

**Bill No. LXII of 2015**

THE ABOLITION OF BEGGING AND REHABILITATION OF  
BEGGARS BILL, 2015

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BILL

*to provide for abolition of begging and rehabilitation of beggars  
and for matters connected therewith or  
incidental thereto.*

Be it enacted by Parliament in the Sixty-sixth Year of the Republic of India as follows:—

1. (1) This Act may be called the Abolition of Begging and Rehabilitation of Beggars Act, 2015. Short title, extent and commencement.

(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,—

Definitions.

(a) “appropriate Government” means in the case of a State, the Government of that State and in all other cases, the Central Government.

(b) “beggar” means a person who indulges in begging.

10 (c) “begging” shall have the same meaning as assigned to it in clause (a) of sub-section (4), section 363A of the Indian Penal Code.

45 of 1860.

(d) “fund” means Beggars welfare fund established under section 6.

(e) "prescribed" means prescribed by rules made under this Act.

(f) "rescue home or social security institution" means a home established under this act where any person taken into custody on the ground of begging shall be kept till the time he is rehabilitated.

Abolitions of begging.	<b>3. Begging by any person, irrespective of age and gender, in any manner is hereby abolished.</b>	5
Punishment for forced begging and sensitization of public.	<b>4. (1) Any person who forces another person of more than Eighteen years of age, into begging shall be punishable with imprisonment which shall not be less than seven years.</b> <b>(2) Any person who forces a child of any gender, who is less than 18 years of age, into begging shall be punishable with imprisonment which shall not be less than ten years.</b> <b>(3) It shall be the responsibility of the appropriate Government to sensitize the society about the repercussions of the forced begging and the multiple evil that enjoin in such anti-social activities threatening the peace and harmony of the society.</b>	10
Custody and rehabilitation of persons found begging.	<b>5. (1) Any person found begging shall be taken into custody by the Police and sent to the nearest rescue home or social security institution, to be established in each District by the appropriate Government, as the case may be, wherein such person shall be provided with facilities for rehabilitation, in such manner as may be prescribed.</b> <b>(2) It shall be the sole responsibility of the in-charge of the rescue home or the social security institution to ensure that the rescued beggar(s) brought by the Police, do not leave the rescue home or the social security institutions without the proper approval or permission of the authorities so empowered under the rules.</b>	15 20
Beggars' Welfare Fund.	<b>6. (1) The Central Government shall constitute a Fund to be called the Beggars welfare fund for the welfare of beggars.</b> <b>(2) The fund shall be utilised by the Central Government as and when required for the welfare and rehabilitation of beggars.</b>	25
Formulation of Schemes for beggars.	<b>7. (1) The appropriate Government shall formulate dedicated schemes for schooling of the children so rescued from begging.</b> <b>(2) It shall be the responsibility of the appropriate Government to ensure that the rescued children are adequately rehabilitated by providing requisite education and employment opportunities for their livelihood.</b>	30
Powers to make rules.	<b>8. (a) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.</b> <b>(b) Every rule made under this section 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 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.</b>	35 40
Lying of report.	<b>9. The Central Government shall lay a report before both Houses of Parliament every year on the progress of the implementation of the provisions of this Act.</b>	

### STATEMENT OF OBJECTS AND REASONS

Even after 68 years of Independence, begging continues to be a formidable problem facing the country. Ever since, we embarked upon a welfare state, several social security safeguards have been put in place to rehabilitate the beggars, many of who are young children. However, increasing incidents of begging across the country demonstrate a stark failure of the existing social security system, thus necessitating concerted remedial measures. India's urban centres, especially the metro cities, have been facing this problem of begging and the organised crime syndicates are using the beggars and children to promote their sinister designs. In many cases, it has also been seen that the organs of children begging at the signalled crossings on the roads are traded by illegal organ traders. Many orphan children have been left out of schools and they secure their livelihood by begging. This has contributed to India's burden of illiterates and out of school children. At a time, when the country is being seen as an important destination for foreign direct investment, international tourists inflow, etc., begging at the signalled crossings on the roads portray a negative picture of the country's profile and reputation as a democracy wedded to the ideals of promoting humane values. In the 21st century India, begging is a scar which the country can not afford to keep it at its own peril.

It is, therefore, imperative that legislation should be brought forward to abolish begging and to provide for adequate rehabilitation of beggars through a robust mechanism of social security institutions.

Hence, the Bill.

ANUBHAV MOHANTY

#### FINANCIAL MEMORANDUM

Clause 5 of the Bill provides for establishment of “rescue homes” in each district by the appropriate Government. Clause 6 provides for setting up of Beggars' Welfare Fund. Clause 7 provides for formulation of schemes for schooling of children by appropriate Government so as to enable beggars to take up suitable jobs. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of rupees five thousand crore per annum.

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

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

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

RAJYA SABHA

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*(Shri Anubhav Mohanty, M.P.)*