

**Problem and Issues of Child Begging in India: A Socio Legal
Study with Reference to Varanasi City of Uttar Pradesh**

Abstract

Thesis

Submitted to the
Babasaheb Bhimrao Ambedkar University

Lucknow



For Award of the Degree of
Doctor of Philosophy

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**DEPARTMENT OF HUMAN RIGHTS,
SCHOOL OF LEGAL STUDIES, BABASAHEB BHIMRAO AMBEDKAR
UNIVERSITY**

(A CENTRAL UNIVERSITY) (NAAC 'A⁺⁺' ACCREDITED)

VIDYA VIHAR, RAEBARELI ROAD, LUCKNOW

UTTAR PRADESH

2024

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ABSTRACT

“The hallmark of culture and advance of civilization consists in the fulfillment of our obligation to the young generation by opening up all opportunities for every child to unfold its personality and rise to its full stature, physical, mental, moral, and spiritual. It is the birth right of every child that cries for justice from the world at whole”.

Justice V.R Krishnan Iyer¹

1. Introduction

We experience a smile on our face whenever we remember our childhood days. It is the stage when we are carefree, jovial, learning, and enjoying. Most of us can look back on our childhood and find wonderful memories. But this is not the story of too many children². However, millions of children live below the poverty line and are thus malnourished and malnutritioned and many of them also die. Children as a result of these situations are either forced to engage in child begging or choose to labour in the streets for less than minimum wage³. The child beggar may be a paid or unpaid assistant to an adult beggar. Beggary would not be a profitable trade if there were no children to attract the customer's attention⁴. The beggar child, therefore, is the most valuable asset in the trade and as such is sold, bartered or mortgaged. Children can easily draw the sympathy of the general public. So, many children are brought into this profession. UNICEF, Human Rights Watch, and the U.S. State Department report states that these children are not permitted to keep their earnings or attend school⁵. They are frequently starved to appear thin and distressed, which garners more sympathy and donations from tourists⁶. The issue of child begging is not

¹Mamta Rao, *Law Relating to Women and Children* 15 (Eastern Book Company, Lucknow, 3rd edn.,2011).

² Van Bueren, *International Law*, in Asha Bajpai, *Child Rights in India*, (Oxford University Press, New Delhi, 3rd edn, 2017)

³ Dr. Sanjay Bhattacharya, *Social Work Interventions and Management*,54 (Deep & Deep Publications (P) Ltd., New Delhi, 2008)

⁴ Savita Chaudhary, *Children in India and their Rights* 67 (National Human Rights Commission Faridkot House, New Delhi ,2006)

⁵ Anupama Kaushik," Rights of Children: A Case Study of Child Beggars at Public Places in India", 2 *Journal of Social Welfare and Human Rights*, 105(2014).

⁶ Dr. Rumi Ahmed, *Rights of Persons with Disability in India: A Critical Analysis*, 123 (White Falcon Publishing, 2015)

a recent development. It is a long-standing and widespread occurrence. Historically, both women and children have been vulnerable to crimes due to their inherent fragility. In India, child begging is one of the serious issues related to the violation of the rights of children⁷. Generally, the term child beggar refers to those children who wander around in streets for alms at the age of play and education. Globally, human trafficking and child begging are the third most widespread and profitable trade after weapons and drugs. Beggary would not be a profitable trade if there were no children to attract the customer's attention. The child beggars are the most valuable asset in the trade of begging because they can easily draw the sympathy of the general public. So, many children are trafficked for the purpose of begging⁸.

Child begging, a distressing and pervasive issue in India, reflects the vulnerability of the country's youth. The sight of young children, often with hauntingly innocent faces, navigating crowded streets or public spaces, soliciting alms, is a poignant representation of a systemic problem rooted in poverty, exploitation, and societal neglect⁹. India, home to a significant proportion of the world's impoverished population, grapples with the multifaceted challenge of child begging. Children, coerced or thrust into this predicament, become unwitting participants in a cycle of exploitation and deprivation, deprived of fundamental rights such as education, healthcare, and a nurturing environment conducive to their growth¹⁰. In this exploration of child begging in India, delving into its root causes, societal implications, and potential solutions becomes imperative in striving toward a future where every child is protected, nurtured, and empowered to realize their full potential¹¹.

Children become victims of many crimes. Many children spend their childhood begging either due to poverty or under threat however not many studies exist on child beggars in India. The magnitude of the issue of child begging in India is

⁷ Sudeep Babu, "Rethinking Beggary Laws" XLIX No 33 *Mainstream* 134 (2011).

⁸ Dennis J. Baker, "A Critical Evaluation of the Historical and Contemporary Justifications for Criminalizing Begging", 73(3) *Journal of Criminal Law* 87 (2009)

⁹ Chopra, Geeta, *Child Rights in India Challenges and Social Action* 211(Springer New York Dordrecht London,2015)

¹⁰ P.M. Bakshi, "The Constitution of India",86 (Universal Law Publishing, Delhi 2012).

¹¹ Ajita Banerji, " Discipline and punish: how anti beggar laws in India are used to criminalize transgender persons", available at <http://ohrh.law.ox.ac.uk/discipline>, (last visited on 28/12/2019).

an alarming societal concern that spans cities and rural areas alike¹². It reflects a complex web of challenges stemming from poverty, lack of education, and exploitation. Thousands of children, often from marginalized communities, find themselves coerced or forced into begging on the streets. As far as child begging is concerned, according to the Census report, 2011, India has 3.72 lakh child beggars below 14 years of age. Out of them, 1.97 lakh are boys, and 1.74 lakhs are girls. Many of them are forced to beg, using everything from an addiction to drugs to threats of violence and actual beatings. According to the report released by the Office of Registrar General and Census Commissioner, West Bengal tops the chart with 75,083 Child Beggars, followed by states like Uttar Pradesh with 57,038, and Madhya Pradesh with 25,603 Child Beggars¹³. Child Begging is also widespread in states like Maharashtra (22,737), Rajasthan (22,548), Gujarat (12,584), Jharkhand (9,817), Chhattisgarh (9,355), Haryana (7, 971,), Delhi (2,073), and Goa (229). According to the report of the National Crime Records Bureau (NCRB), a total of 63,407 children in 2016, 63,349 in 2017 and 67,134 in 2018 were reported missing¹⁴. The data by the Ministry of Home Affairs states that only half of these missing children are ever found. The top five states with the highest number of missing children are Madhya Pradesh (10038), West Bengal (8205), Bihar (6950), Delhi UT (6541) and Tamil Nadu (4271) for the year 2018¹⁵. Many of these missing children are pushed into begging and are never found. These vulnerable youngsters endure harsh conditions, exposing them to dangers like trafficking, abuse, and neglect.

The well-being of children and concerns about their rights have been addressed in various international conventions, standards, and declarations. According to the Universal Declaration of Human Rights (UDHR), everyone is entitled to a standard of living that includes the right to food, clothing, housing, medical care, and security in cases of unemployment, illness, disability, widowhood, old age, or other circumstances beyond their control¹⁶. The UDHR also emphasizes providing special

¹² Dyutimoy Mukherjee, "Laws for Beggars, Justice for Whom: A Critical Review of the Bombay Prevention of Begging Act 1959" 12, *International Journal of Human Rights*, 279, (April 2008), available at <https://www.tandfonline.com/doi/abs/10.1080/13642980801899709>, (accessed on 23/12/2019).

¹³ Office of Registrar General & Census Commissioner, India, Ministry of Home Affairs, Government of India, "Census of India "(2011), available at https://censusindia.gov.in/census_website/census (accessed on 12/10/2022)

¹⁴ National Crime Record Bureau, Ministry of Home Affairs, "Report on Missing Women and Children in India" (2016), available at: <missingpage-merged.pdf> (ncrb.gov.in) (Accessed on 05/10/22)

¹⁵ Press Information Bureau, Government of India Ministry of Social Justice & Empowerment, "Empowerment of Begger Population, 2011, available at: <https://pib.gov.in/newsite/PrintRelease.aspx?relid=115990> (last visited on 12/11/2021).

¹⁶ The Universal Declaration of Human Rights, 1948, Art. 25.

care and assistance to mothers and children. It declares that all children, whether born within or outside of marriage, are entitled to the same social protection. Since the adoption of the UDHR, numerous conventions and declarations concerning children's rights have been enacted at various times¹⁷. The International Covenant on Civil and Political Rights (ICCPR) of 1966 states that every child is entitled to necessary protective measures appropriate to their status as a minor, without any discrimination based on race, color, sex, language, religion, national or social origin, property, or birth¹⁸. The ICCPR also states that mothers should receive special protection both before and after childbirth¹⁹. Children must be safeguarded against social and economic exploitation. Any employment that poses a risk to their life and health should be legally punishable. The Convention on the Rights of the Child (CRC), 1989 provides bundle of rights to child, such as: right to life²⁰, protection from all forms of physical or mental violence, injury, abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse²¹, protection from the illicit use of narcotic drugs and psychotropic substances²², and protection against all other forms of exploitation prejudicial to any aspects of the child's welfare²³, which may include exploitation through begging. The CRC asserts that a child with mental or physical disabilities should lead a complete and dignified life, in an environment that guarantees respect, encourages independence, and enables the child's active engagement within the community²⁴. It also requires state parties to acknowledge the right of children with disabilities to receive special care. The Convention's core principle is that in all actions concerning children, whether by public or private social welfare institutions, courts, administrative authorities, or legislative bodies, the child's best interests must be the top priority²⁵. The best interests of the child must be taken into account as a primary consideration in all responses to child begging also. Assistance will be structured to guarantee that children with disabilities have meaningful access to education, health care, and various services including rehabilitation and skill development for employment. This support aims to foster their

¹⁷ Ibid., Art. 25(2).

¹⁸ The International Covenant on Civil and Political Rights, 1966, Art. 24 (1)

¹⁹ Ibid., Art. 10.

²⁰ The Convention on the Rights of the Child, 1989, Art. 6.

²¹ Ibid., Art.19

²² Ibid., Art.33.

²³ Ibid., Art. 36.

²⁴ Ibid., Art. 23(1).

²⁵ Ibid., Art 31.

cultural and spiritual growth. The 1993 UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities outline provisions for medical care, rehabilitation, support services, and education, all aimed at facilitating the inclusion of disabled individuals in society²⁶. The Preamble of the 2006 UN Convention on the Rights of Persons with Disabilities (CRPD) states that children with disabilities are entitled to the same human rights and fundamental freedoms as all other children²⁷. It further states that people with disabilities should be provided the right to free and inclusive education, vocational training, adult education irrespective of age, without any kind of discrimination and on the basis of equal opportunity.²⁸ In spite of above discussed conventions, declarations there are no international treaties expressly regulating to the issue of child begging. It has been more than 32 years has been passed since the CRC was adopted but situation of children does not seem to have improved significantly.

In India, under the Indian Constitution, state governments are responsible for taking anti-begging measures and ensuring rehabilitation of beggars²⁹, but there is no national law against child begging till date. Twenty-two states, including some union territories, have anti-begging laws. The Bombay Prevention of Begging Act (BPBA), 1959 serves as the benchmark for all state anti-begging laws. Under this Act, if the person having the custody or care of a child compels or encourages the child to beg or receive alms, he shall be punished with imprisonment for a term of one to three years³⁰. In addition, the Indian Penal Code states that whoever abducts or maims a child for the purpose of begging, shall be punished with imprisonment of 10 years³¹. The Children Act, 1960 provides that any person who employs a child for begging or induces him to beg shall be punished³². The Indian Railways Act, 1989 prohibits hawking and begging.³³ Under the Juvenile Justice (Care and Protection of Children) Act, 2015, a child working in violation of labor laws, begging or living on the streets shall be considered as 'child in need of care and protection' (CNCP). Section 76 of JJ

²⁶ The 1993 UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities, 1993, Rule 6.

²⁷ Dr. B. Ramaswamy, "Child Human Rights; Legal Perspective", 46(Anmol Publications Pvt. Ltd, New Delhi, 1st ed, 2013)

²⁸ The UN Convention on the Rights of Persons with Disabilities (CRPD), 2006, art. 24.

²⁹ Constitution of India, Arts. 23§ 24.

³⁰ The Bombay Prevention of Begging Act (BPBA), 1959, Sec 11.

³¹ Indian Penal Code, 1860, Sec. 363A

³² Children Act, 1960, Sec. 42.

³³ Indian Railways Act, 1989, Sec.144

Act, declares employment of a juvenile or child for begging, as an offence³⁴ punishable with imprisonment of up to five years or a fine of Rs 100,000. In addition, "The Destitute Persons Model Bill, 2016" was introduced in the Parliament in October 2016. The bill aims to shift India's law on begging from punishment to rehabilitation, although it does not impose a blanket ban on arrest. But unfortunately, this bill could not be passed in the Parliament till today. In 2018, the Delhi High Court, in **Harsh Mander vs. Union of India** and **Karnika Shahani vs. Union of India**, rejected the anti-beggary law, saying that the anti-beggary law violates Article 14 (equality before the law) and Article 21 (life and personal liberty) of the Constitution. The Court held that if someone begs due to poverty, then it should not be considered as a crime. On 5th May 2021, in **Piyush Chhabra v. State & Ors**³⁵ the Delhi High Court observed that the State Government and the Ministry of Women and Child development are duty-bound to stop the exploitation of the child beggars. The Delhi High Court in **Yatharatha Foundation v. Union of India**³⁶ has recently on 06-09-2023 asked to Delhi government to provide information on the steps taken by it for the rehabilitation of children found begging in the city.

Despite legislative measures and the efforts of governmental and non-governmental organizations, eradicating child begging remains a formidable challenge. The complexities intertwined with poverty, lack of access to education, social stigma, and a dearth of comprehensive rehabilitation programs hinder progress in addressing this issue. Understanding the multifaceted nature of child begging is essential in formulating comprehensive strategies that involve not only enforcement but also societal reforms and support mechanisms aimed at uplifting families and safeguarding the rights of children. In spite of all these International Conventions, National laws and judicial decision there is no existing legislations which explicitly and exhaustively addresses the problem of child begging. Therefore, Department of Women and Child Development, Government of India has recognized the necessity of a specific legislation on child begging.

This study aims to understand the socio-legal status of child beggars, their causes and consequences, and the international and national legal frameworks for their protection. By employing empirical research, this study analyzes and identifies

³⁴ The Juvenile Justice (Care and Protection of Children) Act, 2015, Sec 76.

³⁵ Delhi High Court, WP (C)4663/2021

³⁶ 2023 SCC OnLine Del 5639, Order dated 06-09-2023.

the barriers that impede the eradication of child begging, including systemic failures, societal stigmas, and exploitation networks. It explores the effectiveness of legal frameworks such as the Juvenile Justice Act and the Bombay Prevention of Begging Act in safeguarding and rehabilitating child beggars. The study highlights the severe impact of child begging on the development and well-being of children, advocating for stronger legal protections, comprehensive rehabilitation programs, and inclusive policies. It calls for heightened awareness and advocacy to ensure that child beggars fully participate in educational and social life. This comprehensive approach addresses the multifaceted challenges faced by child beggars, emphasizing the need for collective efforts to build an equitable and inclusive society.

2. Statement of the Problem

Child begging is a deeply entrenched and widespread issue in India, reflecting severe socio-economic disparities and systemic neglect. Despite the country's legal frameworks and international conventions aimed at protecting children's rights, millions of children continue to live below the poverty line, malnourished and forced into begging. These children, often coerced or trafficked, are subjected to exploitation, denied education, and deprived of their basic human rights. The phenomenon persists due to a complex web of factors including poverty, lack of education, societal stigmas, and inadequate rehabilitation programs. Legislative measures such as the Bombay Prevention of Begging Act and the Juvenile Justice Act, while significant, have proven insufficient in addressing the multifaceted nature of child begging. There is a pressing need for a specific, comprehensive legal framework that explicitly addresses the issue of child begging and ensures effective rehabilitation and protection for these vulnerable children. The study seeks to understand the socio-legal status of child beggars, the causes and consequences of their plight, and the barriers that hinder their eradication, aiming to advocate for stronger legal protections and inclusive policies to safeguard their rights and well-being.

3. Need of the Study

The needs and concerns of child beggars seem to be reflected in the development, health and welfare policies of the Government and allocation of resources for this purpose. Still there is a huge gap between promise and performances, between law in books and law in action and between international

standards and national standards so far as practice of child begging is concerned. The rationale for choosing the topic of child beggars lies in fact that the problem is widespread in our country too, but still it has not been recognized in its entirety. In the circumstance, it is justifiable to work on the problem of child beggars.

4. Objectives of the Study

The present study has been initiated to achieve the following objectives:

1. To explore and discuss conceptual and historical perspectives of child begging.
2. To study and examine the national and international existing laws for the protection of children.
3. To Investigate reasons for child begging and assess living conditions, access to amenities, healthcare, and nutrition and evaluate the impact of begging on their physical and mental well-being.
4. To investigate instances of exploitation, abuse, or trafficking of child beggars and identify the roles of various stakeholders, including local authorities and law enforcement, in preventing and addressing such exploitation.
5. To gather perspectives from local community, NGOs, and government agencies, seeking community-based solutions.
6. To assess effectiveness of existing interventions and rehabilitation programs in Varanasi, identifying areas for improvement and propose policy changes, amendments, or new initiatives based on findings to enhance socio-legal status and protection of child beggars.

5. Research Questions

Followings are the research questions:

1. What are the socio-legal factors influencing the prevalence of child begging in India?
2. how do existing legal framework and social structures contribute to or mitigate the vulnerability of child beggars in Varanasi?
3. What can be the ways to eliminate the child begging in India in general and Varanasi city, U.P. in particular?
4. Whether the proper intervention and support system, may actually contribute to improve the status of children as a whole?

6. Hypotheses

The present work has been done under the following hypotheses: -

1. Poverty, unemployment, migration and illiteracy has provided a way to increase violation of rights of child and other crime especially begging.
2. Acceptance of begging as social practice and its relation to charity serves as strong reason of not removal of the problem of child begging.
3. The existing legal provisions to prevent child begging are insufficient and improperly implemented in India in general and in Varanasi city of Uttar Pradesh in Particular.

7. Research Methodology

The present research work is doctrinal as well as empirical. The researcher has focused on the adoption of certain tools like questionnaire, interview, observation for collection of data. Besides descriptive method, analytical and explanatory methods have been applied in accordance with the need of the study. The researcher has gone through various books, articles, journals, library visit for making research more efficient.

7.1. Universe/ Population

The universe of the present study is confined to Varanasi city of Uttar Pradesh where child beggar's population is sufficient in number for the purpose of research. As beggars may be divided into so many sub-categories such as child beggars, disabled beggars, female beggars, transgender beggars etc. so it is very difficult to conduct an in-depth study about all the categories of beggars. Hence, for in-depth study of the problems again the research work is confined to the child beggars only. The Total population or sample size is 500 (300 General Respondent +100 Authorities Responsible for the Welfare of child + 100 child beggars and their family members).

7.2 Tools of data Collection

The category of data collected and the size of data collection depends upon the nature of the study and the research objectives behind the study. In this study, the researcher has used primary and secondary source of data collection. The primary source of data collection comprises the closed-ended and open-ended structure of a questionnaire survey and group focused interview and observation method for collecting the primary data. The secondary method of data collection for secondary

data comprises research journals, articles, magazines, newspapers judgments of courts and Internet web browsers and Books. The researcher also used snow ball method of data collection for collection required data. To study and analyse the issue of child beggars, the researcher has undertaken research employing a combination of research tools. The methods used include;

(1) Questionnaires: Further divided in following two sets

a) Set I: Questionnaire to be filled by General Public

b) Set II: Questionnaire to be filled by Authorities Responsible for the Welfare of Child

(2) Focused Group Interview through questionnaire (Set III) to be answered by child beggars and their family members.

(3) Observation

The questionnaires were prepared in three Sets. Further the first Set of the questionnaire is divided into four sub part and contains 26 questions to be filled by general public. The second Set of the questionnaire contained 20 questions and was distributed to a group of 100 person consisted of authorities and their staffs responsible for the welfare of children. Further the empirical study consists of the focused group interview of child beggars and their family members. For taking focused group interview the researcher has, keeping in mind the research hypothesis prepared scheduled interview questionnaire of 17 questions (Set III). A total of 10 focused group discussions (FGDs) have been conducted with groups of child beggars and their family members. Each FGD had 10 participants. Purposive and snowball sampling method has been adopted by the researcher to identify child beggars and their family members. Key topics covered included:

1. to find out the age group and of children involved in begging.
2. to find out health status of child beggars- malnutrition, diseases, mental stress, etc.
3. to find out the status of facilities provided by government to families of child beggars.
4. to find out involvement of any racket behind child begging in Varanasi.
5. to find out status of rehabilitation programmes run by government.

7.3. Sampling Method

Purposive and snowball sampling method has been adopted by the researcher. Purposive sampling refers to a group of non-probability sampling techniques in which

units are selected because they have characteristics that you need in your sample. In other words, units are selected on purpose in purposive sampling. Also called judgmental sampling, this sampling method relies on the researcher's judgment when identifying and selecting the individuals, cases, or events that can provide the best information to achieve the study's objectives. Snowball sampling is a non-probability sampling method where new units are recruited by other units to form part of the sample. Snowball sampling is an effective method for researching individuals with particular characteristics that are hard to find otherwise. Also referred to as chain sampling or network sampling, it starts with one or more initial participants. The sample expands through referrals from these participants and continues until the desired number of subjects is reached or a saturation point is achieved.

7.4. Sampling Size/ Sampling Units

Due to money and resource constraints, a large sample size can't be taken for the study. The total sample size is 500 (300 General Respondent +100 Authorities Responsible for the Welfare of child + 100 child beggars and their family members). random sampling method was adopted for the detailed and unbiased study. Sample units consist of common people, student of different university, teachers of different colleges, advocate, member of child welfare committee, member of juvenile justice board, Assistant Labour Commissioner, NGO'S, and chairman of child care institutions, and law Enforcement officials (Police Officials) of Varanasi, child beggars and their family members living in Varanasi city.

8. Scope and limitation

This research investigates the socio-legal dimensions of child begging in Varanasi City, Uttar Pradesh, within the broader context of India. It aims to identify the causes of child begging, evaluate the legal framework and its enforcement, and analyze the social, economic, and psychological impacts on children. The study also assesses the effectiveness of current policies and programs aimed at preventing and rehabilitating child beggars. The goal is to provide practical recommendations for policymakers, law enforcement, and social workers to address the issue more effectively. However, the study is limited by its geographical focus on Varanasi City, which may not fully represent the situation in other parts of India. Data collection may face challenges due to the hidden nature of the child begging population and the reliability of self-reported data. Navigating the legal and bureaucratic landscape for

accessing sensitive data or conducting interviews may also pose hurdles. Furthermore, resource constraints, including time, financial resources, and manpower, may restrict the research's depth and breadth. The study involves vulnerable populations, necessitating strict adherence to ethical guidelines to protect child participants. Despite the limitations, the study provides valuable insights into the socio-legal aspects of child begging in Varanasi and serves as a foundation for future research and policy development.

9. Testing of Hypothesis:

The following hypotheses have been tested to collect finding and conclude the work of present study:

9.1. Hypothesis 1: Poverty, illiteracy, unemployment and migration have provided a way to increasing number of child beggars in Varanasi city.

The first hypothesis stands proved. **Chapter ii** of the research work shows that the confluence of poverty, unemployment, migration, and illiteracy has paved the way for an alarming rise in the number of child beggars. **Chapter iii** provides that these socioeconomic factors create a fertile ground for the exploitation and vulnerability of children, pushing them into the perilous world of begging. Poverty deprives families of basic necessities, forcing children to seek alternative means of survival. Unemployment exacerbates economic hardships, leaving families with few options to support themselves. Migration disrupts social networks and exposes children to unfamiliar environments where begging may seem like their only recourse. Illiteracy further compounds the issue by limiting access to education and opportunities for socio-economic advancement. Together, these factors create a vicious cycle of deprivation, pushing increasing numbers of children into the streets to beg for sustenance. The finding of the present empirical study shows that 53% of the respondents consider poverty, unemployment, migration and illiteracy as the primary reasons for which a child is forced to beg. Most of the beggars chooses begging as a means of their survival.

9.2. Hypothesis 2: Acceptance of begging as social practice and its relation to charity serves as strong reason of not removal of the problem of child begging.

The second hypothesis stands proved also. The present research works in **chapter ii** (historical development of begging) and **chapter vi** (empirical study) concludes that intertwining of begging as a social norm and charitable giving forms a

formidable barrier to addressing child begging. Begging is often viewed as a traditional means of seeking help, perpetuating the cycle as giving alms is seen as virtuous. However, this dynamic sustains dependency rather than addressing root causes. Charity typically provides short-term relief without addressing systemic issues like poverty and lack of opportunity. Furthermore, societal acceptance of begging can normalize child exploitation, hindering effective intervention.

9.3 Hypothesis 3: The existing legal provisions to prevent child begging are insufficient and improperly implemented in India in general and in Varanasi city of Uttar Pradesh in Particular.

Third hypothesis of this study also stands proved. Detailed discussion on international and national laws on child begging under **Chapter iv, chapter v** and empirical study under **chapter vi** of the research work shows that there is plethora of international and national laws but they are proved insufficient to tackle the problem of child begging in India. In India the number of child beggars are increasing day by day. The research findings highlight that 76% of the respondents consider insufficiency and improper implementation of existing laws as the primary reason of government's failure to prevent child begging in India as well as in Varanasi City. Through the empirical testing of the hypothesis regarding the insufficiency and improper implementation of existing legal provisions to prevent child begging, it becomes evident that there are significant gaps and deficiencies in current approaches. There is an urgent need for comprehensive reforms in policy and enforcement mechanisms to effectively combat the issue of child begging. Furthermore, the research analysis reveals that merely having legal provisions in place is insufficient without adequate implementation and enforcement. It is imperative for authorities to prioritize the allocation of resources, training, and monitoring mechanisms to ensure the effective enforcement of laws aimed at preventing child begging.

10. Schemes of Chapters

The present research work consists of following seven chapters;

10.1. Chapter I–Introduction

The first chapter of the work comprises of Introduction that provides a comprehensive overview of the issue of child begging, focusing particularly on its prevalence in various societal contexts, notably in India. It highlights the multifaceted nature of child begging, attributing its existence to complex socio-economic factors

such as poverty, exploitation, and systemic vulnerabilities. It also contains the statement of problem, research objectives, hypotheses, research methodology, review of literatures, scope and limitation of research, significance and justification of research and at last the scheme of chapters.

10.2. Chapter II- Conceptual Understanding and Historical Background of Begging

This chapter delves into the multifaceted issue of child begging, beginning with a definition that encompasses soliciting assistance due to poverty or homelessness. It is a form of requesting assistance or charity from individuals or institutions to meet basic needs such as food, shelter, or clothing. It explores how forced child begging aligns with the definition of child labor in India's legal framework, emphasizing the need for protection and support for these vulnerable children. Tracing the historical roots of begging in India, the chapter suggests its emergence alongside the evolution of private property, intertwined with religious traditions such as Hinduism, Islam, Sikhism, and Buddhism. It categorizes beggars into professional and non-professional groups, detailing various subcategories based on economic, hereditary, health, religious, and employment statuses. Moreover, it elucidates the diverse methods employed by beggars, from silent pleas to utilizing religious symbols, infants, or artistic talents. Overall, the chapter provides a comprehensive examination of the conceptual, historical, legal, and societal dimensions of child begging in India.

10.3. Chapter III- Factors and Issues Related to Child Begging.

The chapter provides a comprehensive examination of the pervasive issue of child begging in India, elucidating its deep-seated roots in a multitude of socio-economic factors. Poverty stands out as a significant driver, compounded by the exploitation of children within organized begging rings and the perpetuation of societal norms and religious sanctions that often condone or overlook begging. Lack of access to education exacerbates the problem, trapping children in a cycle of poverty and marginalization. Moreover, the chapter highlights the profound socio-economic impact of child begging, not only on the immediate well-being of the children involved but also on broader societal dynamics such as tourism and commerce. It also discusses the rationale behind the criminalization of begging, citing concerns about public nuisance and urban aesthetics, alongside the challenges in prevention, which

require addressing poverty, improving education access, and tackling cultural norms and human trafficking.

10.4. Chapter IV-International Framework for the Protection of Rights of Child

This chapter outlines the international community's concerted efforts to protect the rights of child beggars through a series of conventions, protocols, and summits. Beginning with foundational documents like the Universal Declaration of Human Rights, subsequent agreements such as the Convention on the Rights of the Child have explicitly addressed the rights of children, including protection from exploitation like begging. Global summits and conferences have set ambitious goals for child welfare, while regional instruments in Europe, Africa, and South Asia aim to address unique challenges faced by children in different regions. The chapter also highlights diverse approaches taken by various countries to address begging, ranging from criminalization to decriminalization, underscoring the complexities involved in responding to begging across different legal and cultural contexts. Overall, the chapter underscores the importance of international cooperation, legal frameworks, and social policies in safeguarding the rights and well-being of child beggars worldwide.

10.5. Chapter V-National Legal Framework on Child Begging

This chapter deals with the intricate legal framework surrounding the welfare and protection of child beggars in India, primarily focusing on Constitutional provisions. It discusses the historical evolution of anti-begging laws, from colonial-era legislation to contemporary statutes, including the Bombay Prevention of Begging Act, 1959. The analysis underscores the Constitutional imperative to safeguard the rights of children, particularly emphasizing Article 21's guarantee of a dignified life. Furthermore, it examines key legal instruments such as the Indian Penal Code and the Juvenile Justice Act, delineating measures against exploiting children for begging. The chapter also scrutinizes judicial interventions, notably landmark judgments like *Ram Lakhan v. State*, which advocated for a compassionate approach towards beggars. Recent rulings, including those in 2018 by the Delhi High Court, have challenged the constitutionality of criminalizing begging, emphasizing rehabilitation over punitive measures. Additionally, it highlights ongoing judicial scrutiny and directives compelling governments to prioritize rehabilitation and protection of beggars, especially children, reflecting a broader commitment to human rights and social inclusion.

10.6. Chapter VI-Data Analysis and Interpretation on Child Begging in Varanasi City.

The sixth chapter delves into an examination of data related to child begging in Varanasi City, followed by an interpretation of the findings. It involves statistical analysis and qualitative assessment to understand the prevalence, causes, and implications of child begging in the city. This chapter explores factors contributing to the phenomenon, such as socio-economic conditions, family dynamics, and local policies, aiming to provide insights for addressing this social issue effectively.

10.7. Chapter VII- Conclusion and Suggestions

The concluding chapter of the thesis provides an overview and suggestions based on a socio-legal study of child beggars in Varanasi. It explores the complex interplay between legal frameworks, societal factors, and the experiences of children involved in begging. The chapter discusses issues such as poverty, unemployment, dysfunctional families, and exploitation by organized groups, which contribute to the continuation of begging. It highlights the negative impacts of child begging on public health, productivity, law and order, social cohesion, and the country's global image. It also points out gender disparities, particularly affecting girls, and emphasizes the exploitation and abuse child beggars face, including limited education, health risks, and potential involvement in human trafficking.

The chapter reviews international legal frameworks, including the 1989 Convention on the Rights of the Child, and how they relate to protecting child beggars. In India, various laws aim to address child begging, but implementation challenges and socio-economic factors hinder their effectiveness. The study in Varanasi reveals severe neglect and exploitation of child beggars, with many being forced into begging by family members. Most child beggars are migrants living in poor conditions and lacking access to education and basic amenities. Despite interest in skill training, many children remain trapped in begging due to the lack of alternatives. The study highlights the inadequacies of current welfare programs in addressing the needs of child beggars and emphasizes the urgent need for interventions to provide education, proper hygiene, and safety.

Findings:

General Findings Regarding Child Begging in India

1. Extreme poverty and unemployment among adults force families to rely on child begging as a means of survival, depriving children of education and trapping them in a cycle of poverty.
2. Children are often compelled to beg by their parents or guardians for financial reasons or illegal activities, with many being orphans or abandoned.
3. Criminal networks exploit children for begging, using coercion and threats of violence. Some children are trafficked and subjected to various forms of abuse.
4. Harsh living conditions and unsanitary environments lead to serious health issues, including malnutrition, limited access to healthcare, and significant mental health challenges.
5. Substance abuse is prevalent among child beggars, often exacerbated by their exploiters.
6. Most child beggars lack access to formal education, but many still desire education or vocational training to improve their futures.
7. Laws protecting children from begging and exploitation are poorly enforced due to corruption and inadequate resources, with policies failing to address the root causes.
8. Cultural acceptance of begging in some communities and public sympathy contribute to sustaining the practice by providing a steady source of income.
9. Migration from rural areas to urban centers often results in worse conditions for child beggars due to the challenges of rapid urbanization.
10. Limited support from NGOs and inadequate community-based programs hinder effective assistance, though some programs focused on education and family support have shown promise in reducing child begging.
11. Many families of child beggars lack essential identification documents, such as ration cards, restricting their access to government welfare schemes and social security measures.
12. The issue of child begging is seen as a shared responsibility among government entities, parents, NGOs, civil society, and citizens, with public opinion often placing blame on parents.

13. Cultural stigma and societal attitudes hinder efforts to seek help and implement effective solutions, with limited access to psychological support services for child beggars.
14. Media coverage and advocacy in raising awareness and shaping public opinion vary in effectiveness, and inadequate education policies and investment contribute to the prevalence of child begging. A comprehensive approach is needed to address these root causes and provide sustainable solutions.

Findings Related to Varanasi City

The empirical study reveals several findings on problem and issues of child begging in Varanasi City of Uttar Pradesh. The findings are as followings;

1. The majority of child beggars in Varanasi are aged 5 to 15, with 47% in the 11 to 15 age group and 31% in the 5 to 10 age group.
2. Poverty and migration are significant factors pushing children into begging, with many being introduced to it by their parents or relatives.
3. Begging is more prevalent among boys than girls, and most child beggars are migrants from other states due to poverty or deprivation in their villages.
4. 97% of child beggars live in open spaces without basic facilities such as bathing, toilets, and drinking water.
5. 53% of children beg voluntarily, while 47% are forced by their parents, with begging times ranging from 2 to 10 hours daily.
6. Child beggars face harassment from the police, shopkeepers, watchmen, fellow beggars, and the general public.
7. Most family members of child beggars lack valid residence and identity documentation, preventing access to night shelters, government schemes, and school admissions.
8. Despite a belief in available financial assistance from government departments, many families do not receive it due to missing identity documents.
9. 65% of child beggars are illiterate and have never attended school, indicating significant educational neglect.
10. 60% of child beggars express a need for acquiring skills, yet few NGOs focus on skill development, primarily addressing survival needs.

11. 40% of child beggars are addicted to one or more intoxicants, indicating a concerning prevalence of substance abuse.
12. Many child beggars suffer from physical, educational, and emotional neglect, including inadequate food, housing, clothing, medical care, emotional support, and substance abuse.
13. Awareness of welfare or rehabilitative schemes for child beggars is relatively low among respondents, despite the existence of programs intended to support vulnerable children.
14. Existing welfare programs by the Ministry of Social Justice and Empowerment, such as Childline services and the Integrated Programme for Street Children, do not specifically include child beggars, leaving a gap in targeted support.

Suggestions

Begging is largely a result of severe poverty rather than a choice, as the study reveals. Often, children are pushed into begging by their parents, relatives, or acquaintances. For children from extremely impoverished families with limited job opportunities, begging becomes a means of survival. The study highlights the particular vulnerability of children who beg. To address the issue of child beggars effectively, the following recommendations are made:

1. Child beggars should be included in the Ministry of Labour's child labour programs in India, as their work negatively impacts their safety, health, and moral development.
2. Training for Indian law enforcement should cover issues related to homelessness and begging, and should emphasize empathetic engagement, early intervention, and preventive measures.
3. Advocacy efforts in India should focus on raising awareness about urban poverty, the limitations of one-time charity, and the roles society can play in poverty alleviation.
4. Since child beggars in India often engage in activities like rag picking, they should be included in all programs related to child labour and street children.
5. Adults who exploit children for begging must be prosecuted under Section 24 of the Juvenile Justice Act 2000 in India.

6. Both formal education and skill development tailored to the needs of child beggars should be provided in India, as many are eager to learn.
7. Access to essential services such as safe housing, food, clothing, clean drinking water, sanitation, and education must be guaranteed as basic rights in India.
8. Awareness of government and NGO programs should be increased in India so that children can take advantage of these opportunities.
9. Assistance should be provided to child beggars and their families in India in obtaining official identification documents to access government services.
10. The availability of family shelters and drop-in centers in India should be expanded, and these should offer additional services like night classes.
11. Effective coordination between departments such as police, social welfare, and health services must be ensured in India for a comprehensive approach.
12. To reduce child begging in India, family strengthening measures should be implemented, which might include providing employment opportunities, improving housing, and increasing school availability in both rural and urban areas.
13. Community-based programs should be developed in India at locations where child beggars and their families gather, encouraging parents to allow their children to participate in educational and skill development initiatives.
14. Government and NGOs should implement sensitization programs in India focusing on nutrition and preventive health education to improve the overall health status of child beggars and their families.

Suggestions related Varanasi City of Uttar Pradesh

Addressing child begging in Varanasi requires a multi-faceted approach involving collaboration among government agencies, NGOs, civil society, and the local community. Some specific suggestions are as followings:

1. In Varanasi, public education campaigns should be launched to inform the community about child rights and the illegality of child begging. Workshops should be conducted to educate families about the negative impacts of child begging and available support systems specific to Varanasi.
2. Targeted policies should be introduced in Varanasi, offering financial assistance and vocational training to families of child beggars. Law

enforcement efforts must be enhanced in the city to prevent child begging and penalize those exploiting children.

3. Surveillance should be increased in high foot traffic areas of Varanasi, such as religious places, marketplaces, and tourist spots, to discourage child begging. Partnerships between the Varanasi government, NGOs, and civil society should be fostered to create a comprehensive support system for child beggars.
4. Additional shelters and rehabilitation centers must be established in Varanasi to provide safe havens for child beggars.
5. Parental counseling and support services should be offered in Varanasi to address the root causes of child begging within families. Healthcare access for child beggars must be improved in the city, focusing on physical disabilities, skin diseases, and substance abuse.
6. Special education programs, including evening schools and vocational training centers tailored for child beggars in Varanasi, should be developed. Continuous support must be ensured to prevent school dropouts.
7. Child beggars should be integrated into the Varanasi community through sports, arts, and cultural activities. Skill development, psychological counseling, and social reintegration must be included in rehabilitation plans.
8. Ongoing research should be conducted in Varanasi to monitor the effectiveness of measures, and detailed data on demographics, health, education, and living conditions must be collected to tailor interventions more effectively.
9. The provision of essential documents such as ration cards and Aayushman cards for families of child beggars should be facilitated in Varanasi.
10. Registration camps should be organized in Varanasi to assist families in obtaining these documents. Micro-finance schemes and self-help groups might be introduced to provide financial stability to families.
11. Access to government pensions and other social security measures for vulnerable families in Varanasi must be ensured, and support should be provided for basic necessities such as food, clothing, and shelter.

Implementing these measures should involve a holistic approach tailored to Varanasi, addressing poverty, education, legal frameworks, cultural norms, and fostering comprehensive community and stakeholder engagement.