

AS INTRODUCED IN LOK SABHA

Bill No. 276 of 2019

THE PREVENTION OF BEGGING BILL, 2019

By

SHRI SUNIL KUMAR SINGH, M.P.

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BILL

to provide for prevention of begging and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Prevention of Begging Act, 2019.

(2) It extends to the whole of India.

5 (3) It shall come into force with immediate effect.

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

(a) "appropriate Government" means in the case of a State, the Government of that State and in all other cases, the Central Government;

Short title,
extent and
commence-
ment.

Definitions.

(b) "beggar" means a person who indulges in begging;

(c) "begging" means:—

(i) soliciting alms in a public place, including railway stations, bus stops, road sides and public transport, by invoking compassion; and

(ii) entering in any private premises for the purpose of soliciting or receiving alms; 5

(d) "fund" means Beggars' Welfare Fund established under section 6; and

(e) "rehabilitation centre" means a centre established under this Act where any person taken into custody on the ground of begging shall be kept till the time he is rehabilitated. 10

Abolition of begging.

3. Begging by any person in any manner is hereby abolished.

Punishment for forced begging.

4. Whoever forces or encourages any person, including a child in his care, custody or charge, for begging or whoever uses any person as an exhibit for the purpose of begging, shall, in the first instance, be warned of indulging in such activities and if he indulges in spite of the warning be punished with a fine of rupees five thousand. 15

Arrest of persons found begging, etc.

5. (1) Any person found begging shall be arrested by the Police.

(2) Any person so arrested shall be sent to a rehabilitation centre, to be established in every district by the appropriate Government, wherein such person shall be provided with facilities for his rehabilitation in such manner as may be prescribed.

Beggars' Welfare Fund.

6. (1) The Central Government shall constitute a Fund to be called the Beggars' Welfare Fund for the welfare of the beggars. 20

(2) The fund shall be utilised by the Central Government as and when required for the welfare and rehabilitation of beggars.

Formulation of schemes and plans for beggars, etc.

7. (1) The appropriate Government shall formulate such schemes, work out such plans, including plans for provision of education, and create suitable infrastructure in every district so as to enable beggars to take up suitable jobs for earning their livelihood. 25

(2) The appropriate Government shall set up destitute homes for providing food, shelter and protection, to the old, infirm, helpless and destitute persons so as to discourage them from indulging in begging.

Power to make rules.

8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. 30

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, 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 the 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. 35

STATEMENT OF OBJECTS AND REASONS

Despite all efforts made and welfare measures taken by the Central Government and the State Governments, the practice of begging continues unabated all over the country, especially in the metropolitan cities and urban areas. There are organised gangs who exploit innocent children and force them into begging not for the sustenance of these boys and girls but for gathering alms for the gang leaders and organizers. Some people kidnap children and force them to go for begging and collect huge amount of money.

The number of beggars in the country has increased manifold. As per an estimate the number is somewhere around fifty lakhs.

While, the old and infirm beggars can be sent to destitute homes, the other beggars should be given education and training so that they can get gainful employment.

Therefore, it is high time that a law for prevention of begging be enacted.

Hence, this Bill.

NEW DELHI;
November 5, 2019.

SUNIL KUMAR SINGH

FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for establishment of "rehabilitation centres" in every district by the appropriate Government. Clause 6 provides for setting up of Beggars' Welfare Fund. Clause 7 provides for formulation of schemes and creating suitable infrastructure by appropriate Government in every district so as to enable beggars to take up suitable jobs. It further provides for setting up of destitute homes by the appropriate Government. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees five hundred crore per annum.

A non-recurring expenditure of about rupees one hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to make rules for carrying out the provisions of the Bill. As the rules will relate to matters of details only, the delegation of legislative power is of normal character.

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(Shri Sunil Kumar Singh, M.P.)