

**TOWARDS A RIGHTS-DRIVEN AND INCLUSIVE REHABILITATION POLICY FOR  
INDIA'S BEGGING POPULATION**

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*Pallavi<sup>1</sup>*

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**ABSTRACT**

*In India, begging is a complex issue with roots in poverty, unemployment, disability, displacement, and a lack of social support. It is not just a social problem. Beggars continue to be one of the most disadvantaged groups, despite being a visible part of both urban and rural life. They are frequently criminalized and kept out of the mainstream policy conversation. Anti-begging legislation, like the Bombay Prevention of Begging Act, 1959, has been passed by several states; these laws often punish rather than protect. This study examines whether India's beggar right policies are in line with the constitution's demands for social justice, equality, and dignity. The objective of this research is to evaluate the efficacy, legality, and compassion of current regulations and propose a rights-based, rehabilitative strategy. It seeks to explore to what extent existing laws and welfare programs address—or neglect—the socio-economic vulnerabilities faced by beggars and whether these measures promote their empowerment or lead to increased marginalization. The study employs a doctrinal approach, complemented by a socio-legal examination of legislative provisions, judicial rulings, government initiatives, and secondary literature. Additionally, it incorporates case studies and reports from non-governmental organizations and human rights bodies to comprehend the actual situations on the ground. The primary contention is that many policies in India treat begging as a criminal offense instead of recognizing it because of deep-rooted social inequalities. This perspective is not only unproductive but also raises constitutional concerns. The research advocates for the decriminalization of begging alongside the creation of comprehensive rehabilitation measures founded on principles of human rights and social welfare.*

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<sup>1</sup> Pallavi, Parul University, Vadodara, Gujarat.

**Keywords:** Beggary, Human Rights, Anti-Beggary Laws, Rehabilitation Policies, Socio-Legal Analysis

## INTRODUCTION

The notion that all people share the same basic desires and goals is the foundation of the concept of human rights. All humans have the same basic impulses for survival, belonging, and development, hence it is preferable to consider in terms of claims or rights that would apply to all of humanity. Human rights primarily concern social and political rights, such as the freedom from interference with one's personal integrity, the freedom to engage in political activity, the freedom of conscience, etc. However, there have been many recent changes in the field of human rights, some of which are fundamental to the idea itself. Human rights theory has recently changed its emphasis from civil and political rights to economic and social rights. Due to this shift in focus, people are now considering the importance of human rights for marginalized groups like labourer's, peasants, indigenous peoples, women, children, and prisoners. This new trend in human rights thinking has opened up at least two additional areas of enquiry.<sup>2</sup> The first step is to identify the new human rights recipients. Early human rights theory was generally broad and rarely had a specific group in mind as its focal point. Even in the places where the groups were mentioned, they always alluded to the societally accepted groups, such as political dissidents and prisoners of war. Second, the pro-elite class conception of human rights is gradually being modified to meet the needs of the recently discovered beneficiaries. Because to their economic circumstances and other characteristics like disabilities, beggars are often people who are trapped in an endless loop of poverty and lack the ability to plan a way out for sustaining themselves. There are two prominent views on the origin of beggary.<sup>3</sup> The first perspective, which may be referred to as the traditional perspective, views beggary as a continuation of the traditional religious practice with origins in ancient religious doctrines and social customs. The second theory about the causes of beggary contends that either individual or societal disarray is the fundamental cause of these obscene social conditions.

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<sup>2</sup> B.B. Pande, Rights of Beggars and Vagrants, 13 *India Int'l Centre Q.* 116–17 (1986).

<sup>3</sup> *Id.*

In other circumstances, the origins of begging are attributed to historical, cultural, and religious elements that promoted begging as an act of piety for both the recipient and the provider.<sup>4</sup> Begging is the most extreme type of poverty since it is the result of destitution, a position of great vulnerability. People who are destitute are trapped in a vicious circle of great poverty, houseless, helplessness, prejudice, rejection and economic inequality, all of which support one another. Some of the most prevalent causes of homelessness and destitution include mental illness, old age, family breakdown, distress migration, relocation, and illnesses such as leprosy, drug addiction, and physical disability.<sup>5</sup>

The total number of beggars is 4,13,670 out of which 2,21,673 males and 1,91,997 females.<sup>6</sup> West Bengal has the most beggars, followed by Uttar Pradesh, Rajasthan, Andhra Pradesh, Bihar, and Madhya Pradesh.

Begging discovers grounds for survival in a variety of situations. There are several factors that contribute to the expansion of begging, and they are dispersed throughout a fairly broad spectrum of sectors. Poverty, destitution, desertion, unemployment, underemployment, famine, drought, displacement and man-made or natural calamities that generate migration, homelessness, and so on are some of the various reasons that contribute to the presence of beggars and the practice of beggary.

### GLOBAL ANALYSIS OF LEGAL AND CONSTITUTIONAL FRAMEWORKS

Historically, anti-begging and anti-vagrancy laws have been a component of judicial systems around the world, treating begging as a criminal matter rather than a socioeconomic one. These laws frequently link beggars to criminal activity and public nuisances, and they see beggary as a danger to public order. One notable example of such legislation in India is the Bombay Prevention of Begging Act, 1959. This law, which was first passed in Maharashtra, has since been expanded to 19 states and three union territories. Without addressing the socioeconomic

<sup>4</sup> Sumita Sarkar, Beggary in Urban India: Reflections on Destitution and Exploitation, 68 *Indian J. Soc. Work* 525 (2007).

<sup>5</sup> Ministry of Social Justice & Empowerment, *Support for Marginalized Individuals for Livelihood and Enterprise (SMILE)*, <https://grants-msje.gov.in/display-smile-guidelines> (last visited Feb. 21, 2022).

<sup>6</sup> Bibek Debroy, Which State Has Most Beggars, and How Beggars Differ from Vagrants, *The Week* (Apr. 15, 2021), <https://www.theweek.in/columns/bibek-debroy/2021/04/15/bibek-debroy-which-state-has-most-beggars-and-how-beggars-differ-from-vagrants.html>.

factors that contribute to beggarly behaviour, it criminalizes begging and permits incarceration in accredited facilities.<sup>7</sup>

In the past, beggars were associated with unease and chaos in public areas and were seen to be precursors to crime. But the perception has changed over time. Beggary is now understood to be a sign of more serious social problems such as homelessness, unemployment, poverty, and disability. This change in perspective necessitates a rehabilitative strategy instead of a punishing one. Many nations around the world have passed anti-begging legislation, frequently with severe consequences. The Public Security Administration Punishment Law in China makes it illegal to force or take advantage of people to beg. Article 262(2) of the Chinese Criminal Law stipulates that arranging for children or people with disabilities to beg can result in a maximum sentence of seven years in prison.<sup>8</sup>

Several Australian states, including Victoria, Queensland, South Australia, Tasmania, and the Northern Territory, have laws against begging. Financial fines and up to a year in jail are among the possible punishments.<sup>9</sup>

Anti-begging legislation in the US is restricted by First Amendment constitutional safeguards. However, aggressive panhandling is prohibited by local ordinances like those in Boston and San Francisco, which are often enforced by public awareness efforts rather than harsh criminal penalties.<sup>10</sup>

Canada takes a focused stance. Aggressive or threatening panhandling is prohibited by Ontario's Safe Streets Act, 1999. Repeat offenders may face jail time in addition to fines ranging from CAD 500 to CAD 1,000.<sup>11</sup>

Begging has been criminalized in practically every corner of the world over time. Almost every nation on the globe created its own vagrancy and anti-beggary legislation based on Britain's Vagrancy Act of 1824. Most nations have retained their former colonial heritage. Countries that maintain anti-begging legislation claim two fundamental reasons for doing so-

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<sup>7</sup> Begging Should Not Be a Crime If Done Due to Poverty, *Times of India* (Nov. 30, 2017), <https://timesofindia.indiatimes.com/city/delhi/begging-should-not-be-a-crime-if-done-due-to-poverty/articleshow/61856294.cms>.

<sup>8</sup> *India Const.* art. 41.

<sup>9</sup> Paula Hughes, The Crime of Begging: Punishing Poverty in Australia, 30 *Parity* 32–33 (2017).

<sup>10</sup> Marc-Georges Pufong, *Panhandling Laws*, First Amendment Encyclopedia (Aug. 11, 2023), <https://www.mtsu.edu/first-amendment/article/1215/panhandling-laws>.

<sup>11</sup> Engel & Associates, Is Panhandling Illegal in Ontario? <https://bruceengel.com/2016/03/is-panhandling-illegal-in-ontario/>.

▪ **Public nuisance**

The most often claimed justification for the passage and enforcement of anti-begging legislation in most states has been public disturbance and intimidation. Governments have frequently claimed their concern for the masses as the driving force behind enacting anti-begging legislation. Citizens frequently express uneasiness at the sight of beggars and fear of being targets of any potential criminality. As a result, states exploit this as an excuse for establishing anti-begging legislation and, as a result, prosecuting beggars under those laws.

The first notion that comes to mind to justify the application of anti-beggary laws is the creation of a public nuisance. It is said that the public is already annoyed and uncomfortable by the appearance of beggars. Beggars are viewed as irritating individuals who strive to live as unproductive freeloaders.

▪ **Broken Windows Theory**

The broken windows theory provides grounds for criminalizing beggars and homeless people in the modern era. This notion maintains the perception that vagrancy and begging are precursors to more severe criminal activity; beggars are a public nuisance and source of intimidation; and beggars lack deservedness.<sup>12</sup> This idea contends that if neighbourhood disturbances such as public drinking, begging, and vagrancy are not handled; the region becomes a potential and defenceless breeding ground for unlawful activity.

According to the theory, any apparent indicators of crime, antisocial conduct, or civil unrest that go unnoticed develop an urban setting that further aggravates problems and encourages future crime and unrest. The idea was that once a crack forms, things become extremely difficult to handle and usually fall out of hand.<sup>13</sup> This idea was used as an argument for an increased presence of police in areas where there were disturbances.

Authorities and governments favourably accepted this method equally, as it offered a window of opportunity in the middle of an elevated crime rate to enact strict legislation. In addition to the drug dealers, prostitutes, criminal groups, and pimps, laws based on the Broken Window Theory also targeted beggars. Until 2001, the concept was successfully put into action and was widely regarded as flawless in view of the large decline in crime rates in places where it was

<sup>12</sup> Dennis J. Baker, A Critical Evaluation of the Historical and Contemporary Justifications for Criminalizing Begging, 73 *J. Crim. L.* 212–40 (2009)

<sup>13</sup> How a Theory of Crime and Policing Was Born and Went Terribly Wrong, *NPR* (Nov. 1, 2016), <https://www.npr.org/2016/11/01/500104506/broken-windows-policing-and-the-origins-of-stop-and-frisk-and-how-it-went-wrong>.



implemented.<sup>14</sup> On the basis of this assumption, anti-begging legislation gained momentum and was widely approved.

Our laws often disregard the fact that begging is intimately linked to the homeless and unemployed.<sup>15</sup> It is important to note that most anti-begging laws adopted around the world, including the 1959 Bombay Prevention of Begging Act, are based on the Vagrancy Act, 1824. While the Vagrancy Act, 1824, was used as a weapon to control the people in India during colonial times. The Bombay Prevention of Begging Act of 1959 afterwards served as the template for anti-begging legislation in different states and union territories across India.

As a result, beggars have not only been socially despised but have also been relegated to the lowest rung of the legal system. The country's judicial system aims to label beggars as criminals rather than rehabilitate them and assist them in ending their distressing and pitiful situations of poverty. The Bombay Prevention of Begging Act, 1959, which initiated the criminalization of both beggars and begging, serves this purpose. In the absence of a uniform central law on the subject, it is the primary anti- begging law in the nation and has been adopted by numerous other states and union territories. The Act was modelled after the Vagrancy Act of 1824, which was in effect in England at the time. During British rule in India, the Vagrancy Act was enforced in order to serve as a tool to control the masses. Following the lead of its colonial rulers, the state of Bombay reinstated the regulation by introducing the Bombay Prevention of Begging Act, 1959, with the ostensible goal of stopping the city's beggar population from mushrooming. However, the Act's provisions were strikingly similar to the Vagrancy Act of 1824. Surprisingly, the Vagrancy Act remains in effect in England, with calls for its repeal increasing louder by the day. The UK government's announcement to repeal the Vagrancy Act, which makes rough sleeping and begging a criminal offence in England and Wales, punishable by a fine of up to £1000 and a two- year imprisonment, is a huge step forward in de-stigmatizing and decriminalizing people on our streets.<sup>16</sup> Despite the fact that repeal is now a matter of law, the Act remains on the books.

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<sup>14</sup> David M. Smith, A Theoretical and Legal Challenge to Homeless Criminalization as Public Policy, 12 *Yale L. & Pol'y Rev.* 492–97 (1994).

<sup>15</sup> Mehak Malik, Street Begging in Delhi: A Study of Anti-Begging Act and Institutional Arrangements for Homeless People, SSRN (Oct. 2012), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2148572](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2148572).

<sup>16</sup> Louise Nethercott, Repeal of the Vagrancy Act: Decriminalising Homelessness, *Human Rights Pulse* (Mar. 23, 2022), <https://www.humanrightspulse.com/mastercontentblog/repeal-of-the-vagrancy-act-decriminalising-homelessness>.

And the government might repeal it and replace it with a new law that criminalizes homelessness by backdoor.<sup>17</sup>

In *Ram Lakhan v. State*<sup>18</sup>, the Delhi High Court made some notable and noteworthy findings on beggars. Justice B.D. Ahmed examined the principles of necessity and duress as well as the concepts of equality and liberty as outlined in the Indian Constitution. In this decision, the Court moved away from harsh punishment for beggars and established broad rules outlining how beggars should be treated.

Our rules are based on the notion that all beggars voluntarily engage in the practice of begging and are thus criminals in the making. Contrary to popular belief, a significant proportion of beggars become beggars out of necessity rather than choice. They are homeless and have no profession or source of income; therefore, they resort to begging since it is inescapable given their situation. Despite the fact that they have no option except to beg, our laws expose them to even more dehumanizing situations. The Delhi High Court went on to say that the Act's purpose is "prevention of begging," and that there is a need to recognize that the stated objective has two goals incorporated in it: nobody should beg and nobody should need to beg.<sup>19</sup>

In the case of *Harsh Mander & Anr v. UOI & Anr*<sup>20</sup>, decided on August 8, 2018, the Delhi High Court gave a historic judgment under the auspices of Acting Chief Justice Gita Mittal and Justice C Hari Shankar, decriminalizing begging and ruling the relevant legislation unconstitutional. While reviewing the Act and its contents, the court explicitly said that criminalizing begging was a wholly erroneous approach, and the failure of the State to provide for its citizens cannot be arbitrarily legislated into criminalization for the subjects.<sup>21</sup>

In effect, the Court struck down 25 different sections of the Act as violating the essence of the Indian Constitution.<sup>22</sup>

The language of the Bombay Prevention of Begging Act, 1959, reveals that India's attitude towards beggars and begging is punitive rather than rehabilitative. As previously stated, the law

<sup>17</sup> Is It Scrapped Yet? An Update on Our Campaign to Repeal the Vagrancy Act, *Crisis UK*, <https://www.crisis.org.uk/about-us/the-crisis-blog/is-it-scrapped-yet-an-update-on-our-campaign-to-repeal-the-vagrancy-act/>.

<sup>18</sup> *Beggary Prevention Act Case*, 137 (2007) DLT 173 (India).

<sup>19</sup> Usha Ramanathan, Ostensible Poverty, Beggary and the Law, 43 *Econ. & Pol. Weekly* 35–44 (2008).

<sup>20</sup> *W.P.(C) 10498/2009 & CM Appl. 1837/2010*, Delhi High Court (India).

<sup>21</sup> Begging in Delhi No More a Criminal Offence, Says High Court, *NDTV* (Aug. 8, 2018).

<sup>22</sup> *India Const.* arts. 14, 19, 20, 21, 22.

makes no distinction between "begging" and "appearing to be a person who subsists on begging." Thus, anti-begging laws successfully punish what is known as "ostensible poverty."<sup>23</sup> A thorough examination of the limited application of these Acts reveals numerous abuses of human rights, wherein the centres intended for the accommodation and care of beggar detainees have constantly rejected their necessities and abused their faith.

### **NATIONAL POLICIES ADDRESSING THE WELFARE OF BEGGARS AND THE NEEDY**

Even though India lacks a single piece of legislation that addresses beggar welfare directly, the central government has implemented a number of charity programs to help the poor, including beggars. These programs give people access to social safety, work, housing, food security, and healthcare. An outline of the main national policies pertaining to the welfare of vulnerable populations and beggars can be found below.

#### **a) Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB-PMJAY)**

The Ministry of Health and Family Welfare launched the Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB-PMJAY) on September 23, 2018. It is a flagship program that aims to achieve Universal Health Coverage (UHC) in accordance with the Sustainable Development Goals (SDGs) and the National Health Policy 2017 to "leave no one behind." Through two interconnected components, the plan aims to completely overhaul the primary, secondary, and tertiary healthcare systems:

- **Health and Wellness Centres (HWCs)**
- **Pradhan Mantri Jan Arogya Yojana (PM-JAY)**

#### **b) Swarna Jayanti Shahari Rozgar Yojana (SJSRY)**

In order to give urban unemployed and underemployed poor people gainful employment, the Ministry of Housing and Urban Poverty Alleviation introduced the Swarna Jayanti Shahari Rozgar Yojana (SJSRY) on December 1, 1997. Redesigned in 2009–10, it emphasizes leveraging labour for economically and socially beneficial public assets in order to facilitate wage employment, skills training, and self-employment endeavours. SJSRY is a centrally sponsored program that is 75:25 supported by the federal government and the states.

It comprises two main components:

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<sup>23</sup> Ramanathan, *supra* note 19.



- **Urban Self Employment Programme (USEP):** Offers loans to individual microbusinesses up to Rs. 200,000 with a 25% central subsidy (up to Rs. 50,000).
- **Urban Wage Employment Programme (UWEP):** Offers wage work opportunities for building public infrastructure through urban local bodies, paying participants the minimum wage as specified.<sup>24</sup>

### c) Antyodaya Anna Yojana (AAY)

By using the Targeted Public Distribution System (TPDS), the Ministry of Consumer Affairs, Food & Public Distribution launched the Antyodaya Anna Yojana in December 2000 with the goal of reducing hunger among the Below Poverty Line (BPL) population's weakest members. With heavily subsidized food grains (Rs. 2/kg wheat, Rs. 3/kg rice), it first targeted one crore of the poorest households. Since then, it has grown to include 2.5 crore people.

The Pradhan Mantri Garib Kalyan Anna Yojana (PMGKAY), which was introduced during the COVID-19 pandemic to guarantee a continuous supply of food grains, raise monthly rations, and reduce hunger among the underprivileged and vulnerable, further strengthened the program.<sup>25</sup>

## MEASURES FOR REHABILITATION OF BEGGARS IN INDIA

### • Constitutional and Legislative Framework

The phrases "beggar" and "beggary" are not specifically mentioned in the Indian Constitution. However, "relief of the disabled and unemployable" is included in Entry 9 of the State List in the Seventh Schedule, giving governments the legislative authority to handle beggary as a welfare concern. Concurrently, "vagrancy" is covered by Entry 15 of the Concurrent List, which gives the federal government and state governments the authority to enact laws on the topic.<sup>26</sup> Currently, there are laws that either criminalize or regulate begging in about 20 states and 2 union territories. These laws may be adopted from other jurisdictions or be their own statutes. The Ministry of Social Justice and Empowerment is in the process of creating a model law on

<sup>24</sup> Ministry of Housing & Urban Poverty Alleviation, *SJSRY in Urban Areas*, Press Info. Bureau (Feb. 21, 2014), <https://pib.gov.in/newsite/PrintRelease.aspx?relid=98498>.

<sup>25</sup> Centre Extends Pradhan Mantri Garib Kalyan Ann Yojana (PMGKAY) for Another Three Months, *PM India* (Oct. 2022), [https://www.pmindia.gov.in/en/news\\_updates/centre-extends-pradhan-mantri-garib-kalyan-ann-yojana-pmgkay-for-another-three-months-october-2022-december-2022/](https://www.pmindia.gov.in/en/news_updates/centre-extends-pradhan-mantri-garib-kalyan-ann-yojana-pmgkay-for-another-three-months-october-2022-december-2022/).

<sup>26</sup> D.D. Basu, *Commentary on the Constitution of India* (10th ed. LexisNexis Butterworths Wadhwa Nagpur 2012).

destitution that encourages governments to take a consistent stance by emphasizing rehabilitation over criminalization.<sup>27</sup>

- **Scheme for Comprehensive Rehabilitation of Persons Engaged in Begging**

In eleven cities—Patna, Delhi, Mumbai, Chennai, Kolkata, Hyderabad, Nagpur, Bhopal, Indore, and Lucknow—the Indian government decided to apply the Bihar Model. After that, the Ministry of Social Justice and Empowerment started the central sector program known as SMILE (Support for Marginalized Individuals for Livelihood and Enterprise), which aims to completely rehabilitate beggars.<sup>28</sup> In cooperation with states, urban municipal bodies, non-governmental organizations, and volunteer institutions, the program offers identification, counselling, vocational training, education, and health care for individuals involved in begging.<sup>29</sup>

NBCFDC (National Backward Classes Finance and Development Corporation) was given ₹1 crore in 2017–18 and ₹50 lakh in 2018–19 to implement trial skill development programs for beggars.<sup>30</sup> These included vocational instruction in woodwork, agarbatti making, tailoring, needlework, and other related crafts.

- **Integrated Child Protection Scheme (ICPS)**

For kids in challenging situations, such as those begging, the Ministry of Women and Child Development administers ICPS. It helps UTs and state governments manage Child Care Institutions (CCIs) and conduct scenario evaluations to find children who require protection and care. Through institutional and non-institutional care, educational support, and coordination with other child welfare programs, the program places a strong emphasis on reintegrating these children into mainstream society.<sup>31</sup>

- **Mission Vatsalya**

Through decentralized planning and execution by states and local entities, Mission Vatsalya, which was started by the Ministry of Women and Child Development, seeks to provide a safe environment for children. It places a strong emphasis on identifying and rehabilitating vulnerable adolescents, such as street children and child beggars. Open shelters are intended to offer life

<sup>27</sup> Ministry of Social Justice & Empowerment, *About the Division*, <https://socialjustice.gov.in/common/47564>.

<sup>28</sup> Centre Accepted Bihar Beggary Prevention Scheme as a Model, *Hindustan* (June 22, 2022).

<sup>29</sup> Ministry of Social Justice & Empowerment, *Scheme for Comprehensive Rehabilitation of Beggars*, Press Info. Bureau (Mar. 18, 2020), <https://pib.gov.in/PressReleasePage.aspx?PRID=1606946>.

<sup>30</sup> Ministry of Social Justice & Empowerment, *Rehabilitation of Beggars*, Press Info. Bureau (Feb. 12, 2019), <https://pib.gov.in/Pressreleaseshare.aspx?PRID=1564072>.

<sup>31</sup> Ministry of Social Justice & Empowerment, *Schemes for Beggars*, Press Info. Bureau (Aug. 10, 2021), <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1744483>.

skills instruction, recreational opportunities, and psychological assistance, and local governments have the authority to organize shelters and skill-building initiatives.<sup>32</sup>

- **Bihar Model**

***Bhikshavriti Nivaran Yojana***

Care and rehabilitation are given precedence over criminal imprisonment under the Chief Minister's Bhikshavriti Nivaran Yojana. More than 10,000 beggars were discovered through surveys in 12 regions, and 4,219 people were given identity cards. Housing amenities such as raen baseras (night shelters), counselling, and vocational training were offered.<sup>33</sup>

***Mukhyamantri Bhikshavriti Nivaran Yojana (MBNY)***

Under the name "Saksham," this program is now run in eight districts by the State Society for Ultra Poor and Social Welfare (SSUPSW). It consists of self-help group (SHG) development, vocational training, legal assistance, and rehabilitation facilities for both men and women.<sup>34</sup>

- **SAHAYA (Odisha Model)**

Launched in 2020, Odisha's SAHAYA initiative seeks to see beggars as unique people with potential and natural dignity. To guarantee quality and employability, SAHAYA skill training is in line with the National Skill Qualification Framework (NSQF).<sup>35</sup>

- **Bhor – Rajasthan Model**

In 2021, the Rajasthan Skilling and Livelihood Development Corporation, in collaboration with non-governmental organizations, introduced the Bhor scheme. In Jaipur, where 1,168 beggars were discovered, the experiment got underway. One hundred physically fit people were chosen from this group to get skill training. There were courses available in electrical work, plumbing, security services, baking, and tailoring.<sup>36</sup>

With little success, several Indian states have implemented programs for the rehabilitation of beggars. While Maharashtra has 13 shelters with a capacity of 3,100, Madhya Pradesh only has one in Indore, housing 400 inmates.<sup>37</sup> These initiatives, however, are not well carried out or coordinated among departments. Meaningful transformation is impeded by enduring poverty,

<sup>32</sup> *Mission Vatsalya Guidelines*.

<sup>33</sup> *Bihar Vikas Mission*, <https://bvm.bihar.gov.in/content/4514/humandevlopmentsubmission>.

<sup>34</sup> *Saksham – SSUPSW Bihar*, <https://www.ssupsw.in/AboutUs.aspx?GL=2>.

<sup>35</sup> *Sahaya Scheme*, Social Security & Empowerment of Persons with Disabilities, Odisha,

<sup>36</sup> Amitabh Srivastava, One Hundred Beggars, *The Citizen* (Mar. 18, 2021), <https://www.thecitizen.in/index.php/en/NewsDetail/index/9/20122/One-Hundred-Beggars>.

<sup>37</sup> Ajay Mardikar, 1601 Beggars in Nagpur to Be Rehabilitated by NMC, *The Live Nagpur* (Apr. 27, 2022), <https://www.thelivenagpur.com/2022/04/27/1601-beggars-in-nagpur-to-be-rehabilitated-by-nmc/>.

ambiguous regulations, and inadequate implementation. The emphasis must go to pursuing exploiters and improving vocational training for long-term rehabilitation after begging is decriminalized.

## CONCLUSION

Begging has social and historical origins in India. It used to be associated with religious mendicancy, but today it stands for marginalization, unemployment, and poverty. The majority of beggars do so out of necessity rather than choice. However, rather than addressing the root causes of poverty, laws like the Bombay Prevention of Begging Act, 1959, penalize it, punishing the weak and going against the proportionality principle. Singers and trinket vendors are among the small-scale workers who are unfairly singled out. There are welfare programs like SMILE, Antyodaya Anna Yojana, and Ayushman Bharat, but their poor execution keeps them ineffectual. Conditions have not improved under the present punishing strategy. Decriminalization is crucial, as is a cohesive rehabilitation strategy that emphasizes social inclusion, skill development, and mental health. In order to restore opportunity and dignity, the state must transition from punishment to protection.

## RECOMMENDATIONS

1. To identify and catalog the beggar population, a thorough nationwide census is the first and most important stage. The census's current data is inadequate and out of date.
2. It is crucial to implement social policies that combine housing, healthcare, employment creation, and poverty reduction. It is important to see begging as a result of structural socioeconomic issues rather than personal moral failings. Age, health, and economic instability vulnerabilities must all be addressed by the measures.
3. It is necessary to set up specialized vocational training facilities, sometimes known as "service centres," to teach marketable skills. Carpentry, plumbing, tailoring, cooking, driving, photography, and computer abilities should all be included in training, performed by qualified experts with state-of-the-art tools.
4. Beggars should receive "Self-Employment Kits" after training, which include the necessary equipment and supplies to launch small enterprises or make a living. The key to facilitating economic self-sufficiency is this material and financial support.
5. A further essential component of making a beneficial impact on the well-being of beggars is making sure that their personal lives do not have a detrimental influence on their social,

emotional, and psychological wellbeing. To prevent the same from having a bad influence in the daily lives of beggars, one essential step that may be taken is to work to bring them together with their families.

6. Decriminalizing begging would stop people from being even more marginalized. Making a survival strategy illegal merely makes human rights abuses worse and encourages legal exploitation. Rehabilitative measures must take the place of anti-begging legislation. Laws should target the underlying causes rather than the symptoms, emphasizing social reintegration and change above punishment.
7. A standard law dealing with the rehabilitation of beggars throughout India is urgently needed. It is vital to acknowledge that begging is a societal issue in our culture. To erase the stigma of having the most beggars, we need to first tackle the root causes of beggars. A statute focusing on these issues with the ultimate purpose of rehabilitating beggars is a much-needed remedy. As vagrancy is on the concurrent list, the Union government can prepare the legislation.

