

# Rethinking the Governance of Begging in India

## Integrating Ethics, Law, and Policy

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The National Human Rights Commission issued an advisory in 2024 for the protection and rehabilitation of impoverished, uneducated children, women, and differently abled individuals engaged in begging. The advisory reasonably recognises begging as a product of systemic failure of social institutions, rather than merely a socio-economic problem, and proposes a road map for a statewide entitlement-based policy. This article argues that the proposed policy can be effective only if it integrates ethical, legal and policy imperatives in formulating a context-sensitive and rights-compliant framework.

**B**eggary, or the act of soliciting money or food in public spaces, is one of the most representative images of unequal societies. Though commonly sighted in developing countries, it remains an enduring reality even in developed countries. As ubiquitous as its practice may be across societies, it confronts them with perplexing and unavoidable emotional, ethical and legal challenges. India, as a rapidly growing economy marked by unprecedented income and wealth gaps, continues to grapple with the problem of beggary, and puzzlingly so, without concrete and effective policy measures to address it. Thus far, India's approach towards the problem has been characterised by benign neglect, assuming economic growth and general anti-poverty measures to consequentially resolve the problem. The lacunae are created due to the absence of a proactive, state-wide policy on begging, which has allowed states to rely on punitive legislations. States often justify this coercive approach on bizarre and questionable grounds, such as the beautification of cities for international events, concealment of poverty to suit electoral interests, or the need to control the public perception. These actions only serve to cloak the underlying complex socio-economic and political factors that force people to beg.

Against this backdrop, the National Human Rights Commission's (NHRC) advisory for the Protection and Rehabilitation of Impoverished, Uneducated Children, Women, and Differently-abled Individuals Engaged in Begging 2024 (henceforth the advisory) is a policy step in the right direction. It urges the union and states to craft an entitlement-based policy framework and a stand-alone approach to addressing begging in the country.

The article argues that the proposed policy must work out a sensitive, rights-compliant framework that addresses intersecting vulnerabilities of individuals engaged in begging, especially women, children and persons with disabilities. Policymakers can draw lessons from comparative anti-begging jurisprudence to implement rehabilitative, rather than coercive, strategies to deal with the problem of begging, and work on enhancing the capabilities of individuals forced to beg on the streets.

### Brief History of Anti-begging Regulation In India

In the absence of a federal legislation on begging, the Bombay Prevention of Begging Act, 1959 has served as a legal template for curbing begging in at least 22 states. Many states are known for the arbitrary application of its provisions, as the Delhi High Court noted in *Harsh Mander and Anr Petitioners v Union of India and Ors* (2018), which penalises poverty, and disproportionately targets the homeless and those in informal labour sector. While the court upheld some provisions criminalising organised/exploitative begging, it struck down many others. Besides, it lacks a rehabilitative-reintegrative framework. Subterranean policy debates on addressing the problem of begging surfaced in 2016, when the Ministry of Social Justice and Empowerment (MOSJE) drafted the Persons in Destitution (Protection, Care and Rehabilitation) Model Bill. The model bill aimed to provide:

protection, care, support, training and other services to persons in destitution; homeless persons, persons in begging, persons with physical and mental disabilities, the old, infirm and other such persons who are above 18 years of age and in a state of poverty or abandonment arising from economic or social deprivation and sustained unemployment. (Ministry of Social Justice and Empowerment 2016)

The bill outlined a comprehensive framework to address begging in India, including the establishment of implementing agencies, outreach and mobilisation units, rehabilitation centres, and referral and counselling units. However, in 2021,

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in response to the questions from the member of Parliament, Varun Gandhi, regarding the status of the bill and other issues, the then Minister of Social Justice and Empowerment, Virendra Kumar, confirmed that: (i) the bill was considered but ultimately dropped; (ii) 19 states and three union territories have enacted anti-beggary laws, including penal provisions from the Bombay Prevention of Begging Act, 1959; (iii) the ministry does not maintain a database of beggars, and (iv) there is no proposal for states to decriminalise begging in India (Lok Sabha Secretariat 2021).

On 28 August 2024, the NHRC held an “open house” discussion on “Preventing Beggary and Rehabilitation of Individuals Engaged in Beggary,” which was attended by representatives from the MOSJE, several state governments, academicians, and policy experts. In taking cognisance of the problems faced by the persons forced into begging, the commission issued the advisory (dated 5 July 2024) to the union, states and union territories for the protection and rehabilitation of impoverished, uneducated children, women, and differently abled individuals engaged in begging (NHRC 2024). An action-taken report was expected from the union government in two months from the date of its issuance.

### Key Recommendations

The advisory aptly recognises begging as a manifestation of the systemic failure of social institutions, rather than merely a socio-economic problem, and proposes a road map for a statewide entitlement-based policy for eliminating all forms of begging. To achieve this goal, it sets up three key objectives: (i) formulating a national policy for the protection and rehabilitation of people involved in begging; (ii) implementing welfare schemes and poverty alleviation programmes, and employment opportunities; and (iii) ensuring continuous monitoring and supervision. We categorise and distil the recommendations into four actionable areas:

**(i) Legal and policy framework:** The advisory draws upon the existing constitutional provisions to establish a legal framework for the proposed policy.

Article 21 of the Constitution of India guarantees a right to a dignified life by obligating the state to extend basic necessities of life to all citizens. This requires the state to undertake economic and sociological assessments so as to legislate on anti-human trafficking and rackets of forced begging and labour (Article 23). The legislations must identify and institutionalise penal offences against cartels and pimps involved in the practice. Such legislations should be complemented by anti-poverty measures, given the fact that poverty is one of the major causes of people resorting to begging in public spaces.

**(ii) A dedicated national database:** The task of developing a dedicated national database of individuals engaged in begging has been entrusted to the MOSJE. It involves the development of standard formats for surveying, collection and enumeration of relevant data on dedicated online portals and dashboards, which will be accessible to all relevant agencies across the country. The identification parameters include age, gender, family, family status, legal conflict, disability and health (mental) status, history of substance abuse, place of origin and locations where they engage in begging, past occupations, and other relevant factors. Municipal corporations, alongside non-governmental organisations (NGOs) with relevant expertise in the field, are designated agencies for conducting the surveys. Once the surveys are completed, identified individuals must be brought to designated shelter homes and registered as residents.

**(iii) Multi-pronged rehabilitation strategy:** The rehabilitation process must begin with the issuance of identity cards (containing important information) by the relevant departments and agencies at state, union territory and local levels. Linking their identification to their designated shelter homes is a key step towards their registration for essential services. Documents such as Aadhaar card, ration card, Ayushman card, and Jan Dhan card can be issued to them to enable their access to welfare schemes. The shelter homes must be equipped with

boarding and lodging facilities and, most importantly, ensure their access (especially of women, children and those with disabilities) to health facilities through various health insurance schemes and programmes and government-run clinics and hospitals. Dedicated mental health counselling centres must be available in tandem with facilities for de-addiction and rehabilitation services.

The advisory emphasises education as a key means of actualising their rehabilitation. It encourages the states to facilitate constitutionally mandated free and compulsory education to children involved in begging in both government and private schools under the Right of Children to Free and Compulsory Education (RTE) Act, 2009 as well as early childhood care up to six years of age. The rehabilitation endeavours can be augmented by the creation of self-help groups (SHGs) and their empowerment through bank loans. The banking sector is seen as instrumental in providing subsidies and incentives to SHGs. However, little is said on the modalities of these loans and complexities involved in lending loans to them.

**(iv) Multi-stakeholder collaboration and awareness:** The advisory acknowledges that the state alone cannot tackle beggary; it therefore encourages the state to collaborate with relevant stakeholders, including NGOs, civil society organisations, charitable trusts, and the private sector. These stakeholders are seen as instrumental in providing vocational and skills training to the residents of shelter homes and help build capabilities, ensuring their continued sustenance and self-employment. Special emphasis is placed on assisting children with their studies and homework, for which volunteers may be engaged. The state is also instructed to develop information, education, communication and training materials, and to organise awareness programmes. Aftercare services and follow-ups are vital for monitoring progress and preventing relapses into begging. Preventing the exploitation of individuals engaged in begging further necessitates outreach and mobilisation mechanisms to sensitise them about their entitlements

and rights. To aid the eradication of begging, the advisory also urges digital and print campaigns, and the establishment of anti-begging cells to bring all stakeholders on board. It further emphasises, and rightly so, the sensitisation of officers and public officials to help translate discrete efforts into a broader public movement for the complete eradication of all forms of begging.

### Comparative Anti-begging Jurisprudence

Formulating a robust policy framework and anti-vagrancy legislation to effectively tackle the problem of begging warrants more than just assessing the socio-economic factors that force people into begging. It also demands a willingness on the part of policymakers to draw lessons from the specific policies and anti-begging international jurisprudence of Europe, the United States (us), Africa and beyond. Lessons drawn through a comparative analysis of their legal strategies and norms can better inform the development of an effective and context-appropriate anti-begging policy. This analysis can contribute to the disambiguation of policy choices between universal and context-specific measures and interventions in addressing begging. Besides, social policies can benefit from jurisprudential approaches insofar as they help mitigate the ethical and legal-political conundrums involved. Beggars are often labelled as public nuisance and a blot on affluent cities, and in such contexts, decriminalisation of begging is often seen as insufficient. Such arguments reflect a legal-political conundrum between rights and governance. India's policy framework must take due note of it as well and formulate responses in terms of care rather than coercion.

The United Kingdom has a long and perilous history with begging, due to the surge in homeless workers following the industrial revolution. As a result, it introduced what came to be known as the Vagrancy Law of 1824, which criminalised sleeping out (or rough sleeping) and begging in public under specific circumstances. Over the last two centuries, much of this legislation has undergone numerous amendments, hence, only

certain provisions of the act remain in force today. Between 2010 and 2023, out of 21,757 individuals persecuted for vagrancy, 17,830 were convicted, resulting in an 82% conviction rate (Ministry of Justice UK 2024).

In the rest of Europe and much of the formerly colonised world, the legal and policy framework on begging and homelessness is either inspired by the UK's anti-vagrancy laws or differs from them only slightly, with the notable exception of the us. Over the last decade, however, many European countries have developed dedicated policies and jurisprudential strategies for preventing begging in public places. The United Nations (UN) and many human rights organisations have shaped the nuancing of anti-begging policies within these countries by encouraging their governments and legislatures to be considerate of the circumstances that force individuals into begging. Australia, along with most of its states and regions, has also inherited anti-begging laws from the UK, under which begging is punishable by a fine of \$50 or up to two years' imprisonment. As elsewhere, the primary line of defence for individuals persecuted for begging in Australia is necessity and its derivatives (Walsh 2004). Justifications for anti-begging laws remain more or less common and consistent: public safety and annoyance, concerns over fraud, and the presence of organised begging rings (Martin 1996: 6).

European countries are witnessing richer anti-begging jurisprudence. In 2014, a Swiss court sentenced a Roma woman to five days in prison for failing to pay a 500 franc fine for begging on the streets of Geneva. Her lawyer alleged, in *Lacatus v Switzerland* (2014), that the ruling had violated Article 8 (right to respect for private life), Article 10 (freedom of expression), and Article 14 (injunction against discrimination) of the European Convention on Human Rights. However, the court dismissed these claims and upheld the judgment (European Court of Human Rights 2023). Her review petition before the European Court of Human Rights resulted in a 2021 judgment that rejected her claims under Articles 10 and 14, but held that

the legislation under which she was charged violated Article 8. In rejecting the government's logic of economic and security as a ground for a blanket ban on begging, the court affirmed the plaintiff's human dignity, which the harsh legislation clearly infringed (Rietiker and Levine 2022).

Denmark also proposed anti-begging measures in 2017. The following year, it adopted the "2018–2021 Action Plan Against Homelessness," which aimed to reduce homelessness and criminalise begging in public spaces. The plan specifically targeted homeless individuals and young people at risk of homelessness. However, the plan came up for review by the UN Committee in November 2019, which recommended that the state should: (i) expand the capacity of shelters for the homeless and eliminate administrative obstacles that hinder access to them; (ii) allocate resources towards initiatives that offer sustainable and long-term solutions and rehabilitation of the homeless; and (iii) repeal or revoke provisions that criminalise behaviour related to poverty, begging, homelessness, and rough sleeping (United Nations 2019).

In a notable case, *Dian v Denmark* (2024), a Danish court sentenced a Romanian national for 20 days' imprisonment for engaging in begging on a street in Copenhagen. While the court conceded that criminalising begging could potentially infringe the respect for private life under Article 8 of the convention, it deemed the application of Article 8 inadmissible in this particular case. The court based its judgment on Section 75(2) of the Danish Constitution, which states

Any person who is unable to maintain himself or herself or his or her family shall be eligible, when no other person is responsible for such maintenance, to receive public assistance subject to the person's compliance with the obligations imposed by the relevant legislation. (European Court of Human Rights 2024)

In this particular case, the court found that the Romanian man had a viable option available to him, which he failed to pursue.

However, the European Network of National Human Rights Institutions

(ENNHRI) has recently submitted its third-party intervention in cases concerning the criminalisation of begging. It has urged the court to revisit its ruling in *Lacatus v Switzerland*, by arguing that a blanket ban on begging falls outside the “acceptable margin of appreciation” and disregards individual’s concrete circumstances. The ENNHRI has also sought clarity in four key points: (i) the right to beg needs to be interpreted in relation to, or as a part of, the broader right to build relations with other human beings or society at large; (ii) define the exceptional circumstances under which states may fairly impose restrictions on begging; (iii) the use of criminal law to restrict actions vital for survival cannot be justified; and (iv) poor people should be supported through social assistance programmes (European Court of Human Rights 2024).

The us follows a comparatively different approach and has developed a nuanced body of jurisprudence on the matter. In the us, the act of soliciting money—in a passive or aggressive manner—is known as “panhandling,” and is generally protected under the First Amendment right to speech (though aggressive panhandling does not receive the same level of protection) (Trawver et al 2019: 3–39). In recent decades, however, people indulging in sleeping on the streets and in vehicles have increasingly been subjected to fines and imprisonment (National Law Center on Homelessness and Poverty 2016). A city in Texas, Saint Antonio, proposed an ordinance in 2014 that sought to criminalise donating to individuals who beg, defending it on the ground that much of the direct donations allegedly end up in supporting criminal activities—an assumption predicated largely on an open interview of some homeless individuals (KSAT 2014). The proposal, however, was never carried forward.

Despite federal courts repeatedly adjudicating that panhandling constitutes protected speech, many American cities have implemented bans on panhandling, often citing security of people (aggressively soliciting money from people), road safety, interference with businesses, and persistent public complaints. Interestingly,

the federal courts have mostly favoured those who are frequently cited and persecuted for panhandling (Frosch 2012). Panhandlers often defend themselves in the courts by invoking necessity and survival arguments. Civil rights defenders argue that a blanket ban on panhandling not only violates the First Amendment but also amounts to legislative overreach, denying those who panhandle the basic, the last chance to use common sense. Nonetheless, there is relative legal clarity on one point: that non-aggressive panhandling is protected under the right to speech.

Dozens of African countries inherited or retained vagrancy laws from the colonial era. In many of them, vagrancy-related offences, such as loitering, public indecency, solicitation and begging, remain criminalised. In response to a petition challenging the legality of anti-vagrancy laws, the African Court on Human and Peoples’ Rights issued a path-breaking advisory opinion—vagrancy laws criminalise an individual’s status rather than specific criminal acts, and confer excessive detention powers on law enforcement agencies. Holding vagrancy laws as incongruent with various human rights instruments and guarantees enshrined in the African Charter and its related protocols on human rights of people, especially women and children, the court recommended the repeal of vagrancy laws and associated offences (International Bar Association 2020).

### Policy, Legal, and Ethical Considerations

The NHRC advisory must navigate through a complex array of policy, legal, and ethical issues that arise in the Indian context. Building on the comparative anti-begging jurisprudence discussed earlier, the following sections outline intersecting policy, legal and ethical considerations essential for formulating an effective, sustainable, and right-compliant framework appropriate for India. We begin with the policy imperatives:

**(i) Policy improvements:** It would be highly unfair, and a policy blunder, to treat individuals who beg as a homogeneous group or to apply a straitjacketed

approach to all. Since the advisory emphasises the need to recognise the distinct circumstances of marginalised groups such as women, children, people with disabilities, the elderly, and transgender persons engaged in begging, the policy framework must incorporate issue-specific, identity-sensitive and identity-responsive sub-policies. This demands the expansion of the boundaries of recognising the distinctiveness of individuals who beg, particularly those who share identities with other marginalised groups.

Women who beg with children pose a sensitive enforcement challenge for the authorities (Hermer 2021: 97), which necessitates a sensitive and comprehensive begging governance framework that brings together welfare and policing agencies. A few provisions or schemes are already in place to tackle child begging, which include child protection services, a federal scheme designed to establish childcare institutions, and to provide financial assistance for conducting situational analysis of such children. Similarly, the Juvenile Justice (Care and Protection of Children) Act, 2015 includes relevant provisions, such as Child in Need of Care and Protection, aimed at protecting children who are coerced into begging or found in violation of child labour laws.

In other words, begging governance must not adopt a one-size-fits-all approach, especially in the case of women and children. Two critical considerations must be foregrounded here. First, existing welfare schemes, some of which previously cited, must be seamlessly integrated into the proposed policy framework, particularly on the rehabilitation front. Second, the issue requires a multi-pronged strategy focused on three key areas: (i) child protection and prevention of abuse, (ii) childcare services, and (iii) safeguarding women against trafficking.

The popular narrative of “begging mafia” should not dominate the begging governance. Instead of permitting these narratives to institutionalise or legitimise punitive measures, or precipitate premature police interventions, the framework must implement mechanisms that proactively address the distinct issues of child protection, childcare and women’s

safety. Without a cohesive and sensitive approach capable of addressing the intersecting vulnerabilities of women and children, the rehabilitative measures emphasised in the advisory are unlikely to work. It is essential that officials tasked with implementing these measures receive appropriate training that equips them to understand the sensitivity and complex social realities associated with beggary.

The creation of a dedicated database may encounter multiple hindrances, particularly due to the seasonal and spatial mobility of individuals who beg. People engaged in begging frequently migrate to new areas depending on their potential to generate income. The national database thus requires close coordination among multiple state authorities to avoid the creation of duplicate data records. Proper spatial mapping of individuals across urban and rural areas can significantly aid policy implementation.

Data politics may pose another serious challenge that could militate against the objectives of the advisory. High numbers are often distorted or deliberately rendered invisible due to political image issues of parties or politicians. This raises some fundamental questions: Who is this database for? What is its purpose? It is not merely the ownership of personal data that enables data politics, but the propensity of political parties to convert non-personal or ambient data into powerful tools for political manipulation and control. For instance, even the most harmless data like electricity bills can be weaponised to build intricate socio-economic and political profiles (Chanda 2022). The datasets must be politically correct to prevent potential political manipulation. Political IT cells and data analytics units employ more technologically sophisticated methods of handling data. The prevalence of new digital data drivers, such as analytics, bots and creation of targeted digital content, can very easily be used to engineer unanticipated narratives from the data that can impact, for instance, public opinion (Bradshaw et al 2021).

Another core element is the long-term rehabilitation of individuals engaged in begging, which would require effective

mechanisms for their reintegration into the community so that they do not resort to begging again. Instead of relying solely on existing institutional infrastructure for supporting the identification and registration processes of individuals, institutional innovations must be welcomed. One such innovation could be the introduction of mobile units for issuing on-the-spot ID cards, similar to those undertaken during the rollout of the Aadhaar system in India.

The long-term feasibility of the policy will depend not only on the political will of ruling dispensations but also on the continued incentive system for private stakeholders such as corporate entities, NGOs, civil society, and others. This would entail both short-term benefits to stimulate stakeholder (such as private entities and individuals who beg) interest in the policy, and long-term gains such as enhanced social capital, sustainable collaborations, and formalised contracts. The state can actively incentivise these initiatives through tax exemptions and align the goals of corporate social responsibility for enhancing the brand value of private corporations. It may also choose to offer initial support to such projects by creating public-private partnership opportunities, collaboration, and innovation in rehabilitation initiatives.

Since the advisory promotes a shift from the welfare approach to an entitlement approach, food security entitlements are seen as an effective antidote to the problem of begging. Although the unavailability of food is no longer the primary driver of undernutrition, India's performance on the Global Hunger Index remains abysmally low. Drèze observes that under the fig leaf of food security, government inaction keeps millions of tonnes of food inaccessible to the poor, with procurement systems now chiefly geared to keep prices up. In the meantime, food storage facilities overflow and export markets beckon (Drèze 2017: 24; Pritchard et al 2013: 41). If these factors plague India's food policy, they will plague the intention of the government to prevent begging as a corollary.

One might argue, as anti-welfarists usually do, that the distribution of "free food" can lead to greater incidences of

begging by disincentivising their propensity to work. While this view carries stigmatising presumptions about the poor or poverty, there is no empirical evidence supporting this claim. It must be recognised, as this advisory rightly does, that begging is a multi-dimensional social problem that warrants an equally nuanced policy response. So long as food insecurity is one of the main drivers of begging, improving food security remains the most effective way of addressing the issue. The provision of "free food" is a right-based entitlement under India's National Food Security Act (NFSA), 2013, rather than a discretionary income transfer to the poor. In fact, related evidence shows a strongly positive indirect relationship between the two: a recent study has shown that the NFSA has prevented approximately 1.8 million children from being stunted, which is partly caused by malnutrition. Integration of technology and targeting can further mitigate such issues (Shrinivas et al 2025).

**(ii) Legal prerequisites:** A comprehensive policy would require clarity on what begging really means. Without a nuanced legal understanding of the practice, the ambiguity that plagued the Bombay Prevention of Begging Act, 1959 may translate into a lack of adequate recognition of the problem. An inclusive approach can incorporate most covert acts of begging. As discussed earlier, an informed legal approach to combating the problem of beggary in India can draw on comparative begging jurisprudence, making sure that the legal-coercive mechanism is rendered rights- and dignity-compliant.

First, the welfare and rehabilitative framework must precede the punitive framework. Before a ban on begging in public places can be enforced, individuals engaged in the practice must have viable access to support systems and welfare provisions. The statewide welfare programmes and schemes must be integrated for this purpose. The problem needs to be addressed through a human rights framework, for which dedicated provisions and laws already exist. To use the language of Ronald Dworkin (2002: 73–81), the laws must distinguish between brute luck (begging driven by necessity and

survival) and option luck (begging driven by choice). Even when women and children are forced into begging by organised syndicates, the element of brute luck cannot be ruled out in law.

Second, different kinds of regulations on begging can be imposed, depending on the background entitlement infrastructure within each state. Lauriello (2016: 1125–26) enlists several kinds of begging regulations used across many states in the US and Europe, including blanket bans, restrictions on aggressive begging, and location bans. Blanket bans are indefensible and are unlikely to withstand judicial scrutiny. In 2021, India's Supreme Court refused to restrain people from begging, rejecting what it dubbed as the "elitist view." Blanket bans on begging do not just violate the human rights of individuals, especially to life and survival, but actually worsen the problem by undermining the rehabilitation efforts of the state. The objective of the policy must be to encourage individuals who beg to exercise their access to the support system rather than to engage them through coercive measures.

Location bans can be enforced in and around public spaces like traffic lights, hospitals and railway stations in the interest of public convenience and safety, but those too depend on the presence of an adequate social support system, or whether the state has met its obligations to provide viable welfare and rehabilitation pathways. Location bans are essentially context-specific legal restrictions, which do not automatically legitimise other locations as pro-begging spaces. It may push begging in unregulated spaces, but that would be a by-product of contingently selective regulation. A blanket ban, by contrast, can infringe upon individuals' survival and basic necessities that most jurisprudential approaches generally respect. While aggressive begging can be dealt with coercive provisions, imposing location bans for the purpose of enhancing the "aesthetic value" of cities, holding international events and serving electoral interests are indefensible.

**(iii) Applied ethics—Parameters for policy criteria:** Well-defined purposes along with transparent governance and

context-specific implementation may help in resolving a few of the ethical concerns listed out here.

First, the advisory signals a significant normative shift in the way begging is defined and addressed by the state. It suggests that the state must identify begging as an outcome of systemic lapses within social institutions rather than treating it simply as a criminal offence or a public nuisance. This shift resonates with the principles of distributive justice; for Rawls (1971: 75–83), a just society must prioritise the welfare of its least advantaged members; for Sen (1999: 10–11), a just society reorients policy from mere resource allocation to the expansion of individual freedoms; and for Nussbaum (2011: 33–34), a just society recognises dignity and the development of human capabilities as the core of any ethical public policy. By locating the proposed anti-begging framework within the ambit of Article 21 of the Constitution guaranteeing the right to life with dignity, it affirms a commitment to "transformative constitutionalism." Its simultaneous emphasis on Article 23, which prohibits human trafficking and forced labour, entails an important legal recognition: that many individuals in begging networks may not be autonomous agents but those who are systematically coerced into exploitative rackets. Similarly, Article 23 explains the need for a victim-centred and restorative justice approach while still permitting legislations against begging cartels.

Second, a genuine step forward would be to establish an ethical framework that guides the policy criteria and encourages continuous assessments and refinements. Such a framework must enable targeted interventions that address the specific problems associated with the condition of begging. Without this sensitive framework, it often snowballs into an overlapping confluence of various problems such as poverty or hunger, which often dominate policy attention, thereby overshadowing the distinct challenge associated with begging. Further, if admission to shelter homes is predicated on enrolment, it raises concerns about "consent" and "autonomy," as such a policy instrument can convert a care programme into a

surveillance system. Data collection efforts may involve inquiries into mental health status along with the history of substance use and legal background, which, if not properly protected, may create a privacy threat for vulnerable groups. If ambient data is widely available without various accessibility checkpoints and verification processes, it may create an additional concern since such information allows decision-makers to profile people without their authorisation. One case would be the unauthorised practice of social welfare departments across states to publicise the names of the beneficiaries on the walls and buildings.

Thus, the dedicated national database of individuals engaged in begging raises critical ethical concerns regarding issues such as privacy, surveillance, and the ethics of categorisation. The incorporation of biometric identification and the move towards data-driven governance without an adaptable approach, while administratively efficient, can reduce complex lives to bureaucratic labels. Delivery of welfare can come at the cost of violating individual autonomy and privacy (Singh 2019), and since the right to privacy is a fundamental right in India (vide the Puttaswamy judgment), and since the individuals engaged in begging are the weakest among citizens, the protection of their privacy is an ethical prerequisite for this policy.

Third, the lack of clarity regarding the modalities of financial rehabilitation, especially the role of SHGs and the banking sector, further raises concerns. Without structural reforms in financial domains, such as banking accessibility or state-backed credit guarantees, such measures risk reinforcing a neo-liberal model of self-responsibility that fails to take into account the entrenched exclusions.

Fourth, the advisory's focus on multi-stakeholder collaboration, including NGOs, civil society organisations, charitable trusts, and volunteers, can come under the ambit of ethics of care (Gilligan 1982). These steps could be geared to bridge the "empathy deficit" that usually prevails in bureaucratic systems. Ethical policy demands that such collaboration be supplementary and must not be a substitute for the state's primary

responsibility. As Lipsky (1980: 2) shows through what he calls “street-level bureaucracy,” discretion, capacity and subjective bias of front-line workers often become the reason for policy inaction, which affects the policy objectives.

## Conclusions

The NHRC advisory is a progressive and ethically grounded policy nudge towards regulating begging in India and rehabilitating the people engaged in it. It signals a firm shift from a coercive-legal paradigm and piecemeal reforms to one characterised by care and entitlement. With a meticulous tweaking of its recommendations, it can herald into a policy mechanism that is informed by global human rights jurisprudence, constitutional values and human dignity. Integration of ethics, law and policy can consolidate the promise of these recommendations. It must be implemented with due ethical reflexivity, sensitive policy focus and continuous oversight to prevent the reproduction of new forms of exclusions. Here, the challenge is not to make the individuals who beg disappear from public spaces, but to ensure that their rights, needs, and aspirations are recognised as part of the democratic promise of the Indian state.

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