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National Human Rights Commission

Minutes of the Open House Discussion on ‘Preventing Beggary and rehabilitation of individuals engaged in Beggary’

The National Human Rights Commission (NHRC), India organized an open house discussion on ‘Preventing beggary and rehabilitation of individuals engaged in beggary’ on 28 August, 2024 at Manavadhikar Bhavan, New Delhi. The meeting was chaired by Hon’ble Acting Chairperson Smt. Vijaya Bharathi Sayani. The open house discussion was attended by NHRC Secretary General Shri Bharat Lal, Registrar (Law) Shri Joginder Singh, Joint Secretary Shri Devendra Kumar Nim, representative of the Ministry of Social Justice and Empowerment (MoSJE), Government of Bihar, Government of Rajasthan, Government of NCT of Delhi, NGOs, Academia, and eminent subject-matter experts. The list of the participants is annexed.

2.) The agenda of the open house discussion was ‘Preventing Beggary and rehabilitation of individuals engaged in Beggary which broadly focused on four themes, i.) Understanding Beggary: Concepts, meaning, types and factors, impact of beggary on individuals and its broader implications for communities; ii.) Legal and Policy framework: the debate of criminalization vs. non-criminalization of Beggary; iii.) Interventions by the State and barriers preventing in accessing such support services; iv.) Role played by NGO’s/ CSO’s in preventing Beggary and rehabilitation of individuals engaged in Beggary.

3.) **Shri Devendra Kumar Nim** welcomed distinguished guests and participants to an open house discussion on "Preventing Beggary and Rehabilitation of Individuals Engaged in Beggary," expressing gratitude to all attendees. He informed the house about the objectives of the discussion is aimed to address four main themes: understanding beggary, the legal framework surrounding it, state interventions, and the role of NGOs and civil society organizations. He noted that beggary in India is a multifaceted issue deeply rooted in socio-

economic challenges, exacerbated by inadequate data and ineffective laws. He shared that the recently issued NHRC advisory on preventing beggary has taken a multi-pronged approach, focusing on policy changes, data collection, rehabilitation, and prevention, to tackle the complex issue of beggary in India. It recommended a shift towards decriminalization. He concluded with a call for a re-evaluation of out-dated laws and need for a more compassionate approach aligned with constitutional principles.

4.) Secretary General **Shri Bharat Lal** welcomed all the participants to the meeting. He noted that the country has a number of a small marginalized groups, such as transgender individuals, people involved in begging, those living with leprosy, and trafficked girls are often overlooked due to their smaller numbers. These groups urgently need our attention. Consequently, the National Human Rights Commission chose to address the issue of begging and issued an advisory.



Hon'ble Secretary General Shri Bharat Lal addressing the Open House Discussion

5.) He explained the background behind the issuance of NHRC Advisory on 'Preventing Beggary and rehabilitation of Individuals engaged in Beggary.' He noted that when the Commission chose to address the issue of begging, it discovered a lack of reliable and updated data on individuals involved in begging. Additionally, the commission had limited information about the individuals and organizations working on this issue. As a result, it took 3 to 4 months to gather the necessary information to prepare the advisory.

6.) He stated that governments, especially in recent years, have been committed to continually improving the quality of life for citizens. There has been a focused effort by the governments to ensure universal access to basic services such as water, housing, and electricity. He pointed out that if 80 crore people in the country are receiving food grains, it is worth considering whether the 4,00,000 or more individuals engaged in begging are also receiving access to food grains, housing, electricity connections, toilets, and cooking gas. He further noted that many of these services could be made available to individuals engaged in begging if they had an Aadhar card. The Secretary General expressed concern that despite governments, human rights bodies, and civil society organizations working on rehabilitation of these individuals, the issue continues to persist.

7.) He stated that the focus of today's discussion should be to understand the challenges associated with this issue and determine whether the stakeholders present in the meeting - such as governments, NGOs/ civil society, and the NHRC - along with the beggars themselves, can collaboratively develop an action plan for the rehabilitation of the 400,000 or more individuals engaged in begging. These individuals come from various age groups, genders, and regions across the country. He expressed hope that the discussion will result in tangible actions for the welfare of those involved in begging.

8.) In her speech, **Smt. Vijaya Bharathi Sayani** warmly welcomed the participants and expressed her happiness on coming together to discuss such a complex issue of beggary and its societal implications. Emphasizing the multifaceted nature of beggary, she highlighted how it reflects deep socio-economic disparities in India, where traditional and cultural practices have evolved into a modern challenge intertwined with poverty, inequality, and social exclusion. She stressed the need for a nuanced approach, addressing both the root causes and the broader socio-economic and cultural dimensions of beggary. She advocated for a compassionate, systematic approach to tackle poverty and inequality, urging collaboration among government bodies, NGOs, and communities to create effective support systems and promote human dignity. She concluded by expressing hope that the open house discussion would provide valuable insights and foster solutions to this pressing societal issue.



Hon'ble Acting Chairperson, Smt. Vijaya Bharathi Sayani delivering the inaugural address.

9.) **Shri Ajay Srivastava**, Economic Advisor at the Ministry of Social Justice & Empowerment, addressed the difficulties in rehabilitating persons involved in beggary, citing issues with the SMILE-B Scheme. He highlighted that beggars often miss out on skill development programs due to income and academic requirements, resulting in fragmented services from NGOs. Additionally, specific needs of mentally challenged beggars and other vulnerable groups like the elderly and leprosy-affected individuals are not adequately addressed, often relegating them to mental health facilities. Shri Bharat Lal, Secretary General of NHRC India, raised concerns about Aadhar card issuance challenges, proposed a nationwide campaign for Aadhaar enrollment, and questioned the exclusionary elements of various schemes. He urged the Ministry to tackle these issues and develop a comprehensive rehabilitation strategy. Shri Srivastava agreed to initiate a campaign, address scheme exclusivity with relevant ministries, and develop a Standard Operating Procedure (SOP) for rehabilitation. He committed to providing NHRC with a list of vocational schemes that exclude beggars and to convene a meeting to resolve these issues, with an action report due in 30 days.

10.) **Shri S. Venkatesan**, National Coordinator for the SMILE-B Scheme at MoSJE, reported that the scheme is currently active in 78 cities. The scheme mandates identifying beggars and issuing them Aadhaar cards, followed by counseling services. A national portal has been created for real-time data, with 6,000 individuals identified and 800 rehabilitated in

the initial phase. He also noted that many transgender individuals involved in begging lack Aadhaar cards and recommended that MoSJE request the UIDAI to address this issue. Shri Bharat Lal emphasized that solving the complex issue of begging requires collaboration with civil society and NGOs, advocating for better information sharing and partnerships to enhance the understanding and response to beggary.



Shri S. Venkatesan informing the house about implementation of SMILE scheme

11.) **Smt. Jyoti Duhan Rathee**, a former member of the Delhi Commission for Protection of Child Rights, emphasized the need for improved coordination among stakeholders in addressing child begging. She proposed several measures to tackle the issue: i) Stakeholders like Child Welfare Committees (CWCs), District Child Protection Units (DCPUs), Childline, police, and NGOs should identify and map hotspots under the guidance of District or Sub Divisional Magistrates; ii) There should be comprehensive mapping of families and children on the streets, including orphans, out-of-school children, and those involved in begging; iii) Each district should implement rescue missions with representatives from various departments and NGOs, with reports submitted to the District Magistrate; iv) Rescued children should be formally presented before the CWC, and not just released by police after informal discussions; v) All relevant stakeholders should work together to create a detailed database of children categorized by their circumstances to develop effective rehabilitation strategies; vi) A shared Management Information System (MIS) should be established to ensure consistent care for children who move between districts within the city.

12.) **Shri Prashant Kumar Ch. (IAS)**, CEO of the Social Welfare Department in Bihar, shared that the state has created the State Society for Ultra Poor and Social Welfare, known as 'SAKSHAM' under the Societies Registration Act, 1860. This society's main initiative is the *Mukhya Mantri Bhikshavriti Nivaran Yojna* (MBNY), aimed at preventing and rehabilitating beggars through a comprehensive approach. The mobile app Pehchan has surveyed 15,295 beggars, linking 8,556 to Aadhaar and 4,483 to bank accounts, with health camps providing medical care and disability certification. Beggars are often found near religious and tourist sites, with efforts focused on rehabilitation, including family reunification. The state runs 19 rehabilitation homes and 2 halfway homes across 10 districts, housing 8,725 beneficiaries, with 3,769 rehabilitated through family or employment. Each shelter provides food, clothing, counseling, medical care, and self-employment training, supported by the Swawlamban Yojana, which aids 279 beggars with up to Rs. 10,000 for self-employment. Community-based saving groups are also promoted, with 95 groups saving Rs. 12,64,540. Despite challenges with Aadhaar issuance, Sewa and Shanti Kutir addresses are being used, and digital donations have raised Rs. 77,656 through the 'Dan Nahi Samman' campaign. NHRC Secretary General Shri Bharat Lal recommended a focused campaign for Aadhaar and bank account linkage, family rehabilitation, and directing donations to social institutions instead of government agencies.



Shri Prashant Kumar (IAS) presenting the steps taken by Bihar Government to prevent Beggary

13.) **Professor Archana Kaushik** from the Delhi School of Social Work proposed several

measures to improve the welfare of individuals involved in begging. She emphasized the need for regular training and capacity building for staff working in beggar rehabilitation to enhance their sensitivity and expertise. She highlighted the importance of creating tailored interventions for the diverse segments within the beggar population, supported by a comprehensive database. Emotional support is crucial for sustainable rehabilitation, as addressing emotional issues can prevent relapse. Additionally, she stressed the need to eliminate the labelling of beggars to reduce aggression and promote dignity. Finally, she suggested exploring innovative solutions, citing the example of the 1970's England, where mandatory sports for children significantly reduced juvenile delinquency.



Smt. Archana Kaushik suggesting the measures that should be taken for rehabilitation of individuals involved in Beggary

14.) **Shri Dilbhan Singh** from the Rajasthan Social Welfare Department reported that the Rajasthan Rehabilitation of Beggars or Indigents Act, enacted and notified in 2012, established an advisory board chaired by the Minister of Social Welfare, which has met twice between 2021 and 2024. Jaipur has been chosen as a pilot city for implementing the Act, with four rehabilitation centers set up across its districts. So far, 3,117 beggars have been rescued, and 2,909 have been either reintegrated into their families or given employment. Currently, 208 people reside in these centers. The department has encountered difficulties with Aadhaar card issuance due to existing cards and missing documentation. To overcome this, a new portal has been created for unique identification, making Aadhaar numbers non- mandatory. Plans include linking beggars to social security schemes, with a budget of Rs. 46 lakh for FY

2023-24 and Rs. 110 lakh for FY 2024-25. The action plan is awaiting finance department approval, with hotspot identification underway in Ajmer and Udaipur and the SMILE-B Scheme being implemented in Jaisalmer with NGO support. NHRC Secretary General Shri Bharat Lal stressed the importance of Aadhaar enrollment for accessing government schemes and avoiding duplication.

15.) **Shri Rajeev Saxena**, Deputy Director, Department of Social Welfare, Government of NCT of Delhi said that areas of Connaught Place (CP) and Bangla Sahib Gurudwara in Delhi are identified under SMILE Scheme.

16.) **ACP Arun Chouhan** of the Delhi Police Crime Branch expressed his opposition to complete decriminalization of begging, citing concerns about begging cartels and syndicates that exploit individuals by involving them in prostitution and trafficking. However, he concurred that, excluding these organized groups, decriminalization could be appropriate for individuals who beg on the streets solely to earn their livelihood.

17.) **Dr. Mahesh Sharma**, a retired Chief Probation Officer with the Government of NCT of Delhi, noted that the Person in Destitution Bill treats beggars as individuals in a livelihood crisis and is currently pending before the Parliament of India. He referenced a judgment by Justice Badar Durrez Ahmed, which categorized beggars into six distinct groups. Dr. Sharma suggested that detention measures should be considered for those categories of beggars involved in criminal activities.

18.) **Shri Chandra Mishra**, Director of Beggars Corporation, reported that their organization, recognized as a social impact start-up by the DPIT, operates as a for-profit private limited company with a turnover of ₹3.48 crore last year with assistance from 17 beggar families in Varanasi. Unique for having beggars as shareholders, the corporation faces challenges in identifying genuine beggars. The organisation operates an informal educational program called *School for Life* for rehabilitating those children who are engaged in Beggary and have also launched the "Begging-Free Banaras" campaign to encourage meaningful engagement with beggars. They also upcycle used clothes into handbags and partner with ONDC, Paytm, and Myntra for sales. Beggars receive ₹7,000 per month and support through a three-month orientation program, including psychological aid. Funding comes from the *One Beggar One Mentor (OBOM)* scheme and revenue-generating Special Purpose Vehicles

(SPVs). The model, which could be scaled to larger cities, has been proposed to rehabilitate 1,000 families in Varanasi.



Shri Chandra Mishra informing the meeting about his organisation Beggars Corporation

19.) **Shri Rajesh Kumar**, Director of the Society for Promotion of Youth and Masses (SPYM), reported that his organization has been tackling drug and substance abuse, especially among children and young adults, for forty years. He noted that many beggars in Delhi are drug users who lack necessary documentation like Aadhaar Cards, making treatment challenging. SPYM has enrolled and retained 568 children previously involved in begging into Delhi's government schools, overcoming significant obstacles in retention by working with school administrations. Shri Kumar advocated for specialized treatment centers for substance-abusing beggars, particularly prioritizing children, women, and followed by adult men, including those with disabilities or mental health issues. He also suggested implementing early warning systems in schools to detect at-risk children. SPYM's globally adopted early warning module called *NAVCHETNA*, aims to address substance abuse in schools. He proposed alternatives to incarceration, such as continuous treatment and counseling, and called for a public fund to support NGOs with transparency on fund usage. He shared that while SPYM's shelter residents all have Aadhaar Cards, many still cannot access social security benefits. He highlighted success stories, including children who excelled academically and women from their shelters who are now employed, though they still face social stigma related to their past.



Shri Rajesh Kumar sharing field insights on children and young adults involved in Begging

- 20.) **Shri Fauzan Alvi**, Special Rapporteur, NHRC suggested identifying hotspot to control beggary and fixing the accountability of able-bodied beggars.
- 21.) **Mohd. Tarique**, the Founder of Koshish, proposed the following recommendations.
- i. Beggary should be decriminalized, as rehabilitation and punitive measures cannot be effectively combined.
 - ii. The SMILE-B Scheme should be revised to establish a more comprehensive support structure for individuals engaged in begging.



Shri Mohd. Tarique sharing his thoughts on decriminalisation of Begging.

22.) **Shri Arun Sabnis**, from Fulora Foundation shared that Orphaned children are highly vulnerable to begging due to a lack of post-orphanage support and misplaced Aadhaar Cards registered at orphanages. To address this, the Fulora Foundation is digitizing their records with help from Management and Engineering students from local educational institutions, who contribute as part of their social service. The Foundation also proposes using unused tempos as mobile night shelters for girls and beggars, offering a cost-effective and sustainable solution. Additionally, Fulora has initiated mobile schools for street children and incorporates art, music, and computer therapy to engage them, aiming to transform beggars into productive individuals.



Shri Arun Sabnis speaking on the interventions undertaken by his organization in Mumbai

23.) The following suggestions were given by speakers in the Open House discussion on beggary:

- i. The Ministry of Social Justice and Empowerment (MoSJE) should request the Director General of UIDAI (Unique Identification Authority of India) to issue Aadhaar cards to these vulnerable groups.
- ii. The Ministry should ensure that information related to this issue is shared between NGOs and relevant parties.
- iii. There should be sensitization of the entire school administration so that children (who were once begging) feel included and do not relapse into begging.

- iv. Dedicated treatment centers should be established for individuals involved in begging who are also struggling with substance and drug abuse.
- v. An early warning system should be implemented to identify children at risk of drug and substance abuse as part of a prevention strategy.
- vi. Alternatives to incarceration should be considered; individuals should be sent to treatment centers rather than to jail.
- vii. A fund should be created to encourage public contributions, as NGOs often have limited resources.
- viii. Regular training and capacity building of staff involved in the rehabilitation of beggars is essential to enhance their sensitivity and knowledge on the issue.
- ix. Tailor-made solutions are necessary because beggars are not homogeneous group. Maintaining a database of individuals involved in begging will help in designing specific, segment-based interventions.
- x. Emotions play a crucial role in behavior change, so they should be prioritized in the rehabilitation of beggars. Addressing emotional issues is vital for sustainable rehabilitation to prevent relapse into begging.
- xi. The practice of labeling individuals involved in begging should stop, as it contributes to aggression against them. Our efforts should focus on eliminating labeling and promoting their dignity.
- xii. The records of individuals engaged in begging should be digitized to prevent the loss of important documents.

List of Participants

National Human Rights Commission (NHRC)

1. Smt. Vijaya Bharathi Sayani, Hon'ble Acting Chairperson
2. Shri Bharat Lal, Secretary General
3. Mr. Joginder Singh, Registrar (Law)
4. Mr. Devendra Kumar Nim, Joint Secretary
5. Dr. (Ms.) Rajul Raikwar, Consultant (Research)
6. Mr. Raghwendra Singh, Junior Research Consultant
7. Ms. Swarna Singh, Junior Research Consultant
8. Ms. Aakanksha Sharma, Junior Research Consultant
9. Ms. Saptarni Majumdar, Junior Research Consultant
10. Ms. Jessica Swamy, Junior Research Consultant
11. Ms. Vintee Sangwan, Research Assistant

Invited Domain experts

1. Shri Ajay Srivastava, Economic Advisor, Ministry of Social Justice and Empowerment, Government of India
2. Shri S. Venkatesan, National Coordinator for SMILE Scheme, Ministry of Social Justice and Empowerment, Government of India
3. Smt. Jyoti Duhan Rathee, Former Member DCPCR
4. Shri Prashant Kumar CH (IAS), Chief Executive Officer, Social Welfare Department, Government of Bihar
5. Professor Archana Kaushik, Department of Social Work, University of Delhi.
6. Shri Dilbhan Singh, Department of Social Welfare, Government of Rajasthan
7. Shri Rajeev Saxena, Deputy Director, Department of Social Welfare, Government of NCT of Delhi
8. Shri Arun Chauhan, ACP Crime Branch, Delhi Police
9. Dr. Mahesh Sharma, Retired Chief Probation Officer, Govt. of NCT of Delhi
10. Shri Chandra Mishra, Director, Beggars Corporation
11. Dr. Rajesh Kumar Executive Director, Society for Promotion of Youth and Masses
12. Shri Fauzan Alvi, Special Rapporteur, NHRC
13. Mohd. Tarique, Founder Koshish