



Begging in India

Source:TH

For Prelims: [Bhartiya Nagrik Suraksha Sahita](#), [First Information Reports](#), [Concurrent List](#), [Support for Marginalised Individuals for Livelihood and Enterprise](#), [Poverty](#), [Unemployment](#)

For Mains: Begging, Legal Framework for Social Welfare in India, Decriminalization of begging.

Why in News ?

The [Supreme Court \(SC\)](#) in *M.S. Patter v. State of NCT of Delhi* held that state-run beggars' homes are neither "quasi-penal facilities" nor acts of "discretionary charity" but are constitutional trusts.

- The SC emphasized the state's duty under **Article 21** to protect life with dignity, and issued directions to ensure institutions uphold these rights.

What are the Key Directives Issued by the SC on Begging in India?

- **Safety and Security:** Separate and safe facilities for women and children with childcare, counselling, and education.
 - SC clarified that children must not be kept in beggars' homes but should be referred to child welfare institutions under the [Juvenile Justice \(Care and Protection of Children\) Act, 2015](#).
 - This aligns with India's obligations under the **UN Convention on the Rights of the Child**.
- **Health and Wellness:** Mandatory health check-ups within 24 hours of admission.
 - Appointment of dieticians to monitor nutrition levels in food.
- **Infrastructure and Maintenance:** Independent third-party infrastructure audits every two years.
 - Strict occupancy limits to prevent overcrowding. Vocational training for reintegration into society.

What is the Legal Framework Concerning Begging in India?

- **Current Legal Framework:** The Constitution of India allows both the Union and state governments to enact laws on vagrancy (includes beggary), nomadic, and migratory tribes under the [Concurrent List](#) (List III, Entry 15).
 - There is **no central law on beggary**; instead, **many states and Union Territories** follow the **Bombay Prevention of Begging Act, 1959**, which defines a beggar as **anyone soliciting alms, offering goods for sale**, or appearing destitute.
- **Judicial Stand:** In *Harsh Mander v. Union of India (2018)*, the Delhi High Court ruled that the **Bombay Act** violated the right to live with dignity, underscoring the importance of addressing poverty without criminalizing it.
 - **In 2021**, the **SC** rejected a [Public Interest Litigation](#) to remove beggars from public

spaces, emphasizing that begging is a socio-economic issue, not a criminal one.

▪ **Government Efforts:**

- **SMILE:** Launched in 2022, [Support for Marginalised Individuals for Livelihood and Enterprise \(SMILE\)](#) by Ministry of Social Justice and Empowerment, aims to rehabilitate beggars by providing medical care, education, and skills training, working toward a **"beggars-free" India by 2026**.
- 970 individuals have been rehabilitated under SMILE, including 352 children(As of 2024).
- As per **Census 2011**, India has around **413670 beggars and vagrants**. West Bengal leads with the highest number of beggars, followed by Uttar Pradesh and Bihar.

What are the Factors Contributing to Begging in India and their Impact on Society?

Factors Contributing to Begging	Impacts on Society
Economic Hardship: Poverty, unemployment, and migration force people into begging.	Public Health Risks: Lack of sanitation in begging hotspots leads to the spread of diseases.
Social and Cultural Factors: The caste system and hereditary occupations in certain communities contribute to begging.	Crime and Exploitation: Organized begging rings exploit individuals, including child trafficking and forced labor.
Physical and Mental Disabilities: Disabled individuals often resort to begging due to lack of rehabilitation and healthcare.	Tourism and Urban Impact: Aggressive begging affects tourism, security, and public perception of urban spaces.
Natural Disasters: Displacement caused by floods, droughts, and earthquakes increases poverty and leads to begging.	Human Rights Violations: Beggars are often arrested under anti-begging laws without alternative rehabilitation, targeting the poor and marginalized.
Organized Begging Rings: Human traffickers and criminal syndicates exploit vulnerable individuals, including drugging babies for sympathy-driven donations.	Burden on Public Services: Malnourished beggars cause strain on healthcare systems and public welfare resources.

What Should be an Approach to Address Begging in India?

- **Strengthen rehabilitation** through shelters, skill development, and integration with welfare schemes like [MGNREGA](#), and [PMAY](#).
- **Strict enforcement of anti-trafficking laws** to dismantle **begging cartels** under the [Bharatiya Nyaya Sanhita \(BNS\), 2023](#) through better coordination between police, [Non-governmental Organizations \(NGOs\)](#), and child welfare organizations.
- **Improve healthcare and sanitation** access for beggars through mobile clinics and inclusion in public health programs.
- **Promote social awareness and integration** to reduce stigma and encourage civil society participation in rehabilitation.

Conclusion

The **Supreme Court** ruling has **reinforced that poverty cannot be criminalised**, and the State bears an affirmative, non-derogable duty to be of indigent persons. The judgment thus establishes a new constitutional paradigm **emphasizing compassion, social justice, and human dignity** for those in beggars' homes across India.

Drishti Mains Question:

Begging in India is a reflection of socio-economic inequalities and policy failures rather than an individual choice." Discuss the possible solutions to address the issue of begging in India.

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