for policy formulation, inter-departmental coordination, oversight of implementation, and performance review at the district level in matters relating to maternal nutrition and breastfeeding support across the State of Karnataka.

(2) The composition of the State-Level Authority shall be as follows:

- (a) Chief Minister, Government of Karnataka – *Chairperson*
- (b) Minister for Women and Child Development, Government of Karnataka – *Vice-Chairperson*
- (c) Principal Secretary, Department of Women and Child Development – Ex-officio Member
- (d) Principal Secretary, Department of Health and Family Welfare – Member
- (e) Principal Secretary, Department of Labour – Member
- (f) Principal Secretary, Department of Education – Member
- (g) Principal Secretary, Department of Food and Civil Supplies – Member
- (h) Principal Secretary, Department of Social Welfare – Member
- (i) Two Members of the Legislative Assembly (MLAs) nominated by the Hon’ble Speaker of the Karnataka Legislative Assembly and one Member of the Legislative Council (MLC) nominated by the Hon’ble Chairman of the Karnataka Legislative Council – Members
- (j) Principal Secretary, Department of Law – Member
- (k) State Nodal Officer, Integrated Child Development Services (ICDS) – Member Secretary

7. Constitution of the District Level Authority.- (1) The State Government shall constitute a District Level Authority in every district of Karnataka for the purpose of supervising, guiding, evaluating, and ensuring the effective implementation of the provisions of this Act. The

Authority shall also facilitate interdepartmental coordination and address systemic issues relating to maternal nutrition and lactation care at the district level.

(2) The composition of the District Level Authority shall be as follows:

- (a) Deputy Commissioner (DC) of the District – Chairperson
- (b) District Health Officer (DHO) – Vice-Chairperson
- (c) Chief Executive Officer (CEO), Zilla Panchayat – Member
- (d) District Labour Officer – Member
- (e) District Education Officer – Member
- (f) District Welfare Officer (Scheduled Castes/Scheduled Tribes) – Member
- (g) Member Secretary, District Legal Services Authority (DLSA) – Member
- (h) Two women members nominated by the District Authority, of whom at least one shall belong to the Scheduled Castes, Scheduled Tribes, or Minority communities – Members
- (i) Two representatives from non-governmental organisations with a proven record in maternal and child welfare – Members
- (j) One representative from the Indian Medical Association (IMA) or a recognised public health organisation – Member
- (k) Deputy Director, Department of Women and Child Development – Member Secretary.

8. Constitution of the Taluk Level Committee.- (1) The State Government shall constitute a Taluk Level Committee in every Taluk of Karnataka to coordinate, supervise, and evaluate the implementation of schemes and activities related to maternal nutrition and breastfeeding support within the Panchayats falling under the respective Taluk jurisdiction.

(2) The composition of the Taluk Level Committee shall be as follows,-

- (a) Tahsildar – Chairperson
- (b) Taluk Health Officer (THO) – Vice-Chairperson
- (c) Block Education Officer (BEO) – Member
- (d) Labour Inspector – Member
- (e) Taluk Medical Officer – Member
- (f) One representative from a recognised NGO working in the field of women’s health – Member
- (g) Two women members nominated by the Taluk Panchayat, of whom at least one shall belong to the Scheduled Castes, Scheduled Tribes, or Minority communities – Members
- (h) Taluk Panchayat President or Vice President – Member
- (i) One representative from the Indian Red Cross Society or a similar voluntary organisation – Member
- (j) Taluk Women and Child Development Officer – Convener

9. Constitution of the Panchayat Level Committee.- (1) The State Government shall ensure the constitution of a Panchayat Level Committee in every Gram Panchayat for the purpose of

effective implementation, monitoring, outreach, and delivery of schemes and entitlements under this Act to eligible women at the village level.

(2) The composition of the Panchayat Level Committee shall be as follows,-

- (a) President of the Gram Panchayat – Chairperson
- (b) Medical Officer from the Primary Health Centre (PHC) serving the Panchayat – Member
- (c) Anganwadi Supervisor or Worker – Member
- (d) Accredited Social Health Activist (ASHA Worker) – Member
- (e) Headmaster or a Senior Teacher of the local Government School – Member
- (f) Auxiliary Nurse Midwife (ANM) serving the Panchayat – Member
- (g) One woman member from the Scheduled Castes or Scheduled Tribes community – Member
- (h) One woman representative from a registered local non-governmental organisation (NGO) – Member
- (i) One representative from a Self-Help Group (SHG) operating in the village – Member
- (j) Village Accountant – Member
- (k) Panchayat Development Officer (PDO) – Convener

CHAPTER IV

POWERS AND FUNCTIONS OF AUTHORITIES AND COMMITTEES

10. Powers and Functions of the State Level Authority.- The State Level Authority shall exercise the following powers and perform the following functions, namely:

- (1) Frame overarching policies, guidelines, and protocols to be followed by all subordinate authorities constituted under this Act.
- (2) Approve annual budgets, funding norms, and financial allocations for implementation of schemes and activities under this Act.
- (3) Recommend and approve amendments or updates to the rules made under this Act, subject to due process.
- (4) Issue directions to any authority at the district, taluk, or panchayat level to conduct inquiries or take corrective actions for ensuring compliance and service quality.
- (5) Propose legislative or policy recommendations to the State Legislature, including new initiatives to strengthen maternal nutrition and lactation support systems.
- (6) Formulate a comprehensive, state-wide policy framework for maternal nutrition, breastfeeding promotion, and lactation care, ensuring alignment with national and international guidelines.
- (7) Exercise supervisory oversight over the overall implementation of the Act across the State, and ensure inter-departmental convergence.
- (8) Facilitate integration and coordination among various departments including Health, Women and Child Development, Education, Food Safety, Labour, and Social Welfare.

- (9) Monitor, collect, and publish reliable data and indicators on maternal nutrition, infant feeding practices, and child development outcomes.
- (10) Review evaluation and impact assessment reports submitted by implementing agencies and revise schemes or programs accordingly.
- (11) Promote and support Information, Education, and Communication (IEC) campaigns across the State to raise awareness among communities and stakeholders.
- (12) Table an Annual Report before the Karnataka Legislative Assembly outlining progress made, key challenges, financial utilization, and proposed reforms.

11. Powers and Functions of the District Level Authority.-The District Level Authority shall exercise the following powers and perform the following functions, namely:

- (1) Issue directions to Taluk Level Committees for undertaking corrective actions or implementing special measures in specific cases requiring urgent attention.
- (2) Sanction emergency support in exceptional situations, including cases involving rape victims, child marriage victims, or abandoned lactating mothers, as per government guidelines.
- (3) Allocate district-level funds for the implementation of schemes under this Act and monitor their proper and effective utilization.
- (4) Collaborate with local non-governmental organizations (NGOs), district hospitals, medical colleges, and welfare boards for coordinated service delivery and outreach.
- (5) Convene regular district-level review meetings and conduct periodic inspections to ensure quality and compliance across Taluks and Panchayats.
- (6) Review and evaluate biannual performance reports submitted by Taluk Level Committees, and recommend necessary course corrections.
- (7) Ensure inter-departmental coordination at the district level among departments such as Health, Labour, Education, and Social Welfare for integrated implementation of maternal nutrition and breastfeeding initiatives.
- (8) Monitor and track the utilization of Corporate Social Responsibility (CSR) funds and other external resources allocated for programmes under this Act.
- (9) Address grievances escalated from Taluk or Panchayat level and take appropriate steps to ensure redressal and protection of beneficiaries' rights.
- (10) Conduct surprise audits, site inspections, and quality assessments of centres, services, and schemes under this Act.
- (11) Design and implement district-specific awareness campaigns, workshops, and media outreach initiatives to promote breastfeeding and maternal care.
- (12) Submit a comprehensive progress and recommendation report to the State Level Committee every six months, highlighting achievements, challenges, and suggestions for policy enhancement

12. Powers and Functions of the Taluk Level Committee.-The Taluk Level committee shall exercise the following powers and perform the following functions:

- (1) Supervise and guide all Panchayat Level committee within its jurisdiction.

- (2) Approve implementation plans submitted by Panchayats under this Act.
- (3) Sanction the release of nutrition kits, funds, and related resources to Panchayats.
- (4) Recommend disciplinary action against officials found negligent in implementing provisions of this Act.
- (5) Issue directions to local medical and educational institutions to support programme implementation.
- (6) Compile and review biannual reports submitted by Panchayat Level Committees.
- (7) Coordinate with government hospitals, NGOs, and Integrated Child Development Services (ICDS) centres to ensure efficient and timely service delivery.
- (8) Organise training programmes for field-level workers and supervisors on maternal nutrition and lactation care.
- (9) Conduct inspections and ensure timely intervention in cases of malnutrition, neglect, or service delays.
- (10) Facilitate local awareness campaigns in collaboration with schools, health workers, and Anganwadi centres.
- (11) Forward consolidated Taluk-level performance reports and recommendations to the District Level Authority.

13. Powers and Functions of the Panchayat Level Committee.-The Panchayat Level Committee shall exercise the following powers and perform the following functions;

- (1) Maintain updated records of eligible beneficiaries within the Panchayat area.
- (2) Recommend the inclusion or removal of beneficiaries based on field verification.
- (3) Ensure timely delivery of services by directing local service providers such as Anganwadi workers, ASHA workers, and schools.
- (4) Convene meetings to review the performance of local community health workers.
- (5) Coordinate with Taluk-level committee for assistance related to logistics, resources, and funds.
- (6) Identify eligible women, especially from vulnerable groups such as Scheduled Castes, Scheduled Tribes, widows, rape survivors, and abandoned mothers through outreach efforts.
- (7) Ensure proper and timely distribution of nutritious food to pregnant and lactating women.
- (8) Collaborate with local institutions (schools, PHCs, Anganwadis) to conduct awareness and education programmes.
- (9) Submit biannual performance and implementation reports to the Taluk Level committee.
- (10) Maintain records of services provided, follow-up actions, and beneficiary outcomes.
- (11) Assist in resolving grievances at the village level through coordination with local stakeholders.
- (12) Support the organisation of health check-ups, immunisation drives, and nutrition camps within the Panchayat area.

CHAPTER V

FINANCIAL SUPPORT AND RESOURCE MOBILIZATION

14. To ensure the availability of sufficient and sustainable financial resources for implementing welfare measures under this Act, including the supply of nutritious food, medical care, and awareness campaigns for breastfeeding and lactating mothers.

(1) Sources of Funds- Government Budgetary Allocations: The following departments shall earmark funds in their annual budgets for the implementation of programmes under this Act,-

- (a) Department of Women and Child Development
- (b) Department of Health and Family Welfare
- (c) Department of Labour
- (d) Department of Social Welfare
- (e) Department of Education (for training and awareness activities)

(2) Corporate Social Responsibility (CSR).- a)
Companies operating in Karnataka may contribute under Schedule VII of the Companies Act, 2013, towards maternal and child health initiatives.

b) A dedicated State CSR Coordination Cell shall engage with industries and facilitate contributions to a Maternal Nutrition Fund.-

(3) Grants and Welfare Schemes.-

a) The State Government may mobilize funds through centrally sponsored schemes such as POSHAN Abhiyaan, Integrated Child Development Services (ICDS), and Pradhan Mantri Matru Vandana Yojana (PMMVY).

b) A portion of revenues from State Welfare Cess, Health Cess, or Food Security programmes may be allocated for maternal nutrition initiatives.

15. Budget Allocation and Utilization.-

(1) Nutritional Support;

(a) Provision of ration kits, hot cooked meals, or take-home rations during pregnancy and lactation.

(b) Food supplies shall include high-protein, iron, and calcium-rich items as recommended by certified health professionals.

(2) Medical Services:

(a) Free access to antenatal and postnatal care.

(b) Lactation counseling and regular health check-ups for mothers and infants.

(3) Capacity Building:

(a) Training and orientation for key stakeholders, including Anganwadi workers, ASHA workers, Panchayat officials, and school teachers to strengthen implementation at the grassroots level.

CHAPTER VI
AUDIT AND FINANCIAL ACCOUNTABILITY

16. To ensure transparency, accountability, and effective utilization of funds allocated or received under this Act.

17. Audit Authority.- (1) The financial audit of schemes and expenditures under this Act shall be conducted by:

a) The State Auditor General, or

b) A certified chartered accountant appointed or authorized by the State Government.

(2) The audit shall cover all levels of implementation—Panchayat, Taluk, District, and State.

18. Frequency of Audit.- (1) Annual Audits shall be conducted at all levels of administration.

(2) Interim Audits or surprise inspections may be initiated by the State Government:

(a) In high-expenditure areas; or

(b) Upon receipt of complaints or reports of irregularities.

19. Scope of Audit.- The audit shall include, but not be limited to, the following components:

(1) Fund Utilization Verification:

Assessment of whether expenditures are in accordance with sanctioned purposes (e.g., nutrition, healthcare, awareness).

(2) Compliance Monitoring:

Review of adherence to government financial procedures, procurement norms, and internal controls.

(3) Beneficiary Validation:

Cross-verification between reported data and actual delivery of services to eligible lactating mothers.

(4) Inventory Audit:

Physical verification of stock—nutrition kits, supplements, and other distributed materials.

(5) Expenditure Efficiency:

Review of whether administrative costs remain within permissible limits and are not disproportionate.

20. Reporting Protocols.- (1) Panchayat and Taluk Audit Reports shall be submitted to the District Level Authority.

(2) The District Audit Report shall be consolidated and submitted to the State Level Committee.

(3) The State Level Committee shall compile an annual State Audit Report and table it

21. Corrective Measures.- In cases of financial irregularities, including misuse or misappropriation of funds,-

(1) The State Government shall,-

(a) Initiate departmental inquiry and take steps for recovery of funds.

(b) Recommend disciplinary action under relevant service rules.

- (c) Initiate penal proceedings under the Bharatiya Nyaya Sanhita (BNS) or any other applicable law.

CHAPTER VII REPORTING MECHANISM

22. to establish a structured, transparent and periodic reporting system across all administrative levels to enable effective monitoring, evaluation, and corrective action under this Act.

23. Reporting Structure and Frequency.- (1) Panchayat Level Authority

- (i) Reporting To: Taluk Level Authority
- (ii) Frequency: Once every six months
- (iii) Report Contents:
 - (a) List of identified and served beneficiaries
 - (b) Quantity and type of nutritious food and materials distributed
 - (c) Details of community outreach and awareness programmes conducted
 - (d) Operational challenges and resource constraints
 - (e) Summary of grievances received and resolved

(2) Taluk Level Authority,-

- (i) Reporting To: District Level Authority
- (ii) Frequency: Once every six months
- (iii) Report Contents;
 - a) Consolidated data from all Panchayats within the Taluk
 - b) Statement of fund utilization and financial status
 - c) Monitoring visits, inspection reports, and compliance findings
 - d) Summary of capacity-building and training sessions conducted
 - e) List of unresolved grievances and escalation note

(3) District Level Authority,-

- (i) Reporting To: State Level Committee
- (ii) Frequency: Once every six months
- (iii) Report Contents:
 - (a) Taluk-wise summary of implementation and performance
 - (b) Analysis of fund disbursement and spending trends
 - (c) Identification of high-risk, underserved, or vulnerable areas
 - (d) Health outcome indicators (e.g., improvement in maternal and child nutrition)
 - (e) Recommendations for State-level intervention and policy support

(4) State Level Committee,-

- (i) Reporting To: State Government and Karnataka Legislative Assembly
- (ii) Frequency: Once every year
- (iii) SS
 - a) District-wise performance evaluation and comparison
 - b) Policy suggestions and systemic recommendations
 - c) Assessment of inter-departmental coordination and support

- d) Audit compliance status and fund flow summaries
- e) Proposals for amendments, new initiatives, or scheme enhancement

CHAPTER VIII

IDENTIFIED BENEFICIARIES

24. Identified Beneficiaries-To ensure targeted outreach and service delivery to vulnerable and marginalized groups of pregnant and lactating women who are frequently excluded from mainstream welfare schemes.

(1) Categories of Identified Beneficiaries,-

The following categories of women shall be prioritized for special care, nutritional support, and lactation-related services under this Act,-

- (a) Women in the Unorganized Sector,-
 - (i) Daily wage earners, domestic workers, street vendors, construction workers, and others lacking formal employment benefits.
 - (ii) Typically excluded from maternity leave, income protection, and health entitlements.
- (b) Women in the Agricultural Sector,-
 - (i) Farm labourers, especially landless workers.
 - (ii) Exposed to arduous conditions, occupational hazards, and seasonal income fluctuations.
- (c) Scheduled Caste (SC) and Scheduled Tribe (ST) Women,-
 - (i) Recognized for protective measures under Articles 15 and 46 of the Constitution of India.
 - (ii) Subject to systemic barriers in accessing healthcare and nutrition.
- (d) Victims of Bonded Labour,-
 - (i) Women rescued or identified under the *Bonded Labour System (Abolition) Act, 1976*.
 - (ii) Requiring comprehensive rehabilitation, including maternal healthcare and nutritional aid.
- (e) Victims of the Devadasi System,-
 - (i) Women subjected to exploitative customary practices.
 - (ii) Needing social protection, reintegration, and maternal health support.
- (f) Victims of Sexual Assault (Rape),-
 - (i) Pregnant as a result of rape and requiring immediate, sensitive, and sustained medical, nutritional, and psychological support.
- (g) Victims of Child Marriage,-
 - (i) Minor or underage girls compelled into early pregnancy and motherhood, often devoid of economic or familial security.
- (h) Widows,-

- (i) Pregnant and lactating women who have lost their spouses and are independently responsible for childbearing and caregiving.
- (i) Divorced or Separated Women,-
 - (i) Women without spousal or family support who face increased social and economic vulnerability during pregnancy and lactation.
- (j) Women Whose Husbands Are Incarcerated,-
 - (i) Facing sudden deprivation of spousal support and income, thereby requiring state assistance for maternal care.

25 . Entitlements of Beneficiaries.- To guarantee every eligible beneficiary access to adequate, timely, and dignified services that ensure maternal and infant well-being.

(1) Core Entitlements.-

- (a) Nutritious Food Kits.-
 - (i) Monthly provision of iron-, calcium-, and protein-rich food items such as pulses, eggs, milk powder, green leafy vegetables, cooking oil, jaggery, etc.
 - (ii) Distribution through Anganwadi Centres or home delivery systems, as feasible.
- (b) Hot Cooked Midday Meals,-
 - (i) Daily nutritious meals served at designated Anganwadi Centres for pregnant and lactating mothers, with special attention to remote and underserved localities.
- (c) Micronutrient Supplementation,-
 - (i) Distribution of iron-folic acid tablets, calcium supplements, and multivitamins as per medical protocols recommended by the Health Department.
- (d) Free Antenatal and Postnatal Check-ups,-
 - (i) Access to scheduled maternal check-ups at Primary Health Centres (PHCs) or government hospitals.
 - (ii) Mandatory maintenance of a maternal health card to record weight, nutritional status, and health interventions.
- (e) Lactation Counseling Services,-
 - (i) Availability of individual or group-based lactation counseling conducted by trained personnel at PHCs or Anganwadi Centres.
 - (ii) Focused on breastfeeding techniques, infant nutrition, and maternal mental health.

CHAPTER IX
COMPLAINT, APPEAL, AND PENALTY PROVISIONS

26. Complaint, Appeal, and Penalty Provisions.-To uphold the integrity of this Act through mechanisms that ensure accountability, timely grievance redressal, and deterrence against violations, negligence, and misuse of public resources.

(1) Complaint and Redressal Mechanism,-

(a) Any aggrieved beneficiary or her authorized representative may submit a complaint regarding denial of entitlements, misconduct, or any violation under this Act:

(i) In rural areas: before the Gram Panchayat-Level Committee constituted under this Act;

(ii) In urban and semi-urban areas: before the Taluk-Level Committee constituted under this Act.

(b) The respective Committee shall,-

(i) Acknowledge receipt of the complaint within three (3) working days;

(ii) Conduct a preliminary inquiry within fifteen (15) days;

(iii) Issue appropriate directions for remedial action, or impose penalties, as the case may be.

(2) Appeal Mechanism,-

(a) Any person aggrieved by the decision of the Panchayat-Level or Taluk-Level Committee may prefer an appeal as follows:

(i) First Appeal: to the District-Level Monitoring Authority, within thirty (30) days of the decision;

(ii) Second Appeal: to the State-Level Appellate Authority, within thirty (30) days of the District-Level decision.

(b) The concerned appellate authority shall adjudicate the appeal within forty-five (45) days of receipt, ensuring both parties are provided a reasonable opportunity of being heard.

(3) Penalties for Violations,- The following acts of omission or commission shall attract penalties as indicated below:

(a) Wilful Denial or Delay of Entitlements,-

(i) Fine up to ₹5,000 for the first offence;

(ii) Fine up to ₹10,000 for repeated offences.

(b) Negligent Discharge of Duty by Public Servants,-

(i) Departmental disciplinary action, and

(ii) Fine of ₹2,000.

(c) Submission of False or Misleading Reports or Data,-

(i) Fine up to ₹25,000, and

(ii) Disqualification from implementation roles under this Act.

(d) Misuse or Embezzlement of Funds or Materials,-

(i) Criminal prosecution under the Indian Penal Code;

(ii) Recovery of misappropriated funds/materials;

- (iii) Blacklisting from any future engagement with scheme implementation.
- (e) Failure to Maintain Prescribed Records or Audits,-
 - (i) Fine up to ₹10,000, and
 - (ii) Written warning for first-time offence.
- (f) Refusal to Cooperate with Audits or Inspections,-
 - (i) Fine up to ₹10,000, and
 - (ii) Initiation of disciplinary proceedings.
- (g) Discrimination or Harassment of a Beneficiary,-
(on grounds such as caste, religion, marital status, age, or economic status)
 - (i) Departmental action, and
 - (ii) Fine of ₹15,000.
- (h) Obstruction of Awareness, Distribution, or Monitoring Activities,-
 - (i) Fine up to ₹5,000, and
 - (ii) Imprisonment up to 3 months in case of repeated or willful obstruction.

CHAPTER X

ROLE OF EDUCATIONAL INSTITUTIONS

27. Role of Educational Institutions in Promoting Maternal and Child Health.-To promote awareness, early identification, and community engagement in matters related to maternal nutrition, breastfeeding, and child welfare, all educational institutions—including schools, colleges, and training centers—shall undertake the following responsibilities:

- (1) **Integration of Health Education:**
Incorporate age-appropriate modules on maternal health, breastfeeding, hygiene, and early childhood care into the curriculum, particularly under life skills or health education components.
- (2) **Awareness Activities:**
Organise regular awareness initiatives such as lectures, exhibitions, street plays, poster campaigns, and essay competitions to educate students and communities on the importance of breastfeeding and maternal well-being. Special emphasis shall be placed during national observances such as World Breastfeeding Week (1st–7th August).
- (3) **Community Engagement and Sensitization:**
Conduct outreach programmes for parents and community members to disseminate information on government schemes, rights of lactating mothers, and available support services.
- (4) **Teacher Participation in Identification:**
Teachers shall assist in identifying women in the community, especially mothers of students, who are:
 - a) Pregnant or lactating;
 - b) Belonging to vulnerable or marginalised groups (including SC/ST, single mothers, victims of bonded labour, etc.);
 - c) In apparent need of nutritional or healthcare support.

(5) Referral Mechanism:

Identified cases shall be referred by teachers or school heads to the Panchayat Level Authority or nearest Anganwadi Centre for verification and enrollment into relevant welfare schemes.

THE KARNATAKA DANGEROUS STUNT RIDING (PROHIBITION AND PENALTIES) BILL, 2025

A bill to prohibit dangerous stunt riding on public roads and other unauthorized areas in the State of Karnataka and to provide for deterrent penalties and related matters

Whereas incidents of dangerous stunt riding - including but not limited to wheelies, reckless zig-zag maneuvers, stand-on-seat actions, high-speed street racing, and acrobatic motorcycle tricks- have been increasing at an alarming rate across the State of Karnataka;

And Whereas such acts have caused grave threats to public safety, led to fatal and non-fatal road accidents, disrupted public order, and promoted a culture of glorification and imitation through social media platforms and digital channels;

And Whereas the existing provisions under the Bharatiya Nyaya Sanhita, 2023 and the Motor Vehicles Act, 1988 are inadequate in scope and severity to address the unique and evolving menace of dangerous stunt riding;

And Whereas the Bharatiya Nagarik Suraksha Sanhita, 2023 empowers State Governments to legislate and provide for special procedures and offences in the interest of public safety and orderly conduct in public spaces;

And Whereas it is expedient and necessary to enact a dedicated State legislation to explicitly prohibit, prevent, and penalize dangerous stunt riding, and to provide for regulatory and enforcement mechanisms;

Be it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Dangerous Stunt Riding (Prohibition and Penalties) Act, 2025.

(2) It shall extend to the whole of the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) “Appropriate Authority” means any officer not below the rank of Assistant Commissioner of Police or equivalent rank or Assistant Regional Transport Officer authorized by the State Government.

(b) “Digital Platform” includes social media websites, applications, video-sharing services, streaming platforms, and any other digital or electronic medium used to upload, share, or circulate media content.

(c) “Juvenile Justice Board” means a board constituted under Section 4 of the Juvenile Justice (Care and Protection of Children) Act, 2015 for handling matters related to minors in conflict with law.

(d) “Minor” means a person who has not completed eighteen years of age.

- (e) “Public Place” means any road, street, highway, footpath, or any place to which the public has access.
- (f) “Stunt Performance Zone” means any area, track, or facility that is designated, notified, and regulated by the State Government or a competent authority where stunt riding may be lawfully conducted under supervision and safety protocols.
- (g) “Stunt Riding” means performing acrobatic or dangerous maneuvers on two-wheeled or three-wheeled motor vehicles, including but not limited to wheelies, stoppies, burnouts, standing on seats, reckless Zig-Zag movements, or riding without hands.
- (h) “Unauthorized Modification” means any change to a vehicle’s structure, exhaust system, engine configuration, lighting, or body frame that deviates from the manufacturer’s original specifications and is not approved under the Central Motor Vehicles Rules, 1989 or by the Motor Vehicles Department.
- (i) “Vehicle Modifier” means any person, garage, or workshop that alters the design or function of a vehicle to facilitate stunt riding.

CHAPTER II PROHIBITION

3. Prohibition of Dangerous Stunt Riding.- No person shall engage in, organize, abet, advertise, or participate in dangerous stunt riding in any public place or any private area not designated by the State Government for such purpose.

4. Ban on Unauthorized Modifications.- No person shall modify or cause to be modified any motor vehicle in such a manner that it facilitates, enhances, or enables dangerous stunt riding, unless such modification is expressly authorized by the Motor Vehicles Department or any authority empowered by the State Government.

5. Prohibition of Digital Promotion.- No person shall record, promote, circulate, publish, or display any digital, printed, or audiovisual content that glorifies, endorses, or encourages dangerous stunt riding or related acts on any media platform including social media, streaming sites, or printed publications.

6. Exceptions.- Nothing in Sections 3, 4, or 5 shall apply to the following, provided that adequate safety measures, prior permissions, and applicable guidelines are strictly followed,-

(a) Authorized Stunt Zones: Stunt riding activities conducted within designated “Stunt Performance Zones” or controlled circuits officially notified by the State Government or an authorized regulatory body for the purpose of practice, training, or regulated performance.

(b) Training and Demonstration: Demonstration of stunt riding for professional training, official motor sport events, authorized performances, or lawful commercial filming, provided prior written permission is obtained from the Appropriate Authority and safety protocols are in place.

(c) Educational and Safety Research: Riding acts undertaken solely for educational instruction, mechanical testing, road safety research, or vehicle dynamics studies conducted by accredited institutions or with government approval.

(d) Public Interest Communications: Dissemination of content depicting stunt riding by government agencies, non-profit organizations, or media bodies where the purpose is public awareness, accident prevention, or lawful deterrence, and not for entertainment or glorification.

(e) Cinematic and Digital Media Productions: Performances involving stunt riding that form an integral part of duly certified film, television, OTT, or Web-Based Productions, subject to compliance with safety guidelines, certification norms, and prior approval from the competent authority.

CHAPTER III PENALTIES

6. Penalty for First Offence.- Whoever contravenes the provisions of Sections 3, 4, or 5 shall be punished with:

- (a) Imprisonment for a term which may extend up to six months; and
- (b) Fine not less than ₹10,000 and which may extend to ₹50,000; and
- (c) Suspension of Driving License for a period of six months; and
- (d) Seizure of Vehicle used or intended to be used in the commission of such offence.

Explanation: The suspension of the driving license under this provision shall be communicated to the licensing authority within seven days for compliance and entry into the records.

7. Penalty for Subsequent Offence.- Whoever repeats the offence shall be punished with:

- a) Imprisonment for a term which may extend up to two years, and
- b) Fine not less than ₹1,00,000, and
- c) Permanent Cancellation of Driving License, and
- d) Confiscation of the motor vehicle involved in the repeat offence.

Explanation: A "subsequent offence" includes any contravention of Sections 3, 4, or 5 after a prior conviction under this Act, regardless of the section involved in the first conviction.

8: Penalty for Minor Offenders.- (1) Where the person committing an offence under this Act is a **minor**, that is, below eighteen years of age, the following penal and reformatory measures shall apply:

(a) Liability of Parents, Guardians, and Vehicle Owner,-

- (i) The Parent or Legal Guardian of the minor shall be liable to pay fine not exceeding ₹1,00,000.
- (ii) Any vehicle owner who has knowingly permitted or enabled the minor to use the vehicle involved in the offence shall also be liable to a fine not exceeding ₹1,00,000.

(b) Disqualification of Minor from Obtaining Driving License,-

The minor shall be disqualified from obtaining a driving license under the Motor Vehicles Act, 1988 for a period of five years from the date of the offence.

(c) Reformatory Measures,-

A minor who is found to have committed an offence under Section 2(a) of this Act shall be referred to the Juvenile Justice Board and may be directed to be placed in a correctional

institution, observation home, or fit facility, in accordance with the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015.

(d) Repeat Offenders,-

In the event the minor is found to have committed such an offence repeatedly, the said minor shall be deemed a “child in conflict with law”, and the Juvenile Justice Board shall take appropriate cognizance and initiate proceedings under the Juvenile Justice Act, 2015.

(e) Offence under Intoxication or Influence of Substances,-

Where a minor aged sixteen years or above is found to have committed an offence under the influence of alcohol, narcotics, or psychotropic substances, and the act is deemed to involve a degree of maturity and criminal intent, such minor may, after due inquiry by the Juvenile Justice Board under Section 15 of the Juvenile Justice Act, 2015, be tried as an adult and subjected to enhanced penal consequences.

9: Penalty for Modifiers and Promoters.- (1) Unlawful Modifiers: Any person, who, without lawful authority, modifies a motor vehicle or causes such modification in contravention of Section 4, shall be punishable with,-

(i) Imprisonment which may extend up to one year, and

(ii) Fine which may extend up to ₹2, 00,000

Explanation: This provision applies to individuals, service stations, workshops, and commercial establishments engaged in illegal modifications enhancing stunt performance.

(2) Promoters and Digital Content Offenders: Any person who contravenes Section 5 by recording, promoting, sharing, or circulating dangerous stunt content through digital or printed media shall be punishable with,-

(i) Fine which may extend up to ₹1,00,000; and/or

(ii) Imprisonment for a term which may extend up to six months.

Explanation: For repeat offenders under this clause, a minimum fine of ₹50,000 and enhanced imprisonment up to 1 year may be imposed.

CHAPTER IV

ENFORCEMENT AND PROCEDURE

10: Powers and Responsibilities of the Appropriate Authority.- (1) For the purpose of enforcing the provisions of this Act, the Appropriate Authority shall have the power to:

(a) Seizure of Vehicles: Seize or cause to be seized any motor vehicle that is found to be involved in dangerous stunt riding, whether directly or through unauthorized modification.

(b) Suspension or Cancellation of Driving License and Vehicle Registration: Suspend or cancel the driving license, learner’s license, or vehicle registration certificate of any person found in contravention of Sections 3, 4, or 5 of this Act.

(c) Issuance of Prohibitory and Stop Orders: Issue immediate prohibitory orders, stop notices, or detain the person or vehicle suspected to be engaged in or attempting to engage in dangerous stunt riding.

(d) Authorization of Surveillance Measures: Authorize the use of video surveillance, traffic camera footage, drone-based observation, or any other lawful method of monitoring for identifying violators and gathering evidence.

(e) Coordination with Other Agencies: Seek assistance and coordinate with the police department, transport department, cybercrime units, and municipal authorities to ensure effective implementation of this Act.

(f) Confiscation Proceedings: Initiate appropriate proceedings for the confiscation of vehicles or equipment used in repeated or aggravated violations, subject to judicial approval where required.

(g) Notice and Hearing: Provide the concerned individual or vehicle owner an opportunity to be heard before any long-term suspension or cancellation of driving privileges or registration, except in cases requiring immediate action in public interest.

(h) The Appropriate Authority shall undertake awareness initiatives in educational institutions by conducting lectures, organizing street plays, distributing informational pamphlets, and employing any other mode of communication deemed suitable in the concerned area. Such programmes may be conducted in collaboration with educational institutions, non-governmental organizations (NGOs), and civil society organizations.

11. Summary Trials.- Offences under this Act may be tried summarily by a Magistrate in accordance with the provisions of Chapter XXII of the Bharatiya Nagarik Suraksha Sanhita, 2023.

12. Compounding of Offences.- The State Government may, by rules, specify the conditions under which certain offences under this Act may be compounded by the authorities.

CHAPTER V MISCELLANEOUS

13. Designated Stunt Zones.- The State Government may, by notification, declare specific areas for legal stunt riding under supervision and safety protocols.

14. Protection of Action Taken in Good Faith.- No suit, prosecution, or legal proceeding shall lie against any officer or authority for anything done in good faith under this Act.

15. Power to Make Rules.- The State Government may make rules to carry out the provisions of this Act.

16. Act to Override Other Laws.-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

17. Repeal and Savings.- Nothing in this Act shall affect liability under any other law unless explicitly provided otherwise

**THE KARNATAKA FOOD WASTAGE (PREVENTION AND MANAGEMENT) BILL,
2025**

A bill to provide for the prevention and regulation of food wastage, ensure efficient redistribution of surplus food, promote sustainable food management, and for matters connected therewith or incidental thereto.

Whereas food wastage is a significant challenge impacting food security, environmental sustainability, and resource efficiency;

And Whereas it is expedient to establish a statutory framework for the minimization of food wastage, redistribution of surplus food, and the promotion of composting and waste processing across the State of Karnataka;

And Whereas it is necessary to empower citizens, local bodies, and institutions to actively participate in food conservation and environmental responsibility;

BE it enacted by the Legislature of the State of Karnataka in the Seventy-Sixth Year of the Republic of India as follows:—

**CHAPTER I
PRELIMINARY**

1. Short Title, Extent and Commencement.- (1) This Act may be called the Karnataka Food Wastage (Prevention and Management) Act, 2025.

(2) It shall extend to the whole of the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) “Act” means the Karnataka Food Wastage (Prevention and Management) Act, 2025.

(b) “Authority” or “KFWPA” means the Karnataka Food Wastage Prevention Authority constituted under section 8 of this Act.

(c) “Composting” means a biological process by which biodegradable food waste is converted into nutrient-rich organic matter under controlled aerobic conditions.

(d) “Designated Authority” means such officer or department of the Government as may be notified for the purposes of administering this Act.

(e) “Edible Food” means food that is safe and suitable for human consumption according to the standards prescribed under the Food Safety and Standards Act, 2006 (Central Act 34 of 2006).

(f) “FBO” or “Food Business Operator” means a person, entity, or undertaking that owns or operates a food business, whether for profit or not, involved in any stage of food-related activity including manufacturing, processing, packaging, storing, transporting, distributing, or selling food.

(g) “Food Surplus” means food that is prepared, cooked, or processed and is still fit for

human consumption but remains unsold, unused, or unserved.

(h) “Food Waste” means any edible food that is discarded, lost, or uneaten at any stage of the food supply chain, including agricultural production, processing, retail, food services, and household consumption.

(i) “Government” means the Government of Karnataka.

(j) “Household Waste” means any food waste generated in residential premises due to over-purchasing, spoilage, or plate waste.

(k) “IFO” or “Institutional Food Operator” means a food service provider operating within institutions including schools, hostels, canteens, hospitals, prisons, religious establishments, or government facilities.

(l) “NGO” means a Non-Governmental Organisation registered under the applicable laws of India and working for public welfare, including food redistribution.

(m) “Panchayat” means a Panchayat established under the Karnataka Panchayat Raj Act, 1993.

(n) “Redistribution Agency” means any Government-recognized or NGO-run entity that is registered under this Act and is engaged in the collection, storage, transport, and distribution of surplus food to persons in need.

(o) “Registered Establishment” means any hotel, restaurant, catering unit, banquet hall, or other food business which is registered or licensed under the Food Safety and Standards Act, 2006.

(p) “SOP” means a Standard Operating Procedure as may be notified under this Act for the collection, storage, transportation, redistribution, and disposal of surplus food.

(q) “Surplus Food Donor” means any individual or food business operator who voluntarily donates surplus edible food to a Redistribution Agency.

(r) “ULB” means an Urban Local Body including municipal corporations, municipalities, or town panchayats, constituted under the Karnataka Municipal Corporations Act, 1976 or Karnataka Municipalities Act, 1964.

(s) “Waste Processing Facility” means a facility approved by the Government for the biological, chemical, or mechanical treatment of food waste to recover compost, biofuel, or other by-products

CHAPTER II

FOODWASTAGE PREVENTION AND REDISTRIBUTION

3. Obligations of Food Business Operators.- (1) Every Food Business Operator shall take necessary steps to minimize food wastage across all stages of the food supply chain

(2) Establishments generating food surplus shall enter into arrangements with registered Redistribution Agencies to donate excess edible food.

(3) Every hotel, restaurant, caterer, or large-scale food establishment shall:

- (a) Maintain monthly records of food surplus;
- (b) Submit donation reports to the Designated Authority as may be prescribed.

4. Public Awareness and Education.- (1) The Government shall conduct regular campaigns to raise awareness on food conservation, food waste reduction, and responsible consumption practices.

- (2) Food waste prevention shall be integrated into the curriculum of schools, colleges, and vocational institutions across the State.

5. Food Redistribution and Donation.- (1) The Government shall establish the Karnataka Food Redistribution Network to streamline the collection and delivery of surplus food.

- (2) Redistribution Agencies shall be registered with the Designated Authority and shall comply with applicable food safety norms.
- (3) No civil or criminal liability shall lie against a person or business that donates surplus food in good faith if such food meets the safety and hygiene standards prescribed.

CHAPTER III

FOOD WASTE MANAGEMENT AND PROCESSING

6. Composting and Waste Processing.- (1) Major food-generating establishments, ULBs, and Panchayats shall establish composting systems for biodegradable food waste.

- (2) Local authorities shall create and maintain Waste Processing Facilities and promote segregation at source
- (3) The Government shall incentivize adoption of home and community composting through subsidies and awareness.

CHAPTER IV

REGULATORY AUTHORITIES AND GOVERNANCE

7. Karnataka Food Wastage Prevention Authority (KFWPA).- (1) The Government shall constitute the Karnataka Food Wastage Prevention Authority.

(2) The KFWPA shall consist of: (a) A Chairperson with experience of at least 15 years in food policy, appointed by the Government,-

- (b) One representative each from the Departments of Food, Health, Urban Development, Rural Development, and Environment;
- (c) Two experts in food security, waste management, or environmental sustainability;
- (d) Two representatives from NGOs or Redistribution Agencies;
- (e) One member nominated from ULBs and one from Panchayats.

(3) The Authority shall meet at least quarterly and publish annual performance reports.

(4) The Authority shall prepare State-level policies, monitor implementation, and coordinate with local bodies.

8. Local Committees.- (1) Every District shall constitute a District Food Waste Monitoring Committee chaired by the Deputy Commissioner.

(2) Every Panchayat and ULB shall constitute a Local Food Waste Committee to:

- (a) Monitor local implementation;
- (b) Report violations;
- (c) Recommend local awareness measures.

CHAPTER V

GRIEVANCE REDRESSAL AND ACCOUNTABILITY

9. Grievance Redressal Mechanism.- (1) The Authority shall maintain a digital and offline grievance redressal portal.

(2) Any citizen may file a complaint regarding food wastage, illegal disposal, or non-compliance.

(3) All complaints shall be resolved within 30 days by the designated officer.

10. Accountability of Government Officers.-(1) Any deliberate or negligent failure by a designated Government officer or local body to implement provisions of this Act shall invite disciplinary action under service rules.

(2) Annual audits and inspections shall be conducted and failure to meet benchmarks shall be reported to the State Vigilance Cell.

CHAPTER VI

PENALTIES AND MISCELLANEOUS PROVISIONS

11. Penalties.- (1) Any Food Business Operator who fails to comply with this Act shall be liable to,-

- (a) Fine up to ₹50,000 for the first offence;
- (b) Fine up to ₹2,00,000 for subsequent offences;
- (c) cancellation of operating license for habitual violations.

2. ULBs or Panchayats failing to establish waste infrastructure shall be subject to Government review.

12. Power to Make Rules.- The State Government may frame rules to carry out the purposes of this Act.

13. Protection of Action Taken in Good Faith.- No suit or prosecution shall lie against any officer for actions done in good faith under this Act.

14. Power to Remove Difficulties.- If any difficulty arises in implementing this Act, the Government may issue orders to remove such difficulties.

STATEMENT OF OBJECTS AND REASONS

Food wastage is a growing concern with far-reaching consequences on food security, environmental sustainability, and economic efficiency. A significant portion of food produced for consumption is lost or wasted at various stages from production to consumption. While large sections of society face food insecurity, edible surplus food is routinely discarded due to lack of systemic redistribution mechanisms.

This Bill aims to establish a comprehensive legal framework for the prevention, regulation, and management of food wastage in Karnataka. It seeks to promote responsible consumption, facilitate redistribution of surplus food, incentivize composting and waste processing, and ensure accountability of stakeholders across the food supply chain. It also strengthens the role of local self-governments and introduces structured grievance redressal and monitoring systems.

The proposed legislation seeks to:

- (i) Mandate obligations for food business operators to report and donate surplus food;
- (ii) Establish the Karnataka Food Wastage Prevention Authority (KFWPA) and Local Food Waste Committees;
- (iii) Integrate awareness and food waste prevention modules in education;
- (iv) Empower Urban Local Bodies and Panchayats to implement localized composting and waste management;
- (v) Penalize habitual and large-scale wastage while protecting good-faith donations;
- (vi) Provide a citizen-driven grievance mechanism and enforce public accountability.

This Bill reflects the State's commitment to aligning its developmental goals with sustainable practices and inclusive welfare.

**THE KARNATAKA FORENSIC SCIENCE AND CRIMINAL INVESTIGATION BILL,
2025**

A Bill to provide for the regulation, standardization, and advancement of forensic science services and criminal investigations in the State of Karnataka, to enhance the reliability of forensic evidence, improve criminal justice delivery, and safeguard constitutional rights.

Whereas forensic science is integral to the criminal justice system, ensuring fair and unerring investigations and prosecutions;

Whereas the absence of uniform standards and regulatory lapses has led to inconsistencies, delays and challenges in the administration of justice;

Whereas it is expedient to establish a comprehensive statutory framework for the regulation, accreditation and monitoring forensic science institutions and experts in Karnataka;

Whereas Section 176(3) of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 seeks to mandate that upon receipt of any information relating to the commission of an offence punishable with imprisonment of seven years or more, the officer in charge of a police station shall, from such date as may be notified within five years by the State Government, ensure that a forensic expert visits the crime scene to collect forensic evidence, and the entire process is videographed using a mobile phone or any other electronic device, thereby ensuring transparency, accountability, and evidentiary reliability;

Whereas it is necessary to uphold ethical standards, protect individual privacy and constitutional rights and ensure the integrity of scientific evidence admitted in courts;

Whereas the State is duty-bound to develop in scientific infrastructure, provide quality training to law enforcement agencies promote transparency and accountability in criminal investigations;

Be it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:-

**CHAPTER I
PRELIMINARY**

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Forensic Science and Criminal Investigation Act, 2025.

(2) It extends to the whole of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) “Act” means the Karnataka Forensic Science and Criminal Investigation Act, 2025.

(b) “Accredited Laboratory” means a forensic science laboratory certified by the Authority under Section 4.

(c) “Appropriate Government” means the State Government of Karnataka.

(d) “Authority” means the Karnataka Forensic Science Regulatory Authority established under Section 3.

(e) “CFSL” means the Central Forensic Science Laboratory recognized by the Central Government.

- (f) “Criminal Investigation” means an inquiry conducted by law enforcement agencies for the detection and prosecution of crimes involving forensic techniques.
- (g) “DNA” means deoxyribonucleic acid, comprising genetic material in human cells.
- (h) “DNA Analysis” means processes of DNA profiling, sequencing, and comparison for identification purposes.
- (i) “Digital Forensics” means investigative techniques to retrieve, preserve, and analyze digital data from electronic devices.
- (j) “Expert Witness” means a forensic professional accredited under this Act whose opinion is admissible in court under Section 39 of the Bharatiya Sakshya Adhiniyam, 2023.
- (k) “Forensic Professional” means a person accredited by the Authority to conduct scientific analysis and provide expert testimony.
- (l) “FSL” means Forensic Science Laboratory, including State and Regional FSLs.
- (m) “Forensic Pathologist” means a medical professional accredited by the Authority to conduct post-mortem examinations and forensic medical analysis.
- (n) “Forensic Science” means the application of scientific principles and techniques to matters of law and criminal justice.
- (o) “Independent Appellate Panel” means the panel constituted under Section 13A for grievance redressal and appeals.
- (p) “Investigating Officer” means a police officer authorized to conduct criminal investigations under this Act.
- (q) “Judicial Order” means an order issued by a court of competent jurisdiction.
- (r) “Public Authority” means any office or body constituted by the Government of Karnataka engaged in investigation or prosecution.
- (s) “Quality Audit” means a systematic review of forensic processes to ensure compliance with prescribed standards.
- (t) “Standard Operating Procedures (SOPs)” means protocols notified by the Authority for forensic examinations.
- (u) “Unauthorized Use” means access, disclosure, or manipulation of forensic data without legal authorization.

CHAPTER II

ESTABLISHMENT AND REGULATION OF FORENSIC LABORATORIES

3. Establishment of Karnataka Forensic Science Regulatory Authority (KFSRA).-(1) The State Government shall, by notification, establish a body corporate known as the Karnataka Forensic Science Regulatory Authority.

(2) The headquarters of the Authority shall be in Bengaluru, with regional offices established as approved by the State Government.

4. Composition of the Authority.- (1) The Authority shall consist of,-

- (a) A Chairperson, being a retired High Court Judge or a person of eminence in law or justice;

- (b) A Secretary, an officer not below the rank of Principal Secretary, Home Department;
- (c) The Principal Secretary, Department of Law and Parliamentary Affairs (ex officio);
- (d) The Director-General, State Forensic Science Laboratory (ex officio);
- (e) Two forensic scientists of national repute;
- (f) One representative from the Department of Health and Family Welfare;
- (g) The Director of Prosecution and Government Litigation (ex officio);
- (h) One retired Indian Police Service officer with expertise in criminal investigation;
- (i) One academic expert from a recognized forensic science institution;
- (j) A Member Secretary, an officer not below the rank of Deputy Secretary, Home Department.

(2) Non-official members shall hold office for a term of three years, renewable for one additional term.

(3) The Authority may constitute advisory committees or task forces for specific purposes.

(4) The Chairperson and members shall be deemed public servants within the meaning of Section 2(28) of the Bharatiya Nyaya Sanhitha, 2023.

4A. Qualifications and Disqualifications.- (1) A person shall not be appointed as a member of the Authority if they:

- (a) Are of unsound mind as declared by a competent court;
- (b) Have been convicted of an offence involving moral turpitude;
- (c) Are an undischarged insolvent; or
- (d) Hold an office of profit or are affiliated with a political party.

(2) Every member shall submit a declaration of assets, interests, and professional affiliations upon appointment.

4B. Powers and Functions of the Authority.- (1) The Authority shall:

- (a) Accredit forensic laboratories and professionals;
 - (i) Formulate and publish accreditation standards and protocols;
 - (ii) Process and evaluate accreditation applications;
 - (iii) Conduct inspections, audits, and evaluations of forensic laboratories;
 - (iv) Grant, renew, suspend, or revoke accreditations;
 - (v) Maintain a public registry of accredited laboratories;
 - (vi) Promote training, capacity building, and infrastructure development.
- (b) Prescribe SOPs, ethical guidelines, and quality benchmarks;
- (c) Maintain a database of forensic casework;
- (d) Provide policy recommendations to the State Government.

(2) The Authority may issue regulations consistent with this Act to ensure effective implementation.

5. Establishment of Forensic Training Institutes.- (1) The State Government may establish or recognize institutions for:

- (a) Capacity building of forensic professionals;
- (b) Training of police officers, prosecutors, and judicial officers;
- (c) Public awareness programs on forensic science.

6. Establishment of District Forensic Science Committees.- (1) Each district shall have a Forensic Science Committee comprising:

- (a) The District Commissioner;
- (b) The Superintendent of Police;
- (c) The District Health Officer;
- (d) The District Prosecution Officer (Convener);
- (e) A forensic doctor or expert from the district hospital;
- (f) A forensic pathologist;
- (g) One independent member from an accredited forensic laboratory in the district;
- (h) The Deputy Superintendent of Police as Co-Convener.

(2) The Committee shall oversee forensic investigations and ensure compliance with this Act.

CHAPTER III

FORENSIC SCIENCE IN CRIMINAL INVESTIGATIONS

7. Use of Forensic Evidence in Investigations.- (1) All criminal investigations involving scientific evidence shall utilize services of accredited forensic laboratories.

(2) Forensic reports and expert opinions from accredited laboratories shall be admissible in court, subject to compliance with this Act and rules made thereunder.

8. Data Privacy and Safeguards.- (1) All forensic data, including DNA profiles, shall be collected, stored, and processed in compliance with Articles 20(3) and 21 of the Constitution of India.

(2) Forensic data shall not be retained beyond the period prescribed by law unless authorized by a judicial order.

(3) Unauthorized access, disclosure, or manipulation of forensic data shall be punishable under this Act.

CHAPTER IV

INVESTIGATION AND ENFORCEMENT

9. Powers and Duties of Investigating Officers.- (1) Investigating officers shall undergo mandatory training in forensic evidence handling and chain-of-custody protocols.

(2) All forensic requests shall be documented with complete chain-of-custody records.

10. Reporting and Accountability.- (1) Accredited laboratories shall submit quarterly casework status reports to the Authority.

(2) The Authority shall submit an annual performance report to the State Legislature.

CHAPTER V
LEGAL FRAMEWORK AND JUDICIAL INTEGRATION

11. Admissibility and Expert Testimony.- (1) Only forensic reports and experts accredited under this Act shall be admissible in court.

(2) Accredited forensic professionals shall qualify as expert witnesses under Section 39 of the Bharatiya Sakshya Adhiniyam, 2023.

12. Protection of Rights and Ethical Conduct.- (1) All forensic procedures shall comply with Articles 20(3) and 21 of the Constitution.

(2) No person shall be subjected to invasive forensic procedures without informed consent, except under a judicial order.

CHAPTER V-A
GRIEVANCE REDRESSAL AND ACCOUNTABILITY

13. Independent Appellate Panel.- (1) The State Government shall constitute an Independent Appellate Panel to hear appeals against decisions of the Authority (KFSRA) and the Public Grievance Cell.

(2) The Panel shall comprise,-

(a) A Chairperson, being a retired District Judge or equivalent;

(b) An expert member with forensic science expertise;

(c) A retired police officer not below the rank of Inspector General of Police.

(3) Appeals shall be disposed of within 60 days of filing.

14. Grievance Redressal Mechanism.- (1) Any person aggrieved by a forensic procedure, delay, or report may file a complaint with the Authority's Public Grievance Cell.

(2) The Grievance Cell shall resolve complaints within 30 days.

(3) A complainant may appeal the Grievance Cell's decision to the Independent Appellate Panel within 15 days.

(4) Appeals against refusal, suspension, or revocation of accreditation by KFSRA shall be filed within 60 days to Independent Appellate Panel.

(5) An appeal against non-compliance with the prescribed standards under section 19(3)(a),(b) and (c) shall be filed before the Independent Appellate Panel within a period of 60 days from the date of such non-compliance.

14A. Powers of Civil Court Conferred on Authority and Independent Appellate Panel.-

(1) The Karnataka Forensic Science Authority (KFSRA) and the Independent Appellate Panel, while adjudicating complaints or appeals under this Act, shall have the powers of a civil court under the Code of Civil Procedure, 1908 (5 of 1908), for the purpose of:

(a) Summoning and enforcing the attendance of any person and examining them on oath;

(b) Requiring the discovery and production of documents or other material objects;

(c) Receiving evidence on affidavits;

(d) Requisitioning any public record or copy thereof from any court or office;

(e) Issuing commissions for the examination of witnesses or documents;

(f) Any other matter which may be prescribed by the State Government.

(2) Proceedings before the Authority and the Independent Appellate Panel shall be deemed to be judicial proceedings within the meaning of Sections 193 and 228 of the Bharatiya Nyaya Sanhitha, 2023, and for the purposes of Section 215 of the BharatiyaNagarik Suraksha Sanhita, 2023

(3) The Authority and the Independent Appellate Panel shall have the power to pass such interim or final orders as may be necessary to give effect to their decisions, including orders for costs, if any.

(4) Any person who fails to comply with an order issued under this section shall be liable to a fine not exceeding ₹25,000 or imprisonment for a term not exceeding three months, or both, as determined by the Authority or the Panel.

15. Internal Accountability and Disciplinary Action.- (1) Any government official, investigator, or forensic professional found guilty of:

- (a) Tampering with forensic samples;
- (b) Delaying reports without just cause; or
- (c) Disclosing confidential forensic data, shall be liable to departmental inquiry and prosecution under Section 24.

(2) Penalties shall include,-

- (a) A fine ranging from ₹10,000 to ₹50,000;
- (b) Suspension of accreditation for a first offence;
- (c) Permanent cancellation of accreditation for a second offence.

(3) Additional penalties may include suspension, demotion, blacklisting, or referral to criminal courts.

CHAPTER VI

ACCREDITATION OF FORENSIC LABORATORIES

16. Objective and Scope.- (1) This Chapter establishes a legally binding framework for the accreditation, regulation, and oversight of forensic science laboratories in Karnataka.

(2) This Chapter applies to,-

- (a) All public and private forensic laboratories in Karnataka;
- (b) Institutions, agencies, or individuals providing forensic analysis, consultancy, or expert testimony;
- (c) Government-affiliated scientific units conducting forensic examinations.

17. Accreditation Standards and Eligibility.- (1) A forensic laboratory shall be eligible for accreditation upon demonstrating compliance with:

- (a) ISO/IEC 17025:2017 standards for testing and calibration;
- (b) Guidelines of the National Accreditation Board for Testing and Calibration Laboratories (NABL);
- (c) Directives of the Directorate of Forensic Science Services (DFSS) and Bureau of Police Research and Development (BPR&D);
- (d) Standards prescribed by the KFSRA in consultation with scientific and legal experts.

(2) Accreditation shall be valid for three years, subject to periodic compliance reviews.

18. Application and Evaluation Procedure.- (1) Forensic laboratories shall apply for accreditation in the prescribed form, accompanied by the required fee and documentation.

(2) The KFSRA shall conduct,-

- (a) A preliminary inspection of infrastructure and personnel;
- (b) A technical evaluation of procedures, equipment, and quality assurance systems;
- (c) On-site audits, proficiency tests, and performance reviews.

(3) Upon satisfaction, the KFSRA shall issue a Certificate of Accreditation with a unique registration number.

19. Post-Accreditation Monitoring.- (1) Accredited laboratories shall submit bi-annual performance and compliance reports to the KFSRA.

(2) The KFSRA may conduct surprise inspections, peer reviews, and random re-testing of forensic samples.

(3) Non-compliance with prescribed standards may result in:

- (a) Suspension of accreditation;
- (b) A fine not exceeding ₹5,00,000;
- (c) Cancellation of accreditation or initiation of legal proceedings.

20. Mandatory Accreditation.- (1) No forensic laboratory, public or private, shall operate in Karnataka without valid accreditation under this Chapter.

(2) Violations shall be punishable with:

- (a) A fine not exceeding ₹5,00,000;
- (b) Debarment from providing forensic services;
- (c) Prosecution under this Act and applicable provisions of the Bharatiya Nyaya Sanhitha, 2023.

21. Transition Period.- (1) Existing forensic laboratories shall obtain accreditation within 12 months from the commencement of this Act.

(2) The KFSRA may extend the transition period by an additional six months for sufficient reasons.

22. Capacity Building and Incentives.- (1) The State Government shall implement,-

- (a) Training and workshops for forensic staff;
- (b) Infrastructure upgradation grants for public laboratories;
- (c) Subsidies or technical assistance for accreditation seekers.

23. Power to Make Rules.- The State Government may make rules for,-

- (a) Application formats and fees;
- (b) Inspection and audit procedures;
- (c) Operational and safety standards;
- (d) Penalties for fraudulent certification or malpractice.

CHAPTER VII
MISCELLANEOUS

24. Funding and Development.- (1) The State Government shall allocate adequate budgetary provisions for:

- (a) Establishment and maintenance of FSLs;
- (b) Training, research, and public engagement programs.

25. Offences and Penalties.- (1) Whoever,-

- (a) Forges or manipulates forensic evidence;
 - (b) Knowingly submits false forensic reports; or
 - (c) Tampered with forensic records, shall be punished with imprisonment up to five years and a fine up to ₹50,000.
- (2) Accredited professionals committing gross negligence or misconduct shall face disciplinary action and penalties under this Act.

26. Power to Make Rules.- (1) The State Government may, by notification, make rules to implement this Act.

(2) Such rules may prescribe,-

- (a) Accreditation criteria;
- (b) Data retention and privacy procedures;
- (c) Qualifications for forensic professionals;
- (d) Formats for chain-of-custody and reporting.

27. Power to Remove Difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, make provisions not inconsistent with this Act to remove such difficulty.

**THE KARNATAKA MERCY PETITION (PROCEDURE AND GUIDELINES) BILL,
2025**

An Act to codify and streamline the process governing mercy petitions within the State of Karnataka; to ensure transparency, accountability, and timely disposal; to uphold the rights of convicts in accordance with constitutional guarantees and international human rights standards.

Whereas Articles 72 and 161 of the Constitution of India empower the President and the Governors to grant pardons, reprieves, respites, or remissions of punishment;

And whereas a structured, humane, and transparent clemency mechanism is essential to uphold the fundamental right to life enshrined under Article 21 of the Constitution; Taking into consideration the directions and observations of the Hon'ble Supreme Court of India in various judgments regarding the processing of mercy petitions, particularly concerning death row convicts and undue delay.

And whereas the State of Karnataka seeks to ensure that the clemency process adheres to principles of fairness, due process, and good governance;

Be it enacted by the Karnataka State Legislative in the Seventy-Sixth year of the Republic of India as follows:-

**CHAPTER I
PRELIMINARY**

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Mercy Petition (Procedure and Guidelines) Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

(a) "Act" means The Karnataka Mercy Petition (Procedure and Guidelines) Act, 2025.

(b) "Cell" means the Mercy Petition Cell established under Section 7 of this Act.

(c) "Commutation" means the substitution of one form of punishment for another of a lighter character.

(d) "Convict" means a person convicted of any offence by a court of competent jurisdiction.

(e) "Council of Ministers" means the Council of Ministers of the State of Karnataka.

(f) "Death Sentence" means a sentence of death awarded by a court of competent jurisdiction.

(g) "Governor" means the Governor of Karnataka.

(h) "Legal Heir or Relative" shall include the spouse, children, parents, or siblings of the convict, or any person having a blood relation or relation by marriage with the convict who has a legitimate interest in the welfare of the convict.

(i) "Mercy Petition" means a petition filed by or on behalf of a convict seeking pardon, reprieve, respite, remission, suspension, or commutation of sentence under Article 161 of the Constitution of India.

(j) "Notification" means a notification published in the Official Gazette.

- (k) "Pardon" means the act of completely setting aside a conviction or the sentence, or both.
- (l) "Prescribed" means prescribed by rules made under this Act.
- (m) "Reprieve" means a temporary suspension of a sentence, especially a death sentence.
- (n) "Respite" means awarding a lesser sentence in place of one originally awarded, especially due to special facts such as the physical disability of a convict or pregnancy of a woman offender.
- (o) "Remission" means reducing the amount of sentence without changing its character.
- (p) "State Government" means the Government of Karnataka.
- (q) "SMRB" means the State Mercy Review Board constituted under Section 11 of this Act.
- (r) "Suspension" means holding a sentence in abeyance for a temporary period.
- (s) "Superintendent of Jail" means the officer in charge of a prison in the State of Karnataka where a convict is incarcerated.

CHAPTER II

FILING OF MERCY PETITIONS

3: Who May File a Mercy Petition?

- (1) A mercy petition under Article 161 of the Constitution of India may be filed by:
 - (a) The convict themselves; or
 - (b) A legal heir or any relative of the convict.
- (2) For the purposes of this Section, "legal heir" shall mean the spouse, children, parents, or siblings of the convict. "Relative" shall include any person having a blood relation or relation by marriage with the convict who has a legitimate interest in the welfare of the convict.
- (3) Where the convict is certified by a competent medical authority as being of unsound mind, or is otherwise physically or mentally incapacitated to an extent that prevents them from independently filing a petition, the petition may be filed by:
 - (a) A legally appointed guardian; or
 - (b) Any person specifically authorized by the convict in writing; or
 - (c) In the absence of a guardian or authorized person, by any legal heir or relative as defined in sub-section (2).

Explanation: The Superintendent of the concerned jail shall facilitate the medical examination and certification process if there is a reasonable apprehension of such incapacity.

4: Time Limit for Filing a Mercy Petition.- (1) A mercy petition to the Governor of Karnataka shall, in cases involving a death sentence, ordinarily be filed within thirty (30) days from the date on which:

- (a) The Superintendent of the concerned jail formally informs the convict about the dismissal of their appeal, review petition, or special leave petition by the Supreme Court of India; or
- (b) The Superintendent formally informs the convict about the confirmation of the sentence of death by the High Court of Karnataka and the period allowed for filing an appeal or special leave petition in the Supreme Court has expired.

(2) In cases other than those involving a death sentence, a mercy petition may be filed within a reasonable period after the exhaustion of all judicial remedies, as may be prescribed by rules made under this Act.

(3) The Superintendent of the jail where the convict is lodged shall, immediately upon the occurrence of the events specified in sub-section (1), ensure that the convict is:

(a) Promptly and clearly informed, in a language understood by the convict, of their right to file a mercy petition to the Governor of Karnataka under Article 161 of the Constitution.

(b) Informed of the specific time limit applicable for filing such a petition as per this Act.

(c) Provided with necessary legal aid and assistance, including access to legal counsel, to prepare and submit the petition, especially for indigent or unrepresented convicts.

(d) Provided with certified copies of all relevant judicial orders and documents free of cost, if not already provided.

(4) The Governor may, for exceptional reasons to be recorded in writing, condone any delay in filing a mercy petition beyond the period specified in sub-section (1) or (2), if satisfied that sufficient cause prevented the timely submission of the petition.

(5) In cases involving multiple convicts in a single case, if one convict files a mercy petition, the Superintendent of the jail shall ensure that all other co-convicts are similarly informed and facilitated to file their respective mercy petitions within the stipulated time. If any co-convict fails to file a petition within the specified period, the Superintendent shall submit a report to the Home Department, Government of Karnataka, along with their names and relevant case details for consideration along with the petition(s) received.

5: Format and Contents of a Mercy Petition.- (1) Every mercy petition shall be in writing, legibly prepared, and addressed to "The Hon'ble Governor of Karnataka."

(2) The petition shall clearly and comprehensively state the grounds on which mercy is sought, providing a detailed narrative of facts and circumstances that may warrant clemency.

(3) The petition shall be accompanied by, but not limited to, the following documents:

(a) A certified copy of the final judgment of the Supreme Court of India or, in its absence, the High Court of Karnataka, affirming the conviction and sentence.

(b) Copies of all relevant previous judgments and orders passed by lower courts.

(c) Any fresh evidence or material that was not available or considered during the judicial proceedings, provided sufficient justification for its non-production earlier is given.

(d) Medical and psychological reports of the convict, if health or mental state is a ground for mercy, issued by a qualified and recognized medical professional.

(e) Reports pertaining to the convict's conduct, behavior, and any educational, vocational, or rehabilitative activities undertaken during incarceration, issued by the Superintendent of the jail.

(f) Documentary evidence supporting claims related to the convict's age, socio-economic background, family circumstances, or any other humanitarian grounds.

- (g) An affidavit by the petitioner, if the petition is not filed by the convict themselves, affirming the authenticity of the information provided and their relationship to the convict.
- (4) The petition shall be signed by the petitioner. If the petitioner is illiterate or incapacitated, their thumb impression shall be affixed and attested by two witnesses.
- 6: Place of Filing and Initial Transmission.-** (1) A mercy petition shall be submitted to the Superintendent of the jail where the convict is currently lodged.
- (2) Upon receipt of a mercy petition, the Superintendent shall:
- (a) Date-stamp and acknowledge receipt of the petition immediately.
 - (b) Record the petition in a dedicated register maintained for mercy petitions.
 - (c) Forward the original petition and all accompanying documents to the Mercy Petition Cell established under Section 8 of this Act, within three (3) working days of its receipt.
 - (d) Retain a certified copy of the petition and all documents for their records.
- (3) In cases where the petition is received directly by the Home Department or the Governor's Secretariat, it shall be immediately forwarded to the Mercy Petition Cell for processing as per the provisions of this Act.

CHAPTER III

PROCEDURE FOR PROCESSING MERCY PETITIONS

- 7: Establishment of Mercy Petition Cell.-** (1) The State Government shall, by notification, establish a dedicated Mercy Petition Cell within the Home Department, Government of Karnataka, hereinafter referred to as "the Cell".
- (2) The Cell shall be headed by an officer not below the rank of Additional Secretary to the Government, Home Department, who shall be designated as the Officer-in-Charge of the Mercy Petition Cell.
- (3) The Cell shall be adequately staffed with officers and personnel from relevant departments, including those with legal and administrative expertise, to ensure efficient, expeditious, and sensitive processing of mercy petitions.
- (4) The State Government shall ensure that all prisons in Karnataka are promptly informed of the designation, official address, and email ID of the Officer-in-Charge of the Mercy Petition Cell.
- 8: Initial Scrutiny and Acknowledgment.-** (1) Upon receipt of a mercy petition from the Superintendent of the jail or directly from the petitioner as per Section 6, the Mercy Petition Cell shall conduct an initial scrutiny for completeness and adherence to the format and content requirements specified in Section 5.
- (2) The Cell shall acknowledge receipt of the petition to the petitioner and the Superintendent of the jail within seven (7) working days from the date of receipt.
- (3) If the petition is found to be incomplete or lacking any essential document or information as prescribed in Section 5, the Cell shall, within five (5) working days of the initial scrutiny, communicate the deficiencies to the petitioner and the Superintendent of

the jail, allowing a period of fifteen (15) days for rectification. The processing timeline shall be paused during this rectification period.

9: Collection of Records, Reports, and Expert Opinions.- (1) Immediately upon receipt of a complete mercy petition or successful rectification of deficiencies, the Mercy Petition Cell shall, within fifteen (15) working days, initiate the process of collecting all relevant records, reports, and expert opinions necessary for a comprehensive and informed consideration of the petition. These shall mandatorily include:

(a) **Judicial Records:** The entire judicial record of the case, including all judgments, orders, and notes of evidence from the trial court, the High Court of Karnataka, and the Supreme Court of India, as applicable.

(b) **Prison Conduct Report:** A detailed and up-to-date report from the Superintendent of the concerned jail regarding the convict's conduct, behavior, and any participation in educational, vocational, or rehabilitative programs during their entire period of incarceration. This report shall specifically highlight any significant changes in the convict's disposition or any evidence of remorse or reform.

(c) **Medical and Psychological Reports:** Comprehensive reports from qualified medical and psychological professionals regarding the convict's current physical and mental health status, especially if health is cited as a ground for mercy. These reports shall be based on recent examinations.

(d) **Investigation and Prosecution Reports:** Detailed reports from the concerned Police Station/Investigating Agency and the Prosecuting Agency, providing their comments on the grounds raised in the mercy petition, and any relevant information regarding the circumstances of the offense, and impact on victims.

(e) **Social Background Report:** A comprehensive social background report of the convict, including their family circumstances, economic condition, and any other relevant socio-economic factors that may have a bearing on the case. This report may be obtained through the District Legal Services Authority or relevant social welfare departments, ensuring victim impact considerations are also included.

(2) All concerned authorities and departments, upon receiving a request from the Mercy Petition Cell, shall provide the requested records, reports, and opinions expeditiously, and in any case, within thirty (30) days from the date of such request.

(3) In cases where an authority or department fails to provide the requested information within the stipulated timeframe, the Officer-in-Charge of the Mercy Petition Cell shall promptly bring such default to the notice of the Head of the defaulting Department for immediate necessary action and compliance.

10: Examination, Analysis, and Preliminary Recommendation by the Cell.- (1) Upon receiving all relevant records, reports, and opinions as per Section 9, the Mercy Petition Cell shall, within twenty (20) working days, prepare a comprehensive analytical note and a preliminary recommendation for the consideration of the State Mercy Review Board.

(2) The analytical note shall include:

- (a) A concise factual summary of the case, detailing the conviction, sentence, and the judicial journey of the convict.
 - (b) A detailed examination of each ground raised by the petitioner in the mercy petition, along with supporting or refuting evidence from the collected records.
 - (c) An objective analysis of the mitigating circumstances (e.g., age, health, mental state, duration of incarceration, potential for rehabilitation, family dependency) and aggravating circumstances (e.g., brutality of the crime, public impact, criminal antecedents) as presented in the reports.
 - (d) A clear and reasoned preliminary recommendation from the Mercy Petition Cell on whether the petition merits the exercise of clemency, specifying whether it should be granted, rejected, or if the sentence should be commuted, suspended, or remitted, along with detailed justifications for such recommendation.
 - (e) In cases involving a death sentence, the note shall specifically address any inordinate and unexplained delay in the judicial process or in the processing of the petition itself, as a potential ground for commutation, in line with Supreme Court pronouncements.
- (3) The analytical note, along with the complete file containing all collected documents, shall be submitted by the Officer-in-Charge of the Mercy Petition Cell to the State Mercy Review Board for its review and final recommendation to the Council of Ministers.

11: Constitution of the State Mercy Review Board (SMRB).- (1) For the purpose of providing an independent and comprehensive review of mercy petitions before advice is tendered to the Governor, the State Government shall, by notification, constitute a State Mercy Review Board (SMRB).

(2) The State Mercy Review Board shall consist of the following members:

- (a) Principal Secretary/Additional Chief Secretary, Home Department - Chairperson (ex-officio)
- (b) Secretary, Law Department - Member (ex-officio)
- (c) Director General of Police, Karnataka - Member (ex-officio)
- (d) Director of Prosecutions, Karnataka - Member (ex-officio)
- (e) A retired High Court Judge or a distinguished legal expert with at least fifteen years of experience in criminal law, nominated by the Chief Justice of the High Court of Karnataka - Expert Member (This member shall be appointed for a fixed term, ensuring independence).
- (f) A senior medical professional (e.g., Director of Health and Family Welfare Services or equivalent) with expertise in mental health or forensic medicine, nominated by the State Government - Expert Member.
- (g) A distinguished social scientist or an individual with extensive experience in correctional administration or victim support services, nominated by the State Government - Expert Member.

(3) The quorum for a meeting of the SMRB shall be [e.g., three (3)] members, including the Chairperson.

(4) The State Government shall provide adequate secretarial support and resources to the SMRB to enable its efficient functioning.

(5) The Expert Members referred to in sub-section (2)(e), (f), and (g) shall be entitled to such sitting fees, allowances, and other emoluments as may be prescribed by rules made under this Act.

12: Review and Recommendation by the State Mercy Review Board.- (1) The State Mercy Review Board shall, within thirty (30) working days of receiving the comprehensive analytical note and file from the Mercy Petition Cell (as per Section 10), convene to review the mercy petition.

(2) The SMRB shall conduct a thorough and independent review, considering:

(a) The preliminary recommendation of the Mercy Petition Cell.

(b) All judicial records, reports, and expert opinions collected as per Section 9.

(c) The grounds raised in the mercy petition and their factual basis.

(d) All mitigating and aggravating circumstances, including the impact on victims, with a view to ensuring a balanced and just decision.

(e) Any specific legal or humanitarian issues highlighted by the expert members.

(f) The potential for reform and rehabilitation of the convict, based on available evidence.

(g) Any inordinate and unexplained delay in the processing of the petition or the execution of the sentence, particularly in death penalty cases.

(3) The SMRB may, if deemed necessary, call for additional information, reports, or expert opinions, or may seek clarifications from the Officer-in-Charge of the Mercy Petition Cell or any other concerned authority. The time taken for obtaining such additional information shall be excluded from the 30-day period.

(4) After due deliberation, the SMRB shall formulate its final recommendation to the Council of Ministers of the State Government. This recommendation shall be reasoned and shall specify whether the petition should be granted, rejected, or whether the sentence should be commuted, suspended, or remitted, along with clear justifications.

(5) The recommendation of the SMRB shall be forwarded by the Chairperson of the Board to the Principal Secretary/Additional Chief Secretary, Home Department, for further action as per this Act, within three (3) working days of the SMRB's decision.

CHAPTER IV

GOVERNOR'S DECISION AND OVERSIGHT

13: Submission of Recommendation to the Governor.- (1) Upon receiving the final recommendation of the State Mercy Review Board (SMRB) from its Chairperson (as per Section 12(5)), the Principal Secretary/Additional Chief Secretary, Home Department, shall, without any undue delay and in any case within three (3) working days, prepare the file for submission to the Council of Ministers.

(2) The file submitted to the Council of Ministers shall include:

(a) The original mercy petition and all accompanying documents.

(b) All records, reports, and expert opinions collected as per Section 9.

- (c) The comprehensive analytical note prepared by the Mercy Petition Cell (as per Section 10).
 - (d) The reasoned recommendation of the State Mercy Review Board (as per Section 12).
 - (e) Any dissenting views or specific observations recorded by any member of the SMRB.
- (3) The file shall then be placed before the Minister for Home Affairs, who shall present it to the Council of Ministers for its aid and advice to the Governor.

14: Council of Ministers' Deliberation and Advice to the Governor.- (1) The Council of Ministers shall deliberate upon the mercy petition and the comprehensive recommendation from the State Mercy Review Board.

(2) In tendering its aid and advice to the Governor, the Council of Ministers shall, while exercising its constitutional discretion, duly consider:

- (a) The recommendation of the State Mercy Review Board.
 - (b) The gravity and nature of the offence, including its impact on the victims and society.
 - (c) The judicial findings and the finality of the conviction.
 - (d) Any new facts or compelling circumstances brought forth in the petition that were not adequately considered during judicial proceedings.
 - (e) Humanitarian considerations, including the age, physical or mental health status, and overall family circumstances of the convict.
 - (f) The period of incarceration already undergone by the convict and their conduct in prison, including any verifiable evidence of reform or rehabilitation.
 - (g) Any inordinate, unexplained, and unconscionable delay in the disposal of the petition or the execution of the sentence, particularly in cases involving a death sentence.
 - (h) Broader public policy considerations and the need for consistency in the application of clemency powers.
- (3) The Council of Ministers shall endeavour to formulate its advice to the Governor within forty-five (45) days from the date of receipt of the complete file from the Home Department, ensuring expeditious disposal, particularly for cases involving a death sentence.
- (4) The advice tendered by the Council of Ministers to the Governor shall be a reasoned one, reflecting the application of mind to all relevant considerations as provided in sub-section (2).

15: The Governor's Decision.- (1) The Governor shall consider the mercy petition and the comprehensive file, acting on the aid and advice rendered by the Council of Ministers of the State Government, in accordance with Article 161 of the Constitution of India.

(2) The Governor may:

- (a) Grant a pardon, reprieve, respite, or remission of punishment.
 - (b) Suspend, remit, or commute the sentence.
 - (c) Reject the mercy petition.
- (3) Notwithstanding anything contained in this Act, the Governor shall not have the power to grant a complete pardon for a sentence of death. In such cases, the Governor may only suspend, remit, or commute the sentence. The power to grant a complete pardon for a death sentence vests exclusively with the President of India under Article 72 of the Constitution.

(4) The decision of the Governor shall be final for the purposes of this Act within the purview of Article 161 of the Constitution.

16: Communication of the Governor's Decision.- (1) The Home Department, Government of Karnataka, shall communicate the decision of the Governor to the following parties, in writing, within three (3) working days from the date of the Governor's decision:

- (a) The convict (through the Superintendent of the concerned jail).
- (b) The legal heir or relative who filed the petition, if applicable.
- (c) The Superintendent of the concerned jail.
- (d) The relevant courts (Trial Court, High Court).

(2) In cases where a mercy petition for a death sentence is rejected by the Governor:

- (a) The communication to the convict shall explicitly state the fact of rejection and shall be served personally on the convict, with an acknowledgment of receipt.
- (b) A period of at least fourteen (14) clear days shall be mandatorily provided between the date of actual communication of the rejection order to the convict and the scheduled date of execution of the death sentence. This period is intended to allow the convict to make final arrangements, seek legal recourse against the rejection if available under law, or file a petition before the President of India.
- (c) The communication to the Superintendent of the jail shall include precise instructions regarding the earliest permissible date for execution, strictly adhering to the fourteen-day gap.

(3) All communications related to the Governor's decision shall be conducted through the most expeditious means, including electronic mail, while ensuring security and confidentiality.

17. Post-Decision Procedure for Death Sentence Cases (to the President).- (1) Upon the rejection of a mercy petition involving a death sentence by the Governor, the Superintendent of the jail shall immediately and effectively inform the convict; in a language they understand, of their constitutional right to file a mercy petition to the President of India under Article 72 of the Constitution.

(2) The Superintendent shall further ensure that the convict is provided all necessary assistance, including access to legal aid services and relevant documents, to prepare and submit a petition to the President of India within sixty (60) days from the date of actual communication of the Governor's rejection, or as per the time limits prescribed by the Central Government for Presidential mercy petitions, whichever is later.

(3) The Mercy Petition Cell shall, upon the Governor's decision on a death sentence mercy petition, promptly compile and forward all relevant records, including the Governor's decision and the State Government's advice, to the Ministry of Home Affairs, Government of India, for consideration of any potential petition to the President.

18. Oversight and Accountability.- (1) The Home Department, Government of Karnataka, shall be responsible for ensuring strict adherence to the timelines and procedures prescribed in this Act for the processing and disposal of mercy petitions.

(2) The State Government shall, without disclosing sensitive personal information of the convict or victim, publish annually a consolidated report on the number of mercy petitions received, processed, granted, or rejected, the average time taken for their disposal at each stage, and any significant observations or challenges encountered.

(3) This annual report shall be laid before both Houses of the State Legislature, ensuring legislative oversight over the exercise of clemency powers.

CHAPTER V

JUDICIAL REVIEW AND SAFEGUARDS

19. Scope of Judicial Review.- (1) The decision of the Governor, exercised under Article 161 of the Constitution of India, on a mercy petition, shall ordinarily be final and shall not be subject to appeal in any Court.

(2) Notwithstanding anything contained in sub-section (1), the exercise of the Governor's power under Article 161, and the process leading to such exercise, shall be subject to judicial review by the High Court of Karnataka or the Supreme Court of India on the following limited grounds, and not on the merits of the decision itself,-

(a) **Lack of Application of Mind:** Where the decision has been taken without due consideration of the relevant facts, circumstances, and materials presented in the mercy petition or collected during the review process.

(b) **Mala Fide Exercise:** Where the decision is found to be based on malice, improper motive, or *mala fide* considerations.

(c) **Irrelevant Considerations:** Where the decision has been based on extraneous or wholly irrelevant considerations that have no bearing on the exercise of clemency power.

(d) **Exclusion of Relevant Considerations:** Where relevant and material facts, reports, or considerations that ought to have been taken into account have been arbitrarily or deliberately excluded from consideration.

(e) **Arbitrariness or Perversity:** Where the decision suffers from patent arbitrariness, irrationality, or perversity, such that no reasonable person could have arrived at such a conclusion.

(f) **Violation of Due Procedure:** Where there has been a significant violation of the procedures, timelines, or guidelines prescribed under this Act, which has prejudiced the petitioner.

(g) **Inordinate and Unexplained Delay:** Where there has been an unconscionable, inordinate, and unexplained delay in the disposal of the mercy petition by the executive authorities, particularly in cases of death sentences, leading to a violation of the convict's fundamental right to life under Article 21 of the Constitution of India.

(h) **Error of Law Apparent on the Face of Record:** Where there is an obvious error of law that is apparent from the record of the proceedings.

(3) The scope of judicial review under this Section shall be limited to examining the procedural correctness, the application of mind by the executive authorities (including the Mercy Petition

Cell, State Mercy Review Board, and the Council of Ministers) in tendering advice to the Governor, and compliance with the provisions of this Act and constitutional principles. The Court shall not re-appreciate the merits of the case, substitute its own judgment for that of the executive, or sit in appeal over the Governor's decision on humanitarian or policy grounds.

20: Right to Information (Limited Scope).- (1) While the deliberations and recommendations made by the Mercy Petition Cell, State Mercy Review Board, and the Council of Ministers in respect of a mercy petition shall ordinarily be confidential, the State Government shall, upon a specific request, furnish the convict or their authorized legal representative with a copy of the final reasoned recommendation of the State Mercy Review Board or the Council of Ministers, as submitted to the Governor, in cases where the mercy petition for a death sentence has been rejected.

(2) The provision of information under sub-section (1) shall be subject to the overarching principles of privacy, national security, and public order, as applicable, and shall not include any information that is privileged or could prejudice ongoing investigations or trials.

21: Legal Aid and Assistance.- (1) The State Legal Services Authority (SLSA) and the District Legal Services Authorities (DLSAs) in Karnataka shall ensure that every convict, particularly those facing a death sentence, is provided with effective and free legal aid and assistance at all stages of the mercy petition process under this Act, if they are indigent or otherwise unable to secure legal representation.

(2) This assistance shall include, but not be limited to, advising the convict on their right to file a mercy petition, assisting in the preparation and drafting of the petition, and providing representation where permissible during any administrative proceedings related to the petition.

(3) The Superintendent of every jail in Karnataka shall facilitate access of legal aid counsel to convicts for the purpose of preparing and prosecuting mercy petitions.

22: Monitoring and Compliance.- (1) The State Government shall, through the Home Department, establish a robust monitoring mechanism to ensure strict compliance with all the provisions, procedures, and timelines stipulated in this Act.

(2) Any official found to be in persistent non-compliance with the timelines or procedures laid down in this Act, without sufficient cause, shall be liable for departmental inquiry and appropriate disciplinary action as per service rules.

(3) The High Court of Karnataka may, on its own motion or upon receiving a complaint, take cognizance of any systemic delays or procedural lapses in the processing of mercy petitions within the State, and may issue appropriate directions to ensure compliance with this Act and the constitutional rights of the convicts.

CHAPTER VI

MISCELLANEOUS PROVISIONS

23: Protection of Action Taken in Good Faith.- (1) No suit, prosecution, or other legal proceeding shall lie against the State Government, the Governor, the Council of Ministers, any member of the State Mercy Review Board, the Officer-in-Charge of the Mercy Petition Cell, any officer or employee of the Home Department, or any other person acting under the direction of

the State Government, for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or any rules made there under.

(2) For the purposes of this Section, "good faith" shall mean an act done honestly, whether it is done negligently or not.

24: Power to Make Rules.- (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for:

(a) The emoluments and allowances payable to the Expert Members of the State Mercy Review Board.

(b) The detailed internal procedures for the functioning of the Mercy Petition Cell and the State Mercy Review Board.

(c) The manner of reporting and timelines for various stages not explicitly provided for in this Act. (d) Any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act 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 session 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 thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

25: Act to Have Overriding Effect.- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any executive instructions, orders, or circulars issued by the State Government or any authority thereunder: Provided that, nothing in this Act shall be construed to limit or derogate from the constitutional powers of the Governor under Article 161 of the Constitution of India, or the President of India under Article 72 of the Constitution of India.

26: Removal of 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 appear to it to be necessary or expedient for removing the difficulty: Provided that, no such order shall be made after the expiry of two years from the date of commencement of this Act.

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

27: Repeal and Savings.- (1) Any rules, regulations, executive instructions, or circulars concerning the processing of mercy petitions issued by the State Government or any department

thereof, inconsistent with the provisions of this Act, shall stand repealed upon the commencement of this Act.

(2) Notwithstanding such repeal, anything done or any action taken or any proceedings commenced under the repealed rules, regulations, instructions, or circulars, shall be deemed to have been done, taken, or commenced under the corresponding provisions of this Act.

THE KARNATAKA REGULATION OF EXTRAVAGANT MARRIAGES BILL, 2025

A Bill to regulate extravagant and wasteful expenditures in marriages, promote simplicity and social equality, impose a tax on extravagant marriages in the State of Karnataka, and address matters connected therewith.

Whereas, extravagant and wasteful expenditure on marriages imposes significant economic burdens on families, exacerbates social inequalities, and promotes ostentatious displays of wealth;

Whereas, it is in the public interest to encourage modesty, financial prudence, and equitable social practices in marriage celebrations;

Whereas, a structured framework is necessary to regulate marriage expenditures and ensure compliance through taxation and enforcement mechanisms;

Be it enacted by the Karnataka State Legislature in the Seventy-Sixth Year of the Republic of India as follows:

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Regulation of Extravagant Marriages Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette.

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

(a) **Appropriate Authority:** An authority notified by the State Government to administer and enforce this Act at the State, District, or Taluk level.

(b) **Competent Authority:** The Department of Social Welfare, Government of Karnataka, or any authority designated by it to achieve the objectives of this Act.

(c) **Enforcement Officer:** An officer appointed by the State Government to investigate, inquire, and enforce the provisions of this Act at the State, District, or Taluk level.

(d) **Expenses of Marriage:** All direct and indirect costs incurred for a marriage, including but not limited to:

(i) Venue booking, decorations, lighting, and sound systems;

(ii) Catering, beverages, and food supplies;

(iii) Clothing, jewellery, and accessories;

(iv) Photography, videography, and entertainment;

(v) Transportation, logistics, and accommodation;

(vi) Gifts return gifts, and fireworks.

(e) **Extravagant Marriage:** A marriage shall be deemed *extravagant* if the total expenditure incurred exceeds ₹5,00,000; or Meals are provided to more than 500 persons on any single day during the course of the marriage-related events.

(f) Marriage: “Marriage” includes the solemnization of a union under any personal, statutory, or religious law and encompasses associated functions such as engagement, sangeet, mehndi, haldi, reception, or any other ceremonial event connected therewith

(g) Marriage Tax: “Marriage Tax” means a levy imposed on extravagant marriages as prescribed under this Act, including penalties and surcharges, where applicable.

(h) Marriage Tax Officer (MTO): “Marriage Tax Officer” means an officer designated or appointed by the Government to assess, levy, collect, and enforce the Marriage Tax and to initiate recovery proceedings in case of non-compliance.

(i) Monitoring Authority: “Monitoring Authority” refers to the body constituted under Section 8 of this Act for the purpose of ensuring compliance, evaluation, and enforcement of the provisions of this Act across the State.

(j) Presents: “Presents” means gifts, whether in the form of cash, property, vouchers, valuable items, or services, whose individual or combined value exceeds ₹10,000, and are offered to the bride, groom, their immediate families, or event organizers in connection with the marriage.

CHAPTER II

EXTRAVAGANT MARRIAGE TAX

3: Levy of Extravagant Marriage Tax.- (1) Definition and Liability: (a) Any marriage, including associated ceremonies such as engagement, sangeet, mehndi, reception, or similar functions, wherein the aggregate expenditure exceeds ₹5,00,000 (Rupees five lakhs only), shall be deemed an extravagant marriage.

(b) Such extravagant marriages shall be liable to the Extravagant Marriage Tax (EMT), to be levied in accordance with the rates specified in the Schedule annexed to this Act.

(c) The following persons shall be liable to pay the EMT:

(i) The bride and groom;

(ii) Their parents or legal guardians;

(iii) Any individual, group, or entity that finances or organizes the marriage or associated events.

(2) Presumption of Responsibility:

Unless otherwise declared, the parents or legal guardians of the bride and groom shall be presumed to be the principal financiers and thus primarily liable for the EMT.

Liable parties may submit a written declaration to the Marriage Tax Officer (MTO) identifying other sponsors or organizers, who shall then share tax liability accordingly.

(3) Joint and Several Liability:

All liable persons shall be jointly and severally responsible for the payment of the Extravagant Marriage Tax, and recovery may be made from any one or more of them until the tax are paid in full.

4: Assessment, Levy, and Collection.- (1) Appointment of Marriage Tax Officers:

The State Government may appoint officers designated as Marriage Tax Officers (MTOs) for specified jurisdictions.

Such appointments may include officers serving ex officio in the Departments of Revenue, Social Welfare, or other departments as deemed appropriate.

(2) Mandatory Disclosure by Liable Persons:

Every person or party liable under Section 3 shall submit a detailed expense declaration to the concerned MTO within seven (7) days of the solemnization of the marriage. The declaration shall include:

- (i) An itemized cost breakdown (venue, catering, decoration, gifts, attire, etc.);
- (ii) The number of guests served meals per day;
- (iii) Receipts, invoices, and a sworn affidavit affirming accuracy.

Failure to comply shall attract a late fee of ₹5,000 per day, subject to a maximum penalty of ₹50,000.

(3) Assessment Process:

(a) Upon receipt of a complete and accurate declaration, the MTO shall issue a tax demand notice as per the applicable rate in the Schedule.

(b) If the declaration is found incomplete, inaccurate, or misleading, the MTO shall be empowered to:

- (i) Conduct inquiries and investigations;
- (ii) Summon liable persons and witnesses;
- (iii) Visit the venue(s);
- (iv) Examine accounts, receipts, and other records;
- (v) Estimate expenditure and determine the appropriate tax payable.

(4) Appeals:

(a) Any person aggrieved by an order of the MTO may file an appeal within thirty (30) days to the District Marriage Authority, which shall dispose of the appeal within forty-five (45) days.

(b) A second appeal shall lie before the State Marriage Appellate Authority within sixty (60) days of the decision of the District Authority.

(c) The decision of the State Marriage Appellate Authority shall be the final.

(5) Recovery of Tax:

Unpaid tax shall be recoverable as arrears of land revenue under the Karnataka Land Revenue Act, 1964, and the MTO shall have powers to:

- (i) Attach movable or immovable property;
- (ii) Issue distress warrants;
- (iii) Seek assistance from local authorities in enforcement.

(6) Stay on Recovery during Appeal:

Recovery proceedings shall be automatically stayed during the pendency of an appeal, provided that 50% of the assessed tax is deposited with the MTO prior to filing the appeal.

4A: Exemptions from Extravagant Marriage Tax.- (1) Categories of Exempt Marriages:

The following marriages shall be exempt from the levy of EMT:

- (iii) Marriages organized by registered charitable organizations for the benefit of economically or socially disadvantaged persons, where no profit is derived;
- (ii) Marriages conducted under exceptional or exigent circumstances, including but not limited to:
 - a. Court-directed ceremonies;
 - b. Mass or community weddings sponsored by public agencies;
 - c. Marriages necessitated by emergency situations or compassionate grounds, as approved by the Competent Authority.

(2) Procedure for Seeking Exemption:

Applications for exemption must be submitted to the MTO within seven (7) days of the marriage, along with all relevant documentation and supporting evidence.

(3) Decision on Exemption:

- (a) The MTO shall decide on the exemption request within fifteen (15) days from receipt of the application.
- (b) If the applicant is aggrieved by the MTO's decision, an appeal may be filed with the District Marriage Authority within thirty (30) days.

**CHAPTER III
RESTRICTIONS**

5: Limits on Food and Guests.- (1) No person shall serve meals to more than five hundred (500) guests on any single day during the course of marriage or associated ceremonies.

(1) For the purposes of sub-section (1):

- (a) A guest shall be counted once per day, irrespective of the number of meals consumed.
- (b) A guest includes all individuals aged above five (5) years, whether invited or otherwise.

(3) The food menu served at any marriage-related function shall not exceed ten (10) dishes, excluding potable water and common condiments such as salt, pickles, or chutneys.

Explanation: "Dishes" shall include all items served as part of the main meal, including starters, main courses, desserts, and beverages.

(4) Every organizer, sponsor, or family conducting the marriage shall maintain a Guest Registry, in such form as may be prescribed, which shall:

- (a) Record the total number of guests served on each day of the event;
- (b) Be produced on demand for inspection by the Enforcement Officer or Marriage Tax Officer (MTO);
- (c) Be preserved for a period of three (3) months from the date of the marriage.

6: Regulation of Presents.- (1) Prohibition on High-Value Gifts: No person shall offer or present any gift, whether in cash, kind, services, or otherwise, exceeding the value of ₹10,000 (Rupees ten thousand only) in connection with a marriage or its associated ceremonies, except where such gift is made by:

- (a) The bride or groom; or
- (b) The parents or legal guardians of either party to the marriage.

(2) Mandatory Disclosure:

All gifts exceeding ₹10,000 received by the couple or their families, including those permissible under sub-section (1), shall be:

- (a) Declared in writing to the concerned Marriage Tax Officer (MTO);
- (b) Included in the total expenditure calculations for the purpose of assessing Extravagant Marriage Tax under this Act.

(3) Penalties for Violation:

Any person who contravenes the provisions of this section shall be liable to:

- (a) A fine not exceeding ₹1,00,000 (Rupees one lakh only); or
- (b) Imprisonment for a term which may extend to three (3) months; or
- (c) Both such fine and imprisonment, as determined by the competent judicial authority.

CHAPTER IV

ENFORCEMENT AND APPEALS

7: Enforcement Officers.- (1) The State Government shall appoint officers to be designated as Enforcement Officers at the State, District, and Taluk levels, for the purposes of ensuring compliance with the provisions of this Act.

(2) An Enforcement Officer shall have the authority to,-

- (i) Initiate inquiries suo motu or upon receiving complaints from the public or authorities;
- (ii) Enter and inspect venues where marriage ceremonies or related events are conducted;
- (iii) Demand production of records, guest registries, expenditure declarations, and other relevant documents;
- (iv) Impose penalties as per the provisions of this Act;
- (v) Refer matters requiring tax assessment to the Marriage Tax Officer (MTO).

(3) For the purposes of inquiries and investigations, every Enforcement Officer shall have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, in respect of the following matters,-

- (i) Summoning and enforcing the attendance of persons and examining them on oath;
- (ii) Requiring the discovery and production of documents;
- (iii) Receiving evidence on affidavits;
- (iv) Issuing commissions for the examination of witnesses or documents.

(4) Appeals against Enforcement Actions,-

- (i) Any person aggrieved by an order, direction, or penalty imposed by an Enforcement Officer may file an appeal before the District Marriage Authority within forty-five (45) days from the

date of such order.

(ii) A second appeal shall lie to the State Marriage Appellate Authority within sixty (60) days from the date of the order passed by the District Appellate Authority.

(iii) The appellate authorities shall endeavor to dispose of appeals within thirty (30) days from the date of receipt.

7A: Public Reporting Mechanism.- (1) Public Right to Report Violations: Any person may report suspected violations of this Act, either anonymously or with disclosure of identity, to the Appropriate Authority through a prescribed helpline, email, **or** online reporting portal established by the Government.

(2) Action on Complaint: (a) upon receipt of a complaint, the Appropriate Authority shall conduct a preliminary inquiry within fifteen (15) days. (b) The identity of the complainant, if disclosed, shall be kept confidential and protected against disclosure except as required by law.

(3) Frivolous or Malicious Complaints: If it is found that a complaint is false, frivolous, or maliciously motivated, the complainant may be liable to a penalty of up to ₹25,000 (Rupees twenty-five thousand only), as determined by the District Enforcement Officer after affording the complainant an opportunity to be heard.

Explanation: This section is intended to promote public vigilance in support of the objectives of this Act, while also discouraging misuse of the complaint mechanism through baseless or retaliatory reporting.

CHAPTER V MONITORING AUTHORITY

8: Constitution and Functions of the Monitoring Authority.-

(1) Composition:

There shall be constituted a Monitoring Authority at the State level to oversee and promote the effective implementation of this Act. The Authority shall consist of the following members,-

- (a) Minister for Social Welfare – **Chairperson**
- (b) Minister for Law and Parliamentary Affairs – **Member**
- (c) Minister for Home Affairs – **Member**
- (d) Secretary to the Government, Department of Social Welfare – **Member Secretary**
- (e) Three **nominated members** to be appointed by the State Government, of whom: At least one shall be a woman; and At least one shall belong to the Scheduled Castes or Scheduled Tribes.

(2) Functions:

The Monitoring Authority shall be responsible for the following,-

- (a) To formulate policies, schemes, and programs to promote the objectives of this Act;
- (b) To conduct state wide public awareness campaigns, particularly targeting marginalized or disadvantaged communities;

- (c) To prepare and submit an Annual Report to the State Government detailing the implementation and impact of this Act;
- (d) To recommend the utilization of revenue collected under the Extravagant Marriage Tax for welfare schemes, including but not limited to education, healthcare, and social support for underprivileged groups.

(3) Meetings:

The Monitoring Authority shall convene at least two (2) meetings every calendar year and may meet more frequently as required.

8A: Constitution of State Marriage Appellate Authority and District Marriage Authority.-

The Monitoring Authority shall constitute a State Marriage Appellate Authority and District Marriage Authority to receive, complaints and appeal and also to investigate, and dispose complaints against Enforcement Officers or Marriage Tax Officers (MTOs) alleging misuse of power, corruption, bias, or other misconduct.

(1) Composition of State Marriage Appellate Authority,-

The State Marriage Appellate Authority shall consist of the following members:

- (a) A retired High Court Judge – Chairperson
- (b) A senior officer from the Department of Social Welfare – Member
- (c) An independent member possessing expertise in public administration or ethics in governance – Member

(2) Composition of District Marriage Authority,-

The District Marriage Authority shall consist of the following members:

- (a) A retired District Judge – Chairperson
- (b) A senior officer from the Department of Social Welfare – Member
- (c) An independent member possessing expertise in public administration or ethics in governance – Member

(3) Complaint Redressal Procedure,-

- (a) The Committee shall inquire into complaints received in the prescribed manner and provide a reasoned decision within thirty (30) days from the date of receipt.
- (b) An appeal against the decision of the Committee shall lie before the State Marriage Appellate Authority within thirty (30) days, and the Tribunal shall dispose of such appeal in a summary manner.

**CHAPTER VI
MISCELLANEOUS**

9: Protection of Actions Taken in Good Faith.-No suit, prosecution, or other legal proceeding shall lie against the Government, any officer or authority, or any person acting under the authority of this Act, for anything done or intended to be done in good faith in pursuance of the provisions of this Act or the rules made there under.

10: Power to Make Rules.- (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. Without prejudice to the generality of the foregoing power, such rules may provide for:

- (i) Procedures for assessment, levy, and collection of the Extravagant Marriage Tax;
- (ii) Formats for expense declarations, affidavits, and supporting records;
- (iii) Specification of penalties and fines for non-compliance or false declarations;
- (iv) Requirements for Guest Registry maintenance, inspection, and record retention;
- (v) Establishment and operation of public reporting mechanisms, including help lines and digital platforms.

(2) Rule made under this Act shall be laid, as soon as may be after it is made, before the Karnataka Legislative Assembly and the Karnataka Legislative Council, for a total period of thirty (30) days, which may be comprised in one session or in two or more successive sessions. If, before the expiry of the said period, both Houses agree to make any modification in the rule or that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, without prejudice to the validity of anything previously done under that rule.

11: Penalties for Evasion.- (1) Any person who wilfully conceals, underreports, or fails to disclose expenditure relating to a marriage or associated ceremony, in contravention of the provisions of this Act, shall be liable to:

- (a) A fine up to ₹2,00,000 (Rupees two lakhs only) or fifty percent (50%) of the estimated undeclared amount, whichever is higher;
- (b) Imprisonment for a term which may extend to six (6) months;
- (c) Blacklisting from eligibility for any exemption or concession under this Act for a period of five (5) years.

(2) In cases of repeated violations of this Act, the liable person or entity shall be subject to:

- (i) Double the penalties as prescribed under sub-section (1); and
- (ii) Suspension or cancellation of any operational licenses, event permits, or registrations held by marriage organizers, vendors, or event management agencies found complicit.

12: Utilization of Tax Revenue.- (1) All amounts collected as Extravagant Marriage Tax under this Act shall be credited to a Dedicated Social Equity and Awareness Fund, to be administered by the State Government.

The fund shall be applied exclusively for the following purposes:

- (i) Implementation of social welfare programs, including education, healthcare, and financial assistance for disadvantaged and economically weaker communities;
- (ii) ii. Conduct of public awareness campaigns promoting financial prudence, simplicity in marriages, and the socio-economic harms of ostentation.

(2) The Monitoring Authority, constituted under Section 8 of this Act, shall:

- (i) Oversee and recommend allocations from the fund;
- (ii) Monitor the utilization of funds in accordance with prescribed guidelines; and
- (iii) Publish an annual financial and activity report, which shall be tabled before the State Legislature.

Schedule: Tax Slabs
(See Section 3(1)c)

Expense Range (₹)	Tax Payable
5,00,001 – 10,00,000	10% of amount exceeding ₹5,00,000
10,00,001 – 20,00,000	₹50,000 + 20% of amount exceeding ₹10,00,000
20,00,001 – 50,00,000	₹2,50,000 + 30% of amount exceeding ₹20,00,000
Above 50,00,000	₹11,50,000 + 40% of amount exceeding ₹50,00,000

THE KARNATAKA REGULATION OF PLASTIC USAGE AND REUSE OF COOKING OIL IN THE FOOD SECTOR BILL, 2025

A Bill to regulate and restrict the use of plastic in food packaging, prevent the hazardous reuse of edible oil in the preparation of food, promote sustainable and eco-friendly alternatives, foster innovation through support for taluk-level food startups, and safeguard public health and environmental well-being across the State of Karnataka; and for matters connected therewith or incidental thereto.

Whereas, the Constitution of India establishes a democratic republic and entrusts the State with responsibilities concerning public health, sanitation, and environmental protection under the Directive Principles of State Policy;

And Whereas, the unchecked use of single-use plastics and the unsafe practice of reusing cooking oil have been identified as significant contributors to public health hazards, environmental degradation, and waste management challenges;

And whereas, it is imperative to adopt a holistic and integrated approach toward food safety, responsible waste management, promotion of biodegradable alternatives, and decentralized entrepreneurship, especially in rural and semi-urban areas through support for taluk-level food startups;

And Whereas, the State recognizes the need for an accountable, transparent, and participatory regulatory framework to implement these objectives effectively;

Now, Therefore, it is expedient to enact legislation that establishes comprehensive regulatory mechanisms, enforces environmental standards, encourages innovation, and upholds the principles of sustainability and public welfare.

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Regulation of Plastic Usage and Reuse of Cooking Oil in the Food Sector Bill, 2025.

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

(3) The provisions of this bill shall come into force on such date as the State Government may notify in the Official Gazette.

2. Definitions.- For the purposes of this Bill, unless the context otherwise requires:

(a) “Appropriate Government” refers to the State Government of Karnataka.

(b) “Biodegradable Packaging” means food-grade packaging materials that are capable of decomposing naturally by biological processes without causing environmental harm.

(c) “FBO (Food Business Operator)” denotes any individual, company, or legal entity involved in the preparation, processing, packaging, distribution, or sale of food and beverage products.

(d) “KPORRA” refers to the Karnataka Plastic and Oil Reuse Regulatory Authority, constituted under this Act to oversee regulation, enforcement, and compliance.

(e) “LSGI (Local Self-Government Institution)” **includes** Gram Panchayats, Taluk Panchayats, Zilla Panchayats, Municipalities, and Municipal Corporations functioning within Karnataka.

(f) “Plastic Packaging” means any plastic-based material used to wrap, contain, store, or serve food and beverages.

(g) “Plastic Waste Management Cell” refers to the specialized unit established by the Karnataka State Pollution Control Board (SPCB) for the purpose of registration, monitoring, enforcement, and oversight of plastic-related compliance.

(h) “Plastic Water Bottle” means any single-use plastic container used to package and sell drinking water.

(i) “Recycling Facility” means any government-approved or licensed private entity authorized to process plastic waste and/or used cooking oil in an environmentally safe manner.

(j) “Single-Use Plastic” refers to any plastic item designed for one-time use followed by disposal, which cannot be effectively reused or recycled.

(k) “SPCB” stands for the Karnataka State Pollution Control Board, the statutory authority responsible for pollution control and waste management under relevant environmental laws.

(l) “Startup Food Enterprise” refers to any food or beverage-related business, formally recognized by the State Innovation Council, primarily operating at the taluk level and involved in sustainable and innovative practices.

(m) “UCO (Used Cooking Oil)” means any edible oil that has been previously used for cooking and is no longer considered safe or suitable for human consumption.

(n) “TPC (Total Polar Compounds)” are chemical substances formed in edible oils as a result of repeated or prolonged heating, which are considered unsafe for health when exceeding permissible limits.

(o) “FOHSA” refers to the Food and Oil Health and Safety Authority, or any other designated body, entrusted with responsibilities related to testing, certification, and compliance under the provisions of this Act.

CHAPTER II

REGULATION OF PLASTIC USAGE

3. Prohibition of Single-Use Plastic in the Food Sector.- (1) No Food Business Operator (FBO) shall utilize single-use plastic items, including but not limited to containers, plates, cups, cutlery, straws, stirrers, or polystyrene (thermocool) packaging materials, in the preparation, serving, or sale of food and beverages.

(2) The manufacture, sale, distribution, and supply of single-use plastics intended for food-related purposes shall be prohibited within a period of three months from the date of commencement of this Act.

(3) The State Government shall formulate schemes and provide financial incentives, subsidies, or tax benefits to encourage the adoption of biodegradable, compostable, and eco-friendly packaging alternatives by FBOs.

4. Plastic Waste Management and Recycling.- (1) All FBOs are required to segregate plastic waste at the source and ensure its proper disposal by channeling the waste exclusively to government-approved or licensed recycling facilities.

(2) The manufacture, sale, or use of plastic carry bags with a thickness of less than 50 microns is strictly prohibited.

(3) The Karnataka State Pollution Control Board (SPCB) shall be the enforcing authority for monitoring plastic waste collection and disposal, and may levy environmental compensation, penalties, or fines on any individual or entity found violating these provisions.

(4) Local Self-Government Institutions (LSGIs), including Panchayats, Municipalities, and Corporations, shall establish and maintain local collection centers, drop-off points, and material recovery facilities to streamline plastic waste collection and recycling.

5. Regulation of Plastic Water Bottles.- (1) Manufacturers and sellers of plastic water bottles shall,-

(a) Register themselves with the Plastic Waste Management Cell as per prescribed norms;

(b) Implement reverse vending machines, buy-back programs, or deposit-refund schemes to ensure the collection and recycling of used bottles;

(c) Use 100% recyclable PET (Polyethylene Terephthalate) bottles for packaging drinking water;

(d) Clearly display information on recycling and proper disposal instructions on product labels to create consumer awareness.

(2) The use of non-recyclable plastic bottles is strictly prohibited in government offices, public transport systems, and state-owned establishments.

(3) The SPCB shall have the power to suspend or revoke the license of manufacturers or sellers who fail to comply with the provisions of this section.

CHAPTER III

REGULATION OF USED COOKING OIL (UCO)

6. Restrictions on Reuse of Cooking Oil.- (1) No Food Business Operator (FBO) shall reuse cooking oil once the Total Polar Compounds (TPC) exceed 25%, in accordance with Food Safety and Standards Authority of India (FSSAI) guidelines.

(2) Every FBO shall be required to:

(i) Maintain a detailed register documenting the quantity and frequency of oil usage;

(ii) Display certificates of compliance issued by authorized testing or regulatory bodies at the point of sale or service;

(iii) Install and maintain TPC testing kits, if mandated by the regulatory authority, to ensure real-time monitoring of oil quality.

7. Safe Disposal of Used Cooking Oil.- (1) All Used Cooking Oil (UCO) must be safely handed over to authorized biodiesel manufacturers or licensed UCO processors registered with the State Government or designated agencies.

- (2) Disposal practices shall conform to the National Environment Authority (NEA) model and shall include,-
- (a) Storing UCO in clearly labeled, sealed containers;
 - (b) Maintaining accurate and verifiable disposal records, including receipts and handover acknowledgements;
 - (c) Strictly prohibiting unauthorized discharge, dumping, or sale of used oil for food preparation or any other non-permitted purpose.
- (3) The complete and regularly updated list of approved UCO collectors and processors shall be made available to the public through the official online portal maintained by the regulatory authority.

7A. TPC Testing and Compliance Protocols.- (1) Every FBO—including restaurants, hotels, catering units, food stalls, and street food vendors—engaged in deep-frying or repetitive oil use shall:

- (a) Maintain meticulous records of oil usage and disposal schedules;
- (b) Conduct TPC testing at intervals not exceeding 15 days, or after every 20 cumulative hours of frying, whichever occurs earlier;
- (c) Cease the use of any cooking oil that records a TPC level above 25%, and immediately hand it over to an authorized UCO collector for environmentally safe reuse (e.g., biofuel or soap production).

(1) Government Testing Facilities:

The State Government shall, within one year from the commencement of this Act, establish TPC Testing Centres at the district and taluk levels. These facilities shall be administered by FOHSA or by public laboratories duly accredited under NABL or any other equivalent authority recognized by the Government.

(2) Penalties for Non-Compliance:

- a) A first-time failure to meet TPC testing or reporting requirements shall attract a monetary penalty of ₹10,000.
- b) Repeat violations shall be subject to fines up to ₹50,000 and may result in the temporary suspension of the FBO's FSSAI licence.
- c) Continued or willful non-compliance may invite additional legal action under food safety and environmental protection laws.

(3) Reporting and Inspections:

- a) All TPC test data must be uploaded by FBOs to the UCO Monitoring Portal, maintained by KPORRA, and integrated with the FSSAI's compliance database.
- b) Random inspections and audits may be conducted without prior notice by authorized officers from the State Health Department or the Food Safety Wing of the Government of Karnataka to ensure adherence to oil safety standards.

8. Awareness, Training, and Community Engagement.- (1) The State Government shall regularly conduct public awareness campaigns on the following:

- (a) Health risks associated with the reuse of degraded cooking oil;

- (b) Advantages of biodegradable and sustainable food packaging materials;
 - (c) Best practices in recycling and waste reduction applicable to the food and beverage industry.
- (2) Training programs and capacity-building workshops shall be conducted at both taluk and municipal levels, in collaboration with industry associations, food safety authorities, and local self-governments, to promote knowledge dissemination and practical skill development among stakeholders.

CHAPTER IV

STARTUP PROMOTION AND LOCAL GOVERNANCE

9. Promotion of Taluk-Level Food Start-ups.- (1) The State Government shall establish a “Taluk Startup Facilitation Cell” in each taluk across Karnataka with the objective of nurturing grassroots-level food enterprises and promoting sustainable innovation.

(2) Each Facilitation Cell shall be responsible for:

- (a) Providing mentorship, incubation support, and access to seed funding, particularly for food entrepreneurs focused on eco-friendly and health-conscious practices;
- (b) Assisting startups in identifying and procuring sustainable, biodegradable, or compostable packaging solutions that comply with the regulatory framework under this Act;
- (c) Facilitating research and innovation in the fields of waste-to-energy technologies, UCO-to-biodiesel conversion, and other environmentally sustainable business models relevant to the food and beverage sector.

10. Role of Local Self-Government Institutions (LSGIs).- (1) Local Self-Government Institutions, including Gram Panchayats, Taluk Panchayats, Zilla Panchayats, Municipalities, and Corporations, shall have the following responsibilities under this Act:

- (a) Monitor and regulate the activities of Food Business Operators (FBOs) operating within their jurisdictions to ensure compliance with rules relating to plastic use and oil reuse;
- (b) Maintaining an up-to-date digital registry of all licensed FBOs, along with conducting routine inspections and verifications to assess operational compliance;
- (c) Establish and oversee local waste management infrastructure, including segregation, collection, and disposal mechanisms for plastic waste and used cooking oil.

(2) The State Government shall organize training and capacity-building programs for elected representatives and key administrative personnel of LSGIs, with a focus on environmental governance, regulatory enforcement, and sustainable food practices.

CHAPTER V

REGULATORY AUTHORITY AND GRIEVANCE REDRESSAL

11. Karnataka Plastic and Oil Reuse Regulatory Authority (KPORRA).- (1) The Karnataka Plastic and Oil Reuse Regulatory Authority (KPORRA) shall serve as the primary nodal body responsible for the implementation, monitoring, enforcement, and continuous improvement of the provisions laid down in this Act.

(2) The composition of KPORRA shall be as follows:

- (a) Chairperson – A retired High Court Judge or a senior government officer of equivalent rank, appointed by the State Government;

- (b) Member (Food Safety) – An expert in food safety and standards;
 - (c) Member (Waste Management) – A professional with demonstrated experience in solid and plastic waste management systems;
 - (d) Member (Public Health) – A specialist in public health or environmental health policy;
 - (e) Two domain experts – One each in Environmental Science and Law, nominated by the State Government;
 - (f) Industry Representative – A representative from a recognized startup operating in the sustainable food or waste processing sector.
- (3) The roles and responsibilities of KPORRA shall include:
- (a) Framing and issuing regulations, operational guidelines, and compliance protocols under the Act;
 - (b) Conducting regular inspections and audits to ensure adherence to statutory provisions by Food Business Operators (FBOs), plastic manufacturers, and waste handlers;
 - (c) Publishing Annual Reports, public dashboards, and compliance indices to ensure transparency and promote accountability;
 - (d) Recommending amendments and policy revisions in light of technological developments, industry innovation, and environmental priorities.

12. Grievance Redressal Mechanism.- (1) A multi-tier grievance redressal system shall be established and managed by KPORRA, accessible to all stakeholders and the general public.

- (2) Citizens may submit grievances through an online portal, official website, or designated mobile application, covering issues related to non-compliance, environmental violations, or unsafe food practices.
- (3) All complaints shall be resolved within a maximum period of sixty (60) days from the date of submission.
- (4) An Appellate Officer, appointed under this Act, shall be empowered to review, reconsider, and adjudicate complaints that remain unresolved or are escalated due to dissatisfaction with the initial response.

CHAPTER VI

PENALTIES AND MISCELLANEOUS PROVISIONS

13. Penalties.- (1) Penalties for Food Business Operators (FBOs):

- (a) A monetary penalty of up to ₹50,000 shall be imposed for a first-time violation of any provision under this Act;
- (b) For repeated violations, the penalty may extend up to ₹2,00,000;
- (c) In cases of persistent or willful non-compliance, the concerned FBO's operational license may be suspended or revoked by the competent authority.

(2) Penalties for Unauthorized Handling of Used Cooking Oil (UCO):

- (a) Any individual or entity found engaging in unauthorized collection, disposal, reuse, or resale of UCO shall be liable to a fine up to ₹1,00,000;
- (b) In addition, the equipment and storage materials used for such unauthorized activities may be confiscated or seized by the enforcement agency.

(3) Penalties for Non-Compliance by Bottled Water Manufacturers:

(a) A fine of up to ₹5,00,000 shall be levied for failing to comply with regulations regarding plastic packaging, reverse vending, or labeling;

(b) In severe or continued breaches, the manufacturer's registration may be canceled by the State Pollution Control Board (SPCB).

(4) Consequences for Inaction by Local Self-Government Institutions (LSGIs):

(a) Failure by LSGIs to enforce the provisions of this Act or establish required infrastructure may result in administrative inquiries,

(b) The concerned authority may also face budgetary sanctions or withholding of grants by the State Government.

14. Accountability of Public Officials.- (1) Any government officer who neglects or fails to enforce the provisions of this Act may be subject to disciplinary proceedings in accordance with applicable service rules.

(2) In cases of persistent or deliberate dereliction of duty, such officers may be reported to the Lokayukta or other appropriate oversight bodies for further inquiry and action.

15. Rule-Making Powers.- The State Government shall have the authority to frame rules, issue notifications, and prescribe guidelines as may be required for the effective implementation and administration of this Act.

16. Protection of Actions Taken in Good Faith.- No civil or criminal proceedings shall lie against any person, authority, or government officer for actions undertaken in good faith under this Act or any rule or order made there under.

17. Power to Remove Difficulties.- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, issue such directions or clarifications as may be necessary to resolve the issue, within a period of two years from the date of commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

This Bill is designed to:

- (a) Ban the use of single-use plastics in the food and beverage sector to reduce plastic pollution and its health consequences;
- (b) Regulate and monitor the reuse of cooking oil, ensuring that it is not reused beyond scientifically established safety thresholds, particularly Total Polar Compounds (TPC) limits;
- (c) Introduce stringent guidelines and penalties for the improper use, disposal, or recycling of used cooking oil (UCO);
- (d) Promote and incentivize the use of biodegradable, compostable, and food-safe packaging alternatives;
- (e) Regulate the manufacture and sale of plastic water bottles, mandating reverse vending options and eco-compliant labeling practices;
- (f) Support taluk-level food startups through facilitation centers that offer funding, mentorship, and sustainable technology integration;
- (g) Establish the Karnataka Plastic and Oil Reuse Regulatory Authority (KPORRA) to oversee implementation, monitoring, and grievance redressal;
- (h) Ensure community participation, public awareness, and training in best practices for safe food handling, waste reduction, and sustainable entrepreneurship;
- (i) Create a transparent and accountable governance model involving local self-governments, regulatory authorities, and industry stakeholders.

THE KARNATAKA REGULATION OF SCHOOL FEES BILL, 2025

A Bill to regulate the collection of school fees in private schools in the State of Karnataka and to ensure affordability, transparency, and accountability in fee structures.

Whereas it is expedient to regulate the collection of fees in private schools in Karnataka to prevent arbitrary fee hikes and ensure accessibility to quality education and to establish regulatory authority, regulatory committee and also to provide complaint and appeal mechanism And Whereas it is necessary to safeguard the right to education of every child and to uphold the principles of equity and accessibility in school education;

Be it enacted by the Karnataka State Legislature in the Seventy-Sixth Year of the Republic of India as follows:

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka Regulation of School Fees Act, 2025.

(2) It shall extend to the whole of the State of Karnataka.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

- (a) "Academic Year" means the period of twelve months beginning from such date as may be notified by the State Government for the purposes of this Act.
- (b) "Capitation Fee" as defined in Karnataka Educational Institutions (Prohibition of Capitation Fee) Act, 1984
- (c) "Competent Authority" means an officer or authority appointed by the State Government for exercising such powers and functions as specified under this Act.
- (d) "Fee" means any amount charged by the school for admission, tuition, examination, laboratory, co-curricular activities, or any other service;
- (e) "Government" means the Government of Karnataka;
- (f) "Guardian" means a person having the care of a student and includes a natural guardian or any person who has assumed such care.
- (g) "Management" means the managing committee, trust, society, company or any other body responsible for running the school.
- (h) "Notification" means a notification published in the Official Gazette of the State Government.
- (i) "Parent-Teacher Association" or "PTA" means a body consisting of representatives of parents/guardians and teachers of a school.
- (j) "Prescribed" means prescribed by rules made under this Act.
- (k) "Private School" means any pre-primary, primary, secondary, or higher secondary educational institution imparting school education, whether aided or unaided by the

Government, and recognized under any law for the time being in force, but does not include schools established and wholly maintained by the Government.

- (l) "Reasonable Fee" means the fee approved or determined by the Fee Regulatory Authority in accordance with the provisions of this Act and the rules made thereunder.
- (m) "Regulatory Authority" means the body constituted under Section 6 of this Act;
- (n) "School" means any private school affiliated with any board, including CBSE, ICSE, and State Board commencing from class 1 to class 10 excluding pre-schooling.
- (o) "Student" means a person admitted to a school for receiving education therein.
- (p) "Unaided Private School" means a private school which is not receiving any financial aid or grant from the Government.

CHAPTER II

REGULATION OF SCHOOL FEES

3. Fixation of Fees.- (1) Every private school shall, before the commencement of each academic year, submit a detailed proposal of the fees to be charged for each class or course, to the Appropriate Authority, in such form and within such time as may be prescribed.

(2) The fee proposed under sub-section (1) shall be,-

- (a) Commensurate with the facilities provided by the school;
- (b) Based on the actual cost incurred in providing education and reasonable surpluses, if any;
- (c) Transparent and justifiable, without any hidden or arbitrary charges.

(3) The Fee Regulatory Authority shall scrutinize the proposal submitted under sub-section (1), and may approve, modify, or reject the proposed fees, ensuring that the fees fixed are reasonable, non-exploitative, and in accordance with the provisions of this Act and the rules made there under.

Provided that the Fee Regulatory Authority at the time of fixing the fee shall taken into consideration the actual cost including salary to be paid to the teachers and non-teaching staff, infrastructure available and maintenance cost along with a cost required for the future expansion of the institution by the management.

Provided that while taking such a decision to fix fee in an educational institution the claim of the SC/ST, OBC and other marginal sections of the society has to be taken into consideration.

(4) Once approved by the Appropriate Authority, no school shall collect fees in excess of the amount so fixed, nor charge any capitation fee or unauthorized amount, directly or indirectly.

4. Prohibition of Capitation Fees and Unapproved Charges.- (1) No private school shall demand, charge, or accept any capitation fee or donation, by whatever name called, from any student or parent/guardian, as a condition for admission, continuation of study, issuance of certificates, or for any other purpose connected with education.

(2) No private school shall collect, directly or indirectly, any amount other than the fees approved or determined under the provisions of this Act.

(3) No private school shall levy any hidden, arbitrary, or unnotified charges for facilities, activities, or services, without the prior approval of the Fee Regulatory Authority and without informing the parents/guardians in writing.

(4) Any amount collected in contravention of sub-sections (1), (2), or (3) shall be refunded to the concerned student or parent/guardian within such time and in such manner as may be prescribed, and the school shall also be liable to such penalty as provided under this Act.

(5) The burden of proving that no capitation fee or unapproved charge has been collected shall lie on the management of the school

5. Annual Fee Revision.- (1) Every private school may revise its fee structure annually, subject to the ceiling prescribed by the State Government under this Act and the prior approval of the Appropriate Authority.

(2) The annual revision of fees shall not exceed such percentage of the existing fee as may be notified by the State Government, having regard to the Consumer Price Index, inflation, staff salaries, and other justifiable expenses.

(3) Any proposal for annual revision of fees shall be submitted by the school management to the Fee Regulatory Authority at least three months before the commencement of the next academic year, along with the following:

(a) Audited financial statements of the preceding year;

(b) Justification for the proposed increase; and

(c) Certification from the Parent-Teacher Association (if constituted) regarding discussion of the proposed increase.

(4) The Fee Regulatory Authority shall examine the proposal and approve, modify, or reject the same within such period as may be prescribed.

(5) In case no approval is granted within the prescribed period, the proposal shall be deemed to have been approved to the extent of the maximum permissible percentage as notified under sub-section (2).

(6) No school shall implement any increase in fees without following the procedure laid down in this section.

(7) Every school must publish their fee structure and related details on an online portal to ensure transparency and accessibility for parents.

CHAPTER III

REGULATORY AUTHORITY AND GRIEVANCE REDRESSAL

6. Establishment of Fee Regulatory Authority.- (1) The State Government shall, by notification, establish an Authority to be called the Karnataka School Fee Regulatory Authority at District and State level for the purpose of regulating and determining the fee structure of private schools in accordance with the provisions of this Act.

(2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall, by the said name, sue and be sued.

- (3) The headquarters of the Authority shall be at such place as the State Government may notify.
- (4) The State Level Fee Regulatory Authority shall consist of the following members, namely:
- (a) A retired High Court Judge, nominated by the State Government — Chairperson;
 - (b) The Principal Secretary/Secretary to the Government, Department of Primary and Secondary Education — Member (ex officio);
 - (c) The Director of Public Instruction — Member (ex officio);
 - (d) One eminent educationist, nominated by the State Government — Member;
 - (e) One representative of parents, nominated by the State Government — Member;
 - (f) One person representing NGO and working in the field of education with proved existence.
 - (g) An officer of the Department of Education, not below the rank of Deputy Director — Member Secretary.
- (5) Composition of the District Level Fee Regulation Authority (DLFRA): Each DLFRA shall consist of,-
- (a) The Deputy Commissioner of the district — Chairperson;
 - (b) The District Education Officer — Member;
 - (c) A chartered accountant or cost accountant nominated by the State Government — Member;
 - (d) A representative of a local parent-teacher association — Member.
 - (e) One representative from NGO as a member.
 - (f) One educationist.
- (6) The term of office, conditions of service, and powers and functions of the Chairperson and members of the Authority shall be such as may be prescribed by the State Government.

7. Powers and Functions of the Authority.- The Authority shall,-

- (a) approve or determine the fee structure proposed by private schools;
- (b) ensure that the fees fixed are reasonable, non-exploitative, and in conformity with the provisions of this Act;
- (c) adjudicate complaints from parents or other stakeholders regarding excessive or unauthorized fees;
- (d) conduct periodic audits and inspections of schools, as may be necessary;
- (e) Recommend to the Government such measures as it deems fit to improve transparency and fairness in school fee regulation.

8. Complaints and Appeal Mechanism.- (1) Any parent, guardian, student, or other aggrieved person may file a complaint before the District Level Fee Regulatory Authority alleging,-

- (a) Collection of capitation fee or unauthorized charges;
- (b) Charging of fees in excess of the amount approved or determined under this Act;
- (c) Violation of any provision of this Act or the rules made thereunder.

(2) The complaint shall be made in such form, accompanied by such fee (if any), and within such time, as may be prescribed.

- (3) On receipt of a complaint, the Authority shall issue a notice to the concerned school and provide an opportunity of being heard to both parties before passing an order.
- (4) The Authority shall endeavour to dispose of the complaint within ninety days from the date of its receipt.
- (5) If the Authority finds merit in the complaint, it may pass one or more of the following orders:
- (a) Directing the school to refund the excess amount collected, with or without interest;
 - (b) Imposing penalty on the school as provided under this Act;
 - (c) Directing the school to discontinue the illegal practice complained of;
 - (d) Such other relief or directions as it deems fit in the circumstances.
- (6) Right to Appeal to State Level Fee Regulatory Authority (SLFRA): Any person aggrieved by an order of the DLFRA may prefer an appeal to the State Level Fee Regulatory Authority within 30 days of receipt of the order.
- (7) Procedure before the SLFRA: The SLFRA shall—
- (a) Admit or reject the appeal at the preliminary stage;
 - (b) Conduct a hearing or review of records, as it deems necessary;
 - (c) Pass a final order within 45 days from the date of filing of the appeal.
- (8) The decision of the SLFRA shall be final and binding, except for judicial review before the High Court under Article 226 of the Constitution of India.
- (9) Both the DLFRA and SLFRA shall maintain a register of complaints received, actions taken, and orders passed, which shall be published in an anonymized format on the department's website for public access.

8A. Powers of Civil Court Conferred on Authority and Independent Appellate Panel.-

- (1) The State Fee Regulatory Authority (SFRA) and the District Regulatory Authority, while adjudicating complaints or appeals under this Act, shall have the powers of a civil court under the Code of Civil Procedure, 1908 (5 of 1908), for the purpose of,-
- (a) Summoning and enforcing the attendance of any person and examining them on oath;
 - (b) Requiring the discovery and production of documents or other material objects;
 - (c) Receiving evidence on affidavits;
 - (d) Requisitioning any public record or copy thereof from any court or office;
 - (e) Issuing commissions for the examination of witnesses or documents;
 - (f) Any other matter which may be prescribed by the State Government.
- (2) Proceedings before the Authority shall be deemed to be judicial proceedings within the meaning of Sections 193 and 228 of the Bharatiya Nyaya Sanhitha, 2023, and for the purposes of Section 215 of the Bharatiya Nagarik Suraksha Sanhita, 2023
- (3) The Authority shall have the power to pass such interim or final orders as may be necessary to give effect to their decisions, including orders for costs, if any.
- (4) Any person who fails to comply with an order issued under this section shall be liable to a fine not exceeding ₹25,000 or imprisonment for a term not exceeding three months, or both, as determined by the Authority or the Panel.

CHAPTER IV
PENALTIES AND MISCELLANEOUS PROVISIONS

9. Penalties for Violation.- (1) Any private school or its management found guilty of collecting capitation fee or any unauthorized charge, in contravention of the provisions of this Act, shall be liable to,-

- (a) refund to the concerned parent/guardian the entire amount collected in excess of the approved fee, along with interest at such rate as may be prescribed; and
- (b) pay a penalty not less than ₹1,00,000 (one lakh rupees), which may extend to ₹5,00,000 (five lakh rupees) for each instance of such violation, as determined by the Authority.

(2) Any private school or its management which,-

- (a) Fails to submit the fee proposal in accordance with this Act; or
- (b) Collects fees in excess of the amount approved by the Authority; or
- (c) violates any directions or orders issued by the Authority under this Act,

shall be liable to pay a penalty not exceeding ₹2,00,000 (two lakh rupees), and, in case of continued contravention, a further fine of ₹25,000 per day for every day during which such contravention continues.

(3) In the event of repeated violations, the Authority may recommend to the competent authority,-

- (a) Suspension or withdrawal of the recognition of the school; or
- (b) Initiation of criminal proceedings under applicable laws.

(4) The penalties imposed under this section shall be without prejudice to any other action or remedy available under any other law for the time being in force.

(5) The State Government may, by notification, revise the amounts of fines and penalties prescribed in this section from time to time, having regard to inflation and other relevant factors.

10. Power to Make Rules.- (1) The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for —

- (a) the manner and time for submission of fee proposals by schools under this Act;
- (b) the form and procedure for consideration and approval of fee proposals by the Authority;
- (c) the ceiling or maximum permissible annual increase in fees;
- (d) the form, manner, and fee (if any) for filing complaints before the Authority;
- (e) the time within which complaints shall be disposed of;
- (f) the procedure for conducting inspections, audits, and inquiries by the Authority;
- (g) the qualifications, terms of office, and conditions of service of the Chairperson and Members of the Authority and its Committees;
- (h) the powers and functions of regional or district-level committees;
- (i) the rate of interest payable on excess fees collected and to be refunded;

- (j) the manner of recovery of penalties imposed under this Act; and
- (k) any other matter which is required to be, or may be, prescribed under this Act.

(3) Every rule made under this Act shall, as soon as may be after it is made, be laid before both the houses of Legislature of Karnataka 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 session immediately following, the Assembly agrees to make any modification in the rule or that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

11. Overriding Effect.- (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or in any instrument having effect by virtue of any such law.

(2) Without prejudice to sub-section (1), any agreement, contract, or arrangement entered into by a private school with any person, to the extent it is inconsistent with the provisions of this Act or the rules made thereunder, shall be void to the extent of such inconsistency.

12. Protection of Action Taken in Good Faith.- No suit, prosecution, or other legal proceeding shall lie against the State Government, the Fee Regulatory Authority, its Chairperson or Members, officers, employees, or any other person acting under the direction of the Authority, for anything which is done or intended to be done in good faith under the provisions of this Act or the rules or orders made thereunder.

THE KARNATAKA STATE TRAUMA CARE AND REHABILITATION BILL, 2025

A Bill to provide for the establishment of a comprehensive and integrated trauma care and rehabilitation system in the State of Karnataka, to ensure the rights of trauma victims, to define the duties and responsibilities of healthcare providers, to establish a dedicated authority for the regulation and promotion of trauma care and rehabilitation services, and for matters connected therewith or incidental thereto.

Whereas the Constitution of India guarantees the right to life and personal liberty under Article 21, which includes the right to timely and appropriate medical care;

And Whereas the State of Karnataka is committed to reducing the incidence of death and disability due to trauma and to providing comprehensive rehabilitation services to trauma survivors;

And Whereas it is expedient to establish a legislative framework for a structured, organized, and accountable trauma care and rehabilitation system in the State;

BE it enacted by the Karnataka State Legislature in the Seventy-sixth Year of the Republic of India as follows:

CHAPTER I PRELIMINARY

1. Short Title, Extent, and Commencement.- (1) This Act may be called the Karnataka State Trauma Care and Rehabilitation Act, 2025.

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

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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

- (a) "Accident" means any sudden, unforeseen, and unintentional event resulting in physical injury, including but not limited to road traffic accidents, falls, burns, and acts of violence;
- (b) "Authority" means the Karnataka State Trauma Care and Rehabilitation Authority established under section 6 of this Act;
- (c) "District Committee" means the District Trauma Care and Rehabilitation Committee established under section 8 of this Act;
- (d) "Emergency Medical Condition" means a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in— (i) placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy; (ii) serious impairment to bodily functions; or (iii) serious dysfunction of any bodily organ or part;
- (e) "Golden Hour" means the period of time immediately following a traumatic injury during which there is the highest likelihood that prompt medical and surgical treatment will prevent death or disability;

- (f) "Hospital" includes any premises wherein medical, surgical, or other services are rendered to persons suffering from any sickness, injury, or infirmity, whether for-profit or not-for-profit, and includes a clinic, nursing home, and maternity home;
- (g) "Pre-hospital care" means the care provided to a trauma victim from the scene of the accident until their arrival at a designated trauma care facility, and includes emergency medical response, ambulance services, and first responder care;
- (h) Level I Trauma Center: Provides the highest level of surgical care to trauma patients. It must have a full range of specialists and equipment available 24/7, conduct trauma-related research, and serve as a regional referral and education center.
- (i) Level II Trauma Center: Capable of initiating definitive care for all injured patients. It must provide 24/7 availability of essential specialties and have ongoing quality assurance and education programs but is not required to conduct research.
- (j) Level III Trauma Center: Provides prompt assessment, resuscitation, and stabilization of trauma patients and arranges for transfer to higher-level centers when necessary. It must have 24/7 emergency medicine coverage and basic surgical capabilities.
- (k) "Prescribed" means prescribed by rules made under this Act;
- (l) "Rehabilitation" means a process aimed at enabling persons who have experienced trauma to reach and maintain their optimal physical, sensory, intellectual, psychological, and social functional levels, and includes physical therapy, occupational therapy, speech therapy, psychological counseling, vocational training, and social support services;
- (m) "State Government" means the Government of Karnataka;
- (n) "Trauma" means any physical injury or wound to a living body caused by an external force or violence;
- (o) "Trauma Care" means the continuum of care provided to a trauma victim, from pre-hospital care to hospital-based care, including emergency medical services, surgical intervention, critical care, and post-operative care;
- (p) "Trauma Care Facility" means a hospital or a part of a hospital designated by the Authority to provide different levels of trauma care services;
- (q) "Trauma Victim" means any person who has sustained a traumatic injury.

CHAPTER II

RIGHTS OF TRAUMA VICTIMS

3. Rights of Trauma Victims.- Every trauma victim shall have the right to—

- (a) receive immediate and appropriate medical care, including pre-hospital and hospital-based care, without any discrimination on the grounds of religion, race, caste, sex, place of birth, economic status, or any of them;
- (b) be treated with dignity and respect at all times;
- (c) be informed about the nature of their injuries, the proposed treatment, and the estimated cost of treatment;
- (d) refuse or consent to treatment, provided that such refusal or consent is informed and voluntary;

- (e) confidentiality of their medical records;
- (f) access to appropriate and timely rehabilitation services;
- (g) be provided with information regarding their rights under this Act and other relevant laws.

CHAPTER III

DUTIES OF HOSPITALS AND HEALTHCARE PROVIDERS

- 4. Duties of Hospitals and Healthcare Providers.**-(1) Every hospital, whether public or private, shall provide immediate and appropriate medical care to a trauma victim brought to its premises, without demanding any advance payment.
- (2) No hospital shall refuse to provide treatment to a trauma victim on the grounds of their inability to pay or for any other reason.
- (3) Every hospital shall have a designated trauma team and shall be equipped with the necessary infrastructure, equipment, and personnel to provide trauma care services, as may be prescribed by the Authority.
- (4) Every hospital shall provide information to the nearest police station regarding the admission of a trauma victim as soon as practicable, without delaying the commencement of treatment.
- (5) Every hospital shall maintain a complete and accurate record of the treatment provided to a trauma victim.
- (6) Every hospital shall facilitate the transfer of a trauma victim to a higher-level trauma care facility, if necessary, in a safe and timely manner.

CHAPTER IV

KARNATAKA STATE TRAUMA CARE AND REHABILITATION AUTHORITY

- 5. Establishment and Composition of the Authority.**-(1) The State Government shall, by notification in the Official Gazette, establish an Authority to be known as the Karnataka State Trauma Care and Rehabilitation Authority.
- (2) The Authority shall be a body corporate, having perpetual succession and a common seal, with power to acquire, hold, and dispose of property, and to contract, and shall by the said name sue and be sued.
- (3) The Authority shall consist of,—
- (a) The Minister for Health and Family Welfare, Government of Karnataka, as the Chairperson, ex-officio;
 - (b) The Principal Secretary to the Government, Department of Health and Family Welfare, as the Vice-Chairperson, ex-officio;
 - (c) The Director of Health and Family Services, as the Member-Secretary, ex-officio;
 - (d) Two members of the Karnataka Legislative Assembly, to be nominated by the Speaker;
 - (e) One member of the Karnataka Legislative Council, to be nominated by the Chairman;
 - (f) The Director of Medical Education;
 - (g) The Commissioner for Transport;

- (h) The Director-General of Police;
- (i) A representative from the Indian Medical Association, Karnataka State Branch;
- (j) Two experts in the field of trauma care and rehabilitation, to be nominated by the State Government;
- (k) A representative from a non-governmental organization working in the field of road safety or trauma care, to be nominated by the State Government.

6. Powers and Functions of the Authority.- The Authority shall have the following powers and functions, namely,—

- (a) to formulate and implement policies and strategies for the development of a comprehensive trauma care and rehabilitation system in the State;
- (b) to set standards for trauma care facilities and to classify them into different levels based on their infrastructure, equipment, and personnel;
- (c) to inspect and monitor trauma care facilities to ensure compliance with the prescribed standards;
- (d) to promote public awareness about trauma prevention, first aid, and the availability of trauma care services;
- (e) to coordinate with various government departments, non-governmental organizations, and other stakeholders for the effective implementation of this Act;
- (f) to establish and maintain a State-level trauma registry and a central database of all trauma cases;
- (g) to promote research and training in the field of trauma care and rehabilitation;
- (h) to manage the Trauma Care and Rehabilitation Fund established under this Act;
- (i) to perform such other functions as may be prescribed by the State Government.

CHAPTER V

DISTRICT TRAUMA CARE AND REHABILITATION COMMITTEES

7. Establishment of District Committees.- (1) The State Government shall, by notification in the Official Gazette, establish a District Trauma Care and Rehabilitation Committee in each district of the State.

(2) The District Committee shall be chaired by the Deputy Commissioner of the district and shall consist of such other members as may be prescribed by the State Government.

8. Functions of District Committees.- The District Committee shall,—

- (a) Oversee the implementation of the provisions of this Act at the district level;
- (b) Monitor the functioning of trauma care facilities in the district;
- (c) Promote public awareness and community participation in trauma prevention and care;
- (d) Report to the Authority on the status of trauma care and rehabilitation services in the district;
- (e) Perform such other functions

as may be assigned to it by the Authority.

CHAPTER VI
TRAUMA CARE AND REHABILITATION FUND

- 9. Trauma Care and Rehabilitation Fund.-** (1) The State Government shall establish a fund to be called the "Karnataka State Trauma Care and Rehabilitation Fund."
- (2) The Fund shall be credited with,—
- (a) grants and loans from the State Government;
 - (b) contributions from the Central Government;
 - (c) donations from individuals, corporations, and other organizations;
 - (d) a portion of the fines collected for traffic violations, as may be determined by the State Government;
 - (e) any other sums received by the Authority.
- (3) The Fund shall be utilized for,—
- (a) providing financial assistance to trauma victims, especially the poor and needy;
 - (b) strengthening trauma care facilities in the State;
 - (c) funding research and training programs in trauma care and rehabilitation;
 - (d) meeting the administrative expenses of the Authority and the District Committees;
 - (e) any other purpose consistent with the objectives of this Act.

CHAPTER VII
PRE-HOSPITAL CARE AND EMERGENCY MEDICAL SERVICES

- 10. Emergency Medical Services.-** (1) The State Government shall ensure the provision of a comprehensive and efficient emergency medical services system throughout the State.
- (2) The emergency medical services system shall include a centralized toll-free telephone number for accessing ambulance services.
- (3) Ambulances shall be equipped with the necessary medical equipment and trained personnel to provide pre-hospital care to trauma victims.
- 11. First Responder Training.-** The Authority shall, in coordination with the District Committees, promote and facilitate the training of first responders, including police personnel, firefighters, and community volunteers, in basic life support and trauma care.

CHAPTER VIII
HOSPITAL-BASED TRAUMA CARE

- 12. Designation of Trauma Care Facilities.-** The Authority shall designate hospitals as Level I, Level II, or Level III trauma care facilities, based on the criteria prescribed by it.

Explanation:

- (1) The designation process shall include: Submission of an application by the hospital; A comprehensive on-site inspection by a multidisciplinary assessment team; Evaluation against established trauma system standards; A formal approval and notification by the Authority.

- (2) **Level I Trauma Center:** Provides the highest level of surgical care to trauma patients. It must have a full range of specialists and equipment available 24/7, conduct trauma-related research, and serve as a regional referral and education center.
- (3) **Level II Trauma Center:** Capable of initiating definitive care for all injured patients. It must provide 24/7 availability of essential specialties and have ongoing quality assurance and education programs but is not required to conduct research.
- (4) **Level III Trauma Center:** Provides prompt assessment, resuscitation, and stabilization of trauma patients and arranges for transfer to higher-level centers when necessary. It must have 24/7 emergency medicine coverage and basic surgical capabilities.
- (5) All designated trauma care facilities shall undergo re-evaluation and re-designation every three (3) years or sooner if deemed necessary by the Authority due to changes in services or performance metrics.

13. Trauma Teams.- Every designated trauma care facility shall have a dedicated trauma team, consisting of surgeons, physicians, nurses, and other healthcare professionals, available round-the-clock.

Explanation: Facilities shall maintain trauma activation protocols and conduct regular training, drills, and continuing education programs to ensure the team remains proficient and responsive to emergencies and a trauma team leader, typically the most experienced trauma surgeon or physician on duty, shall be designated to coordinate and direct patient care during trauma activations.

14. Quality Assurance.- (1) The Authority shall establish and maintain a statewide trauma quality assurance (QA) and performance improvement program to monitor, evaluate, and enhance the effectiveness of trauma care delivery.

(2) Each designated trauma care facility shall implement an internal quality assurance system, which includes:

- (a) Regular review of trauma cases, with particular focus on mortality, complications, delays in care, and transfers;
- (b) Identification and analysis of preventable deaths and adverse events;
- (c) Development and implementation of corrective action plans where deficiencies are identified;
- (d) Submission of quality assurance data to the Authority at specified intervals.

(3) The Authority shall establish a Trauma Registry to collect standardized data from all designated facilities, enabling the monitoring of trends, outcomes, and system performance benchmarks.

(4) The Authority may conduct random audits and site visits to ensure compliance with quality

(5) The Authority shall publish an annual trauma system report summarizing statewide trauma care outcomes, facility performance, and areas for policy development or system enhancement.

CHAPTER IX

REHABILITATION SERVICES

15. Right to Rehabilitation.- (1) Every trauma victim shall have the right to receive appropriate and timely rehabilitation services to enable their social and economic reintegration.

(2) The State Government shall ensure that no trauma victim is denied rehabilitation services on the grounds of economic status, gender, age, disability, caste, religion, or place of residence.

16. Provision of Rehabilitation Services.- (1) The State Government shall ensure the availability of comprehensive rehabilitation services, including physical, occupational, and speech therapy, psychological counseling, and vocational training, for trauma victims.

(2) Rehabilitation services shall be provided in a coordinated and integrated manner, involving various government departments, non-governmental organizations, and community-based organizations.

17. Rehabilitation Centers.- The State Government shall establish and strengthen rehabilitation centers at the State, District, and Taluk levels to provide specialized rehabilitation services to trauma victims.

Explanation:

(1) Each rehabilitation center shall be equipped with,-

- (a) Adequate infrastructure, including therapy rooms, mobility training areas, and assistive device fitting units;
- (b) Qualified rehabilitation staff, including physiotherapists, occupational therapists, psychologists, prosthetists/orthotists, and social workers;
- (c) Tele-rehabilitation facilities, especially in remote and rural areas, to provide continuity of care;
- (d) Transportation assistance and patient navigation services to support access for those in distant or underserved areas.

(2) The centers shall also function as,-

- (a) Referral hubs within the trauma care and rehabilitation network;
- (b) Training centers for healthcare and rehabilitation professionals;
- (c) Community outreach units, promoting early identification of rehabilitation needs and home-based care strategies.

The State Government shall ensure adequate budgetary allocation, monitoring mechanisms, and quality standards for the operation of these centers.

CHAPTER X

DATA MANAGEMENT AND RESEARCH

18. Trauma Registry.- (1) The Authority shall establish and maintain a State-level trauma registry to collect and analyze data on all trauma cases in the State.

(2) Every hospital shall be required to report all trauma cases to the State trauma registry in the manner prescribed by the Authority.

19. Research and Innovation.- The Authority shall promote research and innovation in the field of trauma care and rehabilitation to improve the outcomes of trauma victims.

CHAPTER XI

OFFENCES AND PENALTIES

20. Offences and Penalties.- (1) Any person who contravenes any of the provisions of this Act or the rules made thereunder shall be punishable with imprisonment for a term which may extend to six months, or with a fine which may extend to fifty thousand rupees, or with both.

(2) Where an offence under this Act has been committed by a hospital, every person who at the time the offence was committed was in charge of, and was responsible to, the hospital for the conduct of its business, as well as the hospital, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

CHAPTER XII MISCELLANEOUS

21. Power to make Rules.- (1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely— (a) the procedure for the meetings of the Authority and the District Committees; (b) the standards for trauma care facilities; (c) the management of the Trauma Care and Rehabilitation Fund; (d) the manner of reporting trauma cases to the State trauma registry; (e) any other matter which is required to be, or may be, prescribed.

22. 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 appear to it to be necessary or expedient for removing the difficulty.

(2) No order under sub-section (1) shall be made after the expiry of a period of two years from the commencement of this Act.

23. Act to have overriding effect.- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

24. Protection of action taken in good faith.- No suit, prosecution, or other legal proceeding shall lie against the State Government or any officer of the State Government or any member of the Authority or the District Committees for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

THE KARNATAKA FARMERS' RIGHT TO ASSURED REMUNERATIVE PRICE FOR AGRICULTURAL PRODUCE BILL, 2025

A bill to confer a right on all farmers, to obtain Guaranteed Remunerative Minimum Support Prices with minimum 50% profit margin over comprehensive cost of production, upon sale of agricultural commodities and for matters connected therewith or incidental thereto.

Be it enacted by Karnataka State Legislature in the seventy-sixth year of the Republic of India, as follows:-

CHAPTER – I
PRELIMINARY

1. **Short title, extent, and commencement.**- (1) This Act may be called the Karnataka Farmers' Right to Assured Remunerative Price for Agricultural Produce, 2025.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, shall specify in this behalf.

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

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

- (a) "Agricultural commodity" means all cereals, all millets, all pulses, all oilseeds, all fibre crops, all horticulture crops of fruits and vegetables, all spice crops, all tuber crops, all medicinal plants, all varieties of milk, all minor forest produce, floriculture, grass, fodder grass and tree produce, nursery produce, all plantation produce, all livestock and animal products like meat and mutton, eggs and poultry, all fishery produce like fish mussel, marine fish, freshwater aquatic produce, honey, silkworm cocoons, and all such other primary produce and agricultural commodity with all its cognate expressions;
- (b) "Agricultural Expert" includes a person by virtue of academic qualification or with proven work record and having at least 15 years practical or management experience in agriculture-related sectors;
- (c) "State Commission" means Karnataka State Farmers' Agricultural Costs and Remunerative Price Guarantee Commission
- (d) "Cost of Production" is the comprehensive cost as estimated under Section 4 based on Schedule 1;
- (e) "Farmer" includes a person engaged in the economic and livelihood activity of agriculture in terms of growing crops, or producing other primary agricultural commodities with or without land ownership, and shall include all agricultural operational holders, cultivators, agriculture labourers, sharecroppers, tenants, poultry and livestock rearers, fishers, beekeepers, pastoralists, non-corporate planters and planting labourers as well as forest-produce-gatherers. Farmers Groups, Producer Cooperatives, or Self-help groups doing cultivation on collectively owned or leased-in land are also included, including women farmers.
- (f) "Fund" means the State Compensation Fund to be maintained and administered by the State Commission;
- (g) "Guaranteed Remunerative Minimum Support Prices" is the price that ensures a minimum 50% profit margin over and above the comprehensive cost of production of a given agricultural commodity as determined under Section 5 and notified under Section 6 to which shall be added the Bonus announced by the state government wherein the comprehensive cost of production at the state level is covered with at least a 50% profit margin over and above such cost of production; and in the case of standing (plantation) crops, as specifically determined by the Commission, guided by Schedule 1 of the Act;
- (h) "Government" means the State Government;

- (i) “Market” means regulated markets, systems of procurement of agricultural commodities run by state procurement agencies, consumer/service cooperatives, corporations as well as contract farming arrangements (formal or informal) that different entities have, for procuring agricultural commodities from farmers, including milk collection centers, and procurement centers opened by different public sector agencies and other market yards run by government agencies including Panchayats and cooperatives and includes private markets;
- (j) “Member” means a member of the State Commission and includes the Chairperson;
- (k) “Prescribed” means prescribed by rules under this Act;
- (l) “State Commission” means the Karnataka State Farmers’ Agricultural Costs and Remunerative Price Guarantee Commission set up as per Section 7 of this Act;
- (m) “Trader” means any individual, or any other entity including sole proprietorship, a partnership firm, public sector or corporate entity, that purchases agricultural commodities from farmers directly.

CHAPTER - II

GUARANTEED REMUNERATIVE MINIMUM SUPPORT PRICE FOR ALL AGRICULTURAL COMMODITIES

3. Right of every farmer to Guaranteed Remunerative Minimum Support Prices for all Agricultural commodities.- Every farmer, throughout the State of Karnataka, shall be entitled to a Guaranteed Remunerative Minimum Support Price as a right against sale of any agricultural commodity, by the government ensuring purchase and/or procurement at or above such guaranteed remunerative minimum support price, utilizing mechanisms as specified in Chapter IV.

4. Comprehensive Estimation of Cost of Production of all agricultural commodities.- (1) The Government, through the Karnataka State Farmers’ Agricultural Costs and Remunerative Price Guarantee Commission, shall institute a robust, comprehensive and accurate systems for estimation of Comprehensive Cost of Production, as defined in Schedule 1, for all agricultural commodities;

(2) The Cost estimation shall be comprehensive with all paid-out costs, as well as imputed costs including family labour at skilled wage rates as those that pertain to the state or region, rental value of land, interest on assets and remuneration calculated for managerial functions performed by the farm household, in addition to depreciation of assets and other components as listed in Schedule 1;

(3) Such calculations should also take into account the period of each crop into consideration;

(4) For those commodities where the system of cost estimation does not exist, the Government shall institute such systems that require data collection on a timely basis;

(5) The yield data used to arrive at Comprehensive Cost of Production should be as per Schedule 1; and

(6) The estimation (data, methodology, sampling, statistical analyses etc.) as specified in Schedule 1 shall be periodically reviewed and corrections made and implemented by the State Commission.

5. Determination of Guaranteed Remunerative Minimum Support Price.-(1) The Karnataka State Farmers' Agricultural Costs and Remunerative Price Guarantee Commission shall recommend the prices to the Government by ensuring a profit margin of at least 50% over the comprehensive cost of production it estimated for each agricultural commodity based on Schedule 1.

(2) Additional incentives for particular commodities may be further considered for Guaranteed Remunerative Minimum Support Price recommendation over and above sub-section (1) above, as per social and environmental policy imperatives;

(3) Such a recommendation shall be the basis for the Government to notify the Guaranteed Remunerative Minimum Support Price;

Explanation: For estimating the comprehensive Cost of Production and the Guaranteed Remunerative Minimum Support Prices, the Commission shall take into account all the factors as specified by Schedule 1 of this Act.

(4) In case the price recommended by the State Commission for any agricultural commodity is lower than the Minimum Support Prices recommended by the Central Commission, then the latter would be the basis for the Government to notify the Guaranteed Remunerative Minimum Support Price.

6. Notification of Guaranteed Remunerative Minimum Support Prices.- (1) As soon as may be, but within a month after the receipt of recommendation of the State Commission, the State Government shall notify the Guaranteed Remunerative Minimum Support Prices of all agricultural commodities as per the recommendations of the Commission;

(2) The Guaranteed Remunerative Minimum Support Prices shall be notified by the Government on or before February 28th of every year for the ensuing Kharif production season and on or before July 31st of every year for the ensuing Rabi production season;

CHAPTER - III

KARNATAKA STATE FARMERS' AGRICULTURAL COSTS AND REMUNERATIVE PRICE GUARANTEE COMMISSION

7. Constitution of Karnataka State Farmers' Agricultural Costs and Remunerative Price Guarantee Commission.- (1) The State Government shall, within 6 months after the commencement of this Act, by notification in the Official Gazette, constitute an autonomous body corporate to be known as the Karnataka State Farmers' Agricultural Costs and Remunerative Price Guarantee Commission (hereinafter referred as State Commission) for the purpose of exercising the powers and performing the functions under this Act, and

recommending and implementing the Guaranteed Remunerative Minimum Support Prices for all agricultural commodities in the State;

(2) The State Commission shall consist of,-

(a) Chairperson (fulltime), who shall be a farmer and well qualified and experienced in agricultural economics and conversant with various agricultural faculties;

(b) Such Members as follows,-

(i) Five Representatives of farmers, including representatives of farmers organisations and persons, including women, with proven record of having worked on farmers' issues representing different regions of the State. - Non-Official Members

(ii) One agriculture expert or research scientist having track record in Agriculture field, Agro-economics, and highly qualified in Agri-science faculties, with at least 15 years of experience in the field of expertise. -Non-Official Member

(iii) Four officials from the Department of Agriculture/Horticulture/Animal Husbandry/Fisheries recommended by Director of Agriculture/ Horticulture/ Animal Husbandry/Fisheries or equivalent.- Official Member

(iv) One Official Member of Department of Agricultural Marketing - Member Secretary

(c) One of the Members shall be designated as Vice-Chairperson so that proceedings are not affected in the absence of the Chairperson for any reason.

(3) The Chairperson and Members shall be nominated based on the recommendation of a Selection Committee consisting of,-

(a) the Chief Minister of the State who shall be the Chairperson,

(b) the Leader of Opposition in the State Assembly or the leader of the single largest group or party in opposition in the State Assembly,

(c) the Minister for Agriculture of the State.

(4) Such nomination shall take into consideration equitable regional representation from across the State, sectoral representation and gender, and social background (SC, ST etc.) for sub-section (2) above, and on a rotational basis for representation of different regions within a state every time the State Commission is reconstituted or vacancies filled.

(5) The Chairperson and the Members of the State Commission shall not be a Member of Parliament or Member of State Legislature of any State or Union Territory, as the case may be, or hold any office of profit.

(6) State Government shall ensure that no Member including Chairperson represents any conflict of interest pertaining to the discharge of their functions.

(7) The State Government shall appoint as many staff members as may be necessary, to assist the State Commission in such manner as may be prescribed.

(8) In discharge of their duties, the Member Secretary and other staff referred to in sub-section (7) shall be subject to the administrative control of the Chairperson under (2) (a) above.

8. Term of the State Commission and conditions of service of the Members.- (1) The term of the State Commission shall be 5 years for each constitution of the Commission, with the process for re-constitution of the succeeding State Commission to be initiated by the state government at least 10 months before the end of the tenure of an ongoing State Commission: Provided that, the State Government may extend the term of an existing Commission, if deemed necessary;

(2) The Chairperson and the Non-official members specified in Section 7 shall not be removed from her/his office except after due enquiry made by the sitting judge of the state High Court and recommended as such to the State Government;

(3) A member may, by writing under his/her hand and addressed to the State Government, resign his/her office at any time.

(4) A vacancy arising by reason of resignation of any member of the State Commission under sub-section (3) above or otherwise shall be filled up in accordance with the provisions contained in Section 7 of this Act:

Provided that the person so appointed shall hold office only for the remaining period of term of the person in whose place s/he is appointed.

(5) State Government may remove any member, if she-

(a) is declared as un-discharged insolvent/debtor;

(b) becomes incapable of continuing as such, due to physical or mental disability;

(c) becomes of unsound mind and stands so declared by a court of competent jurisdiction;

(d) has been convicted for an offence, which in the opinion of the State Government involves moral turpitude or financial irregularities;

(e) has, in the opinion of the State Government, abused his/her official position so as to render his/her continuance in office prejudicial to public interest;

Provided that in the case of Chairperson and Non-official members, due enquiry and recommendation made as specified in subsection (2) above.

(6) The State Commission shall regulate its own procedure for the conduct of its business based on principles of participation, transparency and equity, and shall include periodic consultations with representatives of farmer organisations from various regions of the state representing different sectoral interests.

(7) The salary and allowances, and the other conditions of service of the State Commission Chairperson and members shall be, as may be prescribed.

(8) The headquarters of the State Commission shall be at the capital of the State Government.

9. Powers and functions of the Karnataka State Farmers' Agricultural Costs and Remunerative Price Guarantee Commission.-(1) The State Commission shall have all such powers as are necessary for achieving the objects of this Act, and in particular,-

(a) To recommend Guaranteed Remunerative Minimum Support Prices for all agricultural commodities, which provide a profit margin of at least 50% over and above the comprehensive cost of production;

- (i) provided that such recommendations can have additional incentives for fulfilling social or environmental policy imperatives;
 - (ii) further provided that if the price recommended by the State Commission for any agricultural commodity is lower than the Minimum Support Prices recommended by the Central Commission, then the latter would be the basis for the Government to notify the Guaranteed Remunerative Minimum Support Price.
 - (iii) further provided that the Government shall not notify Guaranteed Remunerative Minimum Support Prices below the recommendations of the State Commission.
- (b) To recommend all other such measures that will assure a remunerative and stable price environment for farmers, including improvements in the storage and marketing infrastructure and procedures, as well as adequate and appropriate support to producer organisations;
 - (c) To monitor the prices being realised by farmers for various agricultural commodities all over the country and send prompt advisories to all concerned agencies/departments for effective action to be taken;
 - (d) To recommend to the Government regulation of cost of agricultural inputs including seeds, fertilisers, pesticides, electricity, diesel, farm equipment etc.
 - (e) To inquire into failures to discharge duties, on particular public servants and authorities as well as Contract Farming cases, and recommend penalties to be imposed as per Section 20 of this Act;
 - (f) to maintain a Fund as per Sec. 10, for paying compensation to farmers, as ordered by the Block Level Committee, for nonreceipt of Guaranteed Remunerative Minimum Support Price or delayed payment for sale as specified in Section 21;
- (2) The State Commission shall submit the recommendations for Guaranteed Remunerative Minimum Support Prices of all Agricultural Commodities for each year before 15th February for the upcoming Kharif season of that year and before 15th July for the upcoming Rabi Season of that year.
- (2) The State Commission shall publish all relevant information including its cost estimations, basis for recommendations, market price trends and ensuing action/recommendations, inquiry reports as per sub-section (1) above, minutes of its meetings/sittings and any other material on its website;
- (3) The State Commission shall prepare a report of its functioning of that year under this Act and the same shall be submitted to the State Government in such form on or before such date as may be prescribed;
- Further provided that the Annual Report submitted to the State Government by the State Commission shall be laid before each house of the State Legislature as soon as may be and certainly in the ensuing Session of the Legislature, after the same is received by the State Government.
- (4) The State Commission shall maintain proper accounts and other relevant records and prepare annual statement of accounts in such form as may be prescribed;

(5) The accounts of the State Commission shall be audited annually and the audited report shall be placed before the state legislature, along with the Annual Report.

10. State Compensation Fund.- (1) The State Commission shall create and maintain a State Compensation Fund, which will receive allocations from the State Government as well as receive funds collected as penalties for offences under the Act;

(2) Provided further that such a Fund shall be utilized for compensation payments to farmers as required, as specified under Section 21;

CHAPTER - IV IMPLEMENTATION OF GUARANTEED REMUNERATIVE MINIMUM SUPPORT PRICES

11. Bar on auction or offer of price below Guaranteed Remunerative Minimum Support Prices.- (1) In all agricultural markets of different forms, including APMC markets throughout the country, the auction or offer price for every agricultural commodity will begin with the Guaranteed Remunerative Minimum Support Prices as the floor price and no auction shall be allowed below the said price;

(2) Any agreement entered into orally or by any other means, between purchaser traders or commission agents that directly or indirectly results in bid rigging or collusive bidding, that limits, controls or attempts to control the sale or price of or trade in agriculture commodities or provision of services in the market or outside market with intent to suppress the prices, shall be presumed to have an appreciable adverse effect on Guaranteed Remunerative Minimum Support Prices.

(3) Any such agreement is illegal and is liable for penalties mentioned in Section 19, including cancellation of license by the concerned authorities on complaint by the aggrieved farmers or public interest groups or upon suo-motu monitoring, and surveillance by designated public authorities.

(4) No trader, including a trader in any contract farming arrangement, shall purchase any commodity below the Guaranteed Remunerative Minimum Support Prices. Any trader resorting to purchase below Guaranteed Remunerative Minimum Support Prices shall be liable for penalties mentioned in Section 19 and her/his/its/their license/contract shall be cancelled by the State Government's designated authority, upon due inquiry into any complaint by the aggrieved farmers.

12. Obligation on the Government to Open Procurement Centres:- (1) The State Government shall open adequate number of procurement centers for all commodities to ensure procurement, either directly, or through designated procurement agencies or through traders' bodies, self-help groups or Farmer Producer Organisations, in a localized manner, for various food schemes and for commodity corporations, at or above Guaranteed Remunerative Minimum Support Prices.

(2) The State Government shall make adequate arrangements for effective procurement at least 4 weeks before the beginning of the harvest of the particular crop including storage facilities and

transportation (viz., weighing scales, gunny bags, testing and other required equipment etc.) for such procurement operations.

(3) The State Government shall ensure that instant, same-date payment is to be made directly to the farmer by the procurement agency;

(4) Sufficient publicity shall be done of the procurement centre operations within the jurisdiction of such a centre.

13. Timely and effective market intervention by State Government.- The State Government shall provide for implementation of timely and effective Market Intervention (scheme) within two days of fall in market prices, in all perishable and other notified commodities, including potatoes, onions, tomatoes, plantation commodities etc. and shall provide sufficient financial outlays to ensure purchases at Guaranteed Remunerative Minimum Support Prices and instant payments to the farmers.

14. Other measures to prevent distress sales.- It is mandatory for the Government to implement effective schemes to prevent farmers from selling agricultural commodities at low cost due to financial compulsion, including massive increase in access to storage facilities to enable all farmers to store their produce and sell at a time of remunerative prices, and schemes like negotiable warehouse receipts which enable the farmers to access finance of at least 75% of the value of the stored crop valued at Guaranteed Remunerative Minimum Support Prices or market value whichever is higher; adequate storage facilities and agro-processing facilities to be made available to traders too, especially for perishable products to guard against withdrawal of buyers from the market.

15. Investments on Farmer Producer Organisations.-(1) The Government shall create a fund to make investments in organizing farmers into Farmers/Workers' Producing Cooperatives, and other Farmer Producer Organisations, with sufficient infrastructure and financial capital to run their market enterprises including processed, value-added produce, in a tax-free atmosphere;

(2) Additional incentives shall be provided to women farmers' Produce Organizations.

16. Measures to reduce and regulate input costs:-The Government shall take all measures to reduce the cost of production by reducing the input costs through subsidies on inputs, like seed, fertilizer, pesticide, electricity, diesel, farm equipment etc., and by promoting low-cost sustainable methods of agriculture.

17. Designating and Notifying the responsible public authorities:- The Government shall designate and notify specific public authorities at all levels, beginning from the block level, who shall be the persons responsible for each Section in this Chapter IV, including monitoring the prices paid by traders, taking punitive action against them for contravening clauses in the Act, opening procurement centres on time, taking up Market Intervention on time, paying compensation in time etc.

18. Identification of real cultivators and ensuring that they benefit.-The State Government shall implement effective mechanism for identifying the actual cultivators including tenant farmers, sharecroppers, women farmers and adivasis, by registering and issuing them a means of

identification, and ensuring that they get the benefit of Guaranteed Remunerative Minimum Support Prices through procurement and market intervention and other mechanisms specified in this Act.

CHAPTER – V

OFFENCES, PENALTIES AND COMPENSATION

19. Offences and Penalties under this Act, for Traders.-(1) Traders, including ones in contract farming arrangements, who are found to be contravening the clauses under Section 11 of this Act, by purchasing below the Guaranteed Remunerative Minimum Support Price or undermining the Guaranteed Remunerative Minimum Support Price, shall be considered to have committed a cognizable offence with the applicable penalties as follows:

- (a) For first-time offence by a trader, a penalty equal to twice the total deficit suffered by the farmers on account of the violation by the trader and three months of imprisonment;
- (b) A second-time offence by a trader shall attract a penalty equal to twice the total deficit suffered by farmers on account of the violation by the trader, and six months of imprisonment;
- (c) A third time offence shall attract a penalty equal to three times the total deficit suffered by the farmers on account of the violation by the trader, and twelve months of imprisonment as well as barring from any future trading, for all non-governmental traders.

(2) All such penalty amounts will be deposited in the State Compensation Fund specified in Section 10.

20. Offences and Penalties under this Act, for public servants and authorities.-The public servants and authorities as specified in Section 17, found guilty by the State Commission as per Section 9, for not discharging duties viz., for lack of effective monitoring, for failure to promptly initiate action against traders purchasing below Guaranteed Remunerative Minimum Support Prices, for lack of effective market intervention and also for failure to provide Compensation, without reasonable cause or found to be will fully neglecting their duty, shall be liable to a penalty whose amount equals to at least one month's salary, which shall be deducted from her/his salary in addition to six months imprisonment.

21. Entitlement of Farmer to Compensation for not obtaining Guaranteed Remunerative Minimum Support Price and to Punitive Compensation.-(1) Any farmer who is not paid by the trader the Guaranteed Remunerative Minimum Support Prices for her/his sale of agricultural commodities is entitled to a Compensation from the State Compensation Fund, which is at least the difference between the Guaranteed Remunerative Minimum Support Price and price obtained by the farmer;

(2) Any farmer who does not get instant direct payment that fully covers the total value of the commodity sold at Guaranteed Remunerative Minimum Support Price to any buyer including government procurement agencies, shall be entitled to a delay compensation that is fixed at 15% p.a. on the total payment due from the buyer, for every month of delay;

(3) A three-Member Block level Grievance Redressal Committee shall be set up at Block level, under the administrative control of the State Commission, to receive and resolve individual complaints from farmers for sub-sections (1) and (2) above, with procedures related to its sittings and functioning to be followed as prescribed;

- (a) Such a Committee shall consist of a Block level representative each of the agriculture and marketing departments, in addition to a Farmers' Representative.
- (b) Such a Committee shall follow a simple verification procedure, as prescribed;
- (c) Provided that such a Committee shall resolve each complaint within one month of receiving the complaint;
- (d) Further provided that such a Committee shall issue Orders for compensation to be paid by the State Commission from the State Compensation Fund held by it;

CHAPTER - VI

OBLIGATIONS ON THE STATE GOVERNMENT

22. Obligation of the State Government to reserve, provide and spend adequate funds.-(1)

The State Government shall reserve and spend adequate funds for a comprehensive assessment of costs for all commodities, including by instituting systems for collection of data for such agricultural commodities for which such data systems do not exist at this point of time;

(2) The State Government shall provide adequate financial outlays for the effective functioning of the State Commission including for commissioned primary research and other such work of the Commission, as well as for office, infrastructure and day to day functioning;

(3), (a) The State Government shall reserve adequate financial outlays to be transferred to designated procurement agencies in time for procurement and market intervention operations

(b) The adequacy and utilization of such financial outlays can be reviewed by the State Commission on an annual basis, based on which it can recommend (lower or higher or similar) outlays for the subsequent budget;

(c) Such finances are also to be utilised for payment of compensation to farmers through the State Commission and the State Compensation Fund;

CHAPTER VII

MISCELLANEOUS

23. Overriding effect of Act.-The provisions of this Act or any rule or order made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any law, other than this Act, or any instrument having effect by virtue of any law other than this Act.

24. Members of the Commission shall be Public Servants.-Every member of the Commission and the Secretary and other staff appointed under Section 7, shall be deemed to be a public servant within the meaning of Section 2(28) of the Bharatiya Nyaya Samhita, 2023 (Central Act 45 of 2023).

25. Power to remove difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, as occasion requires, do anything not inconsistent with the provisions of this Act, which appears to them to be necessary for the purposes of removing the difficulty;

(2) Every order made under this section shall be laid before each house of the State Legislature.

26. Power to make rules.-(1) The Government shall, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Act.

(2) Every rule made under this section, shall be laid, as soon as may be after it is made, before the State Legislature while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the State Legislature makes any modification in the rule or decides that the rules should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

SCHEDULE I

(See Section)

1. **METHODOLOGY:** Methodology adopted for cost estimation shall be cost-accounting based, with opportunity costs fully included for various resources, capital items and services, in addition to interest on fixed capital etc.

2. **COST COMPONENTS:** The cost components will cover both in cash and kind costs, in addition to imputed value of some inputs, services and assets/resources, and all of them shall be included in the Estimation of Comprehensive Cost of Production.

(a) Paid Out Costs:

(i) Hired labour – human, animal, machinery;

(ii) Maintenance expenses on owned animals and machinery for the entire year and not limited to only their utilization time;

(iii) Actual Expenses on material inputs such as seed (home grown and purchased), fertilizer, manure (owned and purchased), pesticides including insecticides and weedicides, irrigation;

(iv) Depreciation on implements and farm buildings (such as cattle sheds, pump sheds, machine sheds, storage sheds, tractor etc.);

(v) Land revenue and other taxes;

(vi) Rent paid for leased-in land at actual rates;

(vii) Interest paid on credit borrowed;

(viii) Insurance premium paid;

(ix) Processing, Transport and Marketing costs (like cleaning, grading, drying, packaging, marketing, transportation, time spent for all these post-harvest activities, mandi taxes) etc.

x. Miscellaneous expenses

(b) Imputed Costs:

- (i) Value of Family Labour – at currently prevalent skilled wage rates notified by the government for that area, or market wage rates for skilled workers, whichever is higher and with complete labour assessment for all days of family labour and not just data pertaining to chosen agricultural operations;
- (ii) Rent of owned land at prevailing market value without any ceilings of fair rents applied as under any other legislation;
- (iii) Interest on owned fixed capital at prevalent market value;
- (iv) Interest on working capital, including the cost of borrowing (in terms of time and paperwork), at actuals including from non-institutional sources – such interest charges will be applied to the full life of crop season;
- (v) Risk margin of 10% over Cost of Cultivation per hectare;
- (vi) Managerial cost, at 10% of the Cost of Cultivation arrived at, by using all the above cost components, with the methodology specified in
Projected Costs below.

(c) Projected Costs:

In the context of time lags between data collection and estimation of comprehensive cost of production for recommendations of GRMSPs for a given season, it is mandated that projected costs shall use a Composite Variable Input Index using rate of inflation of different inputs with the same being applied to fixed costs also in addition to applying it to the increase in the quantum of utilization of the input. Interest and Depreciation on fixed capital should be projected using the rate of inflation in construction material. Land rent should be projected by raising it by index number (WPI) of agricultural commodities which is the main determinant of variation in land rent.

In the case of plantation crops, separate procedures to be drawn up to apportion initial costs over the plantation crop annual period, in addition to maintenance costs with built-in losses.

3. YIELD DATA THAT IS TO BE USED FOR CONVERTING COST OF CULTIVATION TO COST OF PRODUCTION:

This shall be based on a reconciliation between crop cutting experiments-based data from Departments of Agriculture/Horticulture and what is collected from a sample set of farmers for Cost Estimations.

4. SAMPLE FOR DATA COLLECTION: Two villages from each selected block are to be taken, with number of operational holdings selected from 3 size classes of less than 1ha, 1-2 ha and more than 2 ha to be 3, 2 and 1 respectively (six sample units from each village). In each state, two strata to be used for drawing sample – one, for major crops and another for minor crops, to select blocks or tehsils, with the same approach to be extended to selection of villages within selected block or tehsil. A minimum sample size of at least 500 operational holdings is to

be maintained state wise. Every district shall have blocks/tehsils selected so that district-wise data analysis for Cost of Production is evolved. Sample should be proportionate to irrigated and unirrigated area under the crop.

5. AVERAGING OF COST AT THE STATE LEVEL: Averaging of Cost at the State Level shall be based on Bulkline Average from different agroecological regions within the state;