

# **“LEGAL AWARENESS CAMPAIGN: BEGGARY – AND - ROLE & DUTY OF THE POLICE”**

*(Report on the campaigns conducted in New  
Delhi on 29<sup>th</sup> – 31<sup>st</sup> March, 2017)*

**Abstract:** These campaigns were conducted by members of the Legal Aid Centre, S.L.S.-Noida with active support of volunteers, namely, Anshuman Mohit Chaturvedi, Mihir Saraswat, Gauri Sharan, Subrajeet Majumder, Namrata Raj, Smriti Kataria, Aniruddha Malik and Karan Singh Arora.

At first, those places were identified in Delhi where beggary was rampant. The team visited such identified places wherein police was also called up; further, police was requested to take welfare-oriented action against the beggars. In few cases, the police officers were notified with existence of such laws in r/o which they also have powers & jurisdiction. Object of the campaign was to get the beggars rehabilitated in a world beyond beggary.

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## **I. Concept Note**

Begging is seen as critical problem in the developing urban cities, like, Delhi. In our contemporary society, it is a symptom of a number of social problems, like, homelessness, poverty, drug addiction, alcoholism, mental illness, lack of education & vocational training, and so on. The number of beggars in Delhi, as estimated by a study by Department of Social Welfare, is around 58,000<sup>1</sup>. We have twelve beggar homes in Delhi with an inmate capacity of around 2,180<sup>2</sup> people, which look after beggars as & when they are rounded up and sent to these homes under the Bombay Prevention of Begging Act, 1959 as extended to the Union territory of Delhi. In addition to the regular beggar courts, two mobile beggar courts were started in the year 2009 ahead of Common Wealth Games.

The Bombay Prevention of Begging Act, 1959 was extended to the Union Territory of Delhi in 1960. The rationale behind the act was to make uniform and better provisions for the prevention of begging; for the detention, training & employment of beggars, and their dependents in certified institutions; for the custody, trial and punishment of beggar offenders. Any kind of act of beggary is criminalized under the said Act.

Few of the major issues with the beggary are 'lack of awareness about the whole business', 'failure of the society in dealing with the issue of beggary', 'no humanitarian solution offered by the stakeholders', and 'failure of the government in stopping beggary'. Because of such reasons, a large number of children are deprived of their 'right to education & childhood'. There is a dire need of repealing the current legislations pertaining to the beggary issue. The para-legal volunteers of the Legal Aid Centre of Symbiosis Law School along with eight others volunteers from the college embarked on a campaign to identify the places in Delhi where beggary was rampant and to get them rehabilitate with help of the state machinery through the Police.

## **II. Objectives**

The main objectives of the Legal Aid Centre of S.L.S., Noida were:

1. To inform police about their duty under the various acts as already stated above and also to see what problems do they face while dealing with Beggars.
2. To ensure that the beggars especially the children and old-aged beggars get relocated to the rehabilitation or receiving centers as per their situation.
3. To find a permanent solution for the Beggary problem in Delhi.
4. To observe and check the ground reality.

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<sup>1</sup>Survey Report by Department of Social work is available in their library.

<sup>2</sup>Department of Social Welfare

### **III. Preliminary Preparations**

Before conducting the event,

1. Researched and assembled all the laws formulated by State Government of Delhi or Central Government of India criminalizing Beggary and also to look for the various Social Welfare Schemes framed for the welfare of the Beggars in Delhi.
2. Ensured adequate participation and smooth functioning of the 3- day event through registration of more volunteers besides the members of Legal Aid Centre, SLS NOIDA.
3. Prepared and arranged Identification Cards for all the participating Volunteers and Members for authentication and identification purposes.

### **IV. Conducting the Event**

The event was conducted over a period of three days. Several target areas where beggary was rampant was identified and visited. Upon coming across beggars who had established their residence on the pavements or streets illegally, the police were called. After they arrived, based upon the relevant Act and State rules, they were informed of their duty to arrest the beggars and produce them in court who would give the appropriate orders to transport them to Beggar Homes established by the Delhi Government. The event was conducted throughout the three days as follows:

#### **DAY 1**

Target areas were Old and New Delhi. The volunteers reached Chandi Chowk Metro Station and spotted two beggars. The police were informed immediately through the emergency number 100. The police took considerable response time to come and within then, one of the beggars had escaped from the locality. The Head Constable of the Police Station arrived after 30 minutes and took record of the volunteer who called the police. However, he was not conversant with the provisions of the related act and asked volunteers for a copy of the same. After going through the same, he informed volunteers about the procedure of taking the beggar into custody and said he would go back to the police station and send another police officer to control the situation. The other policeman arrived a long time after, but refused to arrest the beggars since they were women, which warranted an arrest by a female police officer. So, volunteers again had to wait for sometime before she arrived and arrested the beggars in question. A few of the volunteers went with the police officers to the police station to register a formal complaint. However, they were made to wait for a long time. On a surprising turn of events, one of the volunteers was asked to undertake bodily

search of the beggar, flouting several procedural requirements. Upon discovering that the beggar belonged to the third gender, the police refused to keep her under custody and released her. Also, they were giving very vague reasoning for not arresting her that its nowhere written in the act regarding transgender so we can not arrest her. They also said, go and get any other beggar from street we will arrest her, as it will suffice your motive.

Then, the volunteers reached the Rain Basera in the Jama Masjid area. There volunteers saw a huge number of beggars who were gambling and taking drugs. However, due to their sheer number, they did not feel it was safe to call the police and left after sometime.

Ultimately, volunteers reached the Hanuman Temple in Connaught Place and found a whole family living on the pavements across the temple and begging to passers-by. They immediately informed the police who took about an hour to come, despite repeated calls. The Constable of the nearest police station had arrived and when volunteers told him about the situation, he informed that it was a futile activity since they keep on coming back even after they tried to remove them. Within this time, the beggars understood volunteer's intentions and surrounded them and started spewing threats. When volunteers explained that they were there for their benefit, they calmed down, but started accusing the police and the government for not performing their duties. They accused that they left a rehabilitation home since someone had tried to sexually assault one of their kids, alleged that there were two murders in the area in the last week and that there were NGOs who were trying to help them. However, they made several contradictory statements that led volunteers to suspect their account of the situation. Volunteers also got to know that several of them had Aadhar and Voter ID cards and voted as well. One of them even had a flat on rent at Rajouri Garden and had LIC on his name. On the other hand, the police officer was not ready to accommodate their rehabilitation and claimed that it was no easy task. Volunteers tried their best to compel him to take those beggars to the Receiving Centers but he was not convinced.

## **DAY 2**

On the second day, volunteers targeted the South Delhi Area. However, since the festival of Navratra was going on, the police had already removed several beggars from their strongholds for security. Thus, they could not locate them at several places.

Initially they had located one old woman begging at a temple in Mayour Vihar- 2 and called the services of the police. They arrived after several minutes and took notice of the situation. However, he did nothing to arrest the woman, but only shoo-ed her away from the area.

The route map was already prepared regarding what all places to be covered where volunteers can witness plenty of beggars sitting at red lights. Unfortunately, they saw none during the visit on the second day. After the very first incident which took place in Mayur Vihar-2, they inspected Sarai Kale kha's flyover and they got confused that people residing there were being legally provided with the space as they were Rane Basera; Mool chand metro station was visited; Lajpat Nagar metro station; Nehru Place red light area; Moti bagh Flyover; Moti bagh Gurudwara and then finally they reached to last spot i.e. temple complex at Chattarpur and spotted several old women and kids begging. Volunteers called 100 at least ten times and waited for more than an hour and a half, but no police officer arrived. Even though there were police vehicles on patrol in the area, they refused to help us. Also, the call operators at the emergency number had no idea that beggary was an offence and were curt with their replies. One even cut the call when volunteers told him that they needed assistance to rehabilitate beggars. In total volunteers did call police eight times, but no police officer reached the spot. Later, while returning back few volunteers came across beggars on a red light. They again made a call on 100 number but again they received negative response from police.

### **DAY 3**

North and Central Delhi were the target areas for the day. First, volunteers reached the Hanuman Temple at Kashmiri Gate flyover. They spotted several under-aged boys begging and sniffing cloth drenched in narcotics and distributing them. Volunteers immediately called the police and contacted the Child Emergency number 1908 as well. The police took around 45 minutes to reach the spot, but it was a patrol car and they contacted the nearest police station so that they could send someone over to arrest the miscreants. When the Sub-Constable arrived, he demanded to see the Act and tried to find loopholes in it to escape his duty. Meanwhile, one of the volunteers pointed out one of the boys who was taking and distributing addictive substances and the police officer caught him and another beggar and placed him in his car. He wanted volunteers to go with him to talk to the SHO of the police station so that they could convince him to send reinforcements. Two members along with two volunteers visited police station while the others were waiting for Child Helpline arrival. The environment at the location started getting tense since the miscreants called up their gang members and for safety concerns, the remaining volunteers went a little farther from the spot, where they could still see the location. After sometime, they saw a police van come and clear the area of any boys and/or beggars living on the pavement. They also cleared the food stalls there. Meanwhile, at the police station, the

volunteers were being made to wait for about two hours on the pretext that the SHO was yet to arrive; he was busy, etc. when he didn't arrive after a long period of waiting, and the volunteers left in frustration and came back to the location.

Volunteers had called the Child Emergency Helpline innumerable times in the three hours during which the drama was unfolding. They had also told them that they needed enough people to take care of the number of under-age boys there. However, not only did they arrive three hours late, only three people came who were of no help. Volunteers realized from their conduct that they knew the miscreants very well, but did not provide services required to rehabilitate these children. They joked around with one of the boys who was still lingering around without doing anything to improve the situation. Feeling dejected, they moved onto the next location.

Volunteers then went to Connaught Place inner circle area, in front of Gate 4 of Rajiv Chowk Metro Station. Volunteers located 2/3 beggars and called the police. Again, police officer took their own sweet time to arrive and even after they did, they just shooed beggars away, without making any conscious effort to take them to Beggar Homes. Sometime after the police officer had left, volunteers spotted a juvenile selling flower. He approached volunteers and started forcing them to buy the flowers so that he could eat. Immediately, volunteers alerted the police at the emergency number and kept him with us. In a few minutes, another couple of child beggars joined them. Volunteers interacted with them and beggars revealed that they came to sell flowers every day. They were admitted in Madrasas where they studied. They also said there were several people in the area who hit them for no reason and one of the boys showed volunteers where he had been cut with a blade sometime ago. They also told volunteers that there were a number of youngsters a bit far from that location who were also engaged in begging and taking drugs. In the meantime, a young woman appeared stating herself as the sister as one of the kids volunteers were talking to and wanted to take him away but sensing danger, volunteers did not let her. She came back time and again with several other women so that she they could take the kids away, but due to volunteer's efforts she was unsuccessful. She lied saying that the children did not sell flowers and only were there because it was a holiday; she also said that her brother did not sell flowers, but had taken someone else's flowers in her ignorance, which was total fabrication and in contradiction of the statement she had made earlier. There were also times when she threatened the other kids saying if they did not keep quiet, she would hit them. Volunteers got testimonies from the shopkeepers and security guards who saw them regularly who said they came there every day to beg and sell flowers.

By this time, no police had reached us, despite several calls. So volunteers contacted the personal numbers of the police officers who had come sometime ago and asked them for assistance. He came within sometime and refused to answer when volunteers asked him what the response time was. Volunteers also wanted to know if police officer would have taken that much time if it was a heinous crime, and he answered in negative. Ultimately, he saw the situation and called the nearest police station for assistance. In sometime, the Constable came. The first thing he did was hit one of the kids, which made volunteers angry since the kids had placed their trust on volunteers to not hurt them. He came and started taking the name and details of the volunteer who had called the emergency number which made her uncomfortable since no one else had asked volunteers those questions. When volunteers told him that they did not want to give their details, he got irritated and kept on pressing for details. He saw one of the volunteers making a video of the whole situation and he started taking pictures of us, even when the females amongst volunteers protested that they did not want their pictures taken. Volunteers tried to tell him what happened and he called to his seniors, who arrived in a short time. From the start, they were skeptical of whole activity. Volunteers told them everything from the beginning and they asked volunteers to write a formal complaint and said that they wanted to take the children under custody. Volunteers protested against that decision since they wanted to wait for a child welfare officer, in civilian clothes to do so as required by the law. But the Inspector said he himself was the Child Welfare Officer, but refused to come back in civilian clothes to take to children into custody. At this time, the sister of the kids counter-alleged that Volunteers had detained the kids without their consent. The situation got confusing and the police officer asked volunteers to meet him at the police station along with the kids and their guardians. Volunteers reached the police station and some of them went inside. The police officer in question grilled them about using the word "apprehended" in the formal complaint and asked them with what authority did they do so. They tried to explain that they had not apprehended the kids, just kept kids with them to fulfill their objectives to rehabilitate those kids and send them to school, in lieu of those kids selling flowers on the street. It took a long time to convince the police officers. He then wanted to hand over the children to the Child Welfare Services. He told volunteers to go along with those kids to Child welfare Officer. He tried to locate one for a long time, but was unable to. Finally, he asked volunteers to write another complaint. Volunteers wrote another complaint as instructed by police and every volunteer signed it to show their support to the cause, only two volunteers disagreed to sign as they did not wanted to get personally involved in it.

## **V. Response of the Target Population**

Volunteers targeted the Police Officers and the beggars as their targeted population and both had problems with the campaign. The police officers were of the view that volunteers were trying to teach them their duties, which hurt their ego, and they failed to understand the aim of the campaign. Most of them did not even try to understand the situation and in turn accused volunteers only for wasting their time. Most of the officers were rude and ignorant about the law on anti-beggary. The beggars felt that volunteers were taking their daily livelihood away. They were antagonistic towards volunteers. Some beggars also told volunteers about the atrocities they faced in rehabilitation centers and were hesitant to go back to those centers.

However, one section of the society, i.e., the onlookers who understood the objectives behind the whole campaign applauded volunteer's efforts to help the beggars and rehabilitate them. They even encouraged volunteers to keep on doing the same and pledged their help.

## **VI. Future Plan of Action**

The campaign conducted on Anti Beggary and illegal acquisition of land has been a success to some extent and as the objective of the campaign was to start a process of change and therefore keeping in mind to bring about a change volunteers have decided to further allocate their entire focus in the area of Connaught Place and make it a place free of beggars with a tentative tagline of 'Making CP Beggar Free'. And further they have decided to put all their videos and snaps in the social media especially 'twitter' and tagging politician of the current government concerned with these issues. So that they can grab the attention of common public as well as authorities towards these issues. Also, later on they can question the functioning of the Child Welfare Commission and the Police department of Delhi on the basis of the response so received.

## **VII. Suggestions/Feedback**

The following are the necessary suggestions that could have helped in making the campaign better:-

- Support of the police so that the beggars can realise the gravity of the situation and also join hands along with volunteers to bring about a solution that any person as individuals have thought of.



- A sense of belongingness towards the society among the group members shall help in realising the actual pain that these downtrodden people are facing that is trying to be a part of their lives in a way.
- A prior meeting with the members of the Child Welfare Commission so that their response can reach volunteers at the time when volunteers are in need of them.

### **VIII. Concluding Remarks**

The short journey of conducting the campaign on Anti Beggary and Illegal Acquisition of Land has been a great learning experience as we got an insight into the real world of these downtrodden people who are always at logger heads with themselves as to what can make their lives little better. But as every coin has two sides; the similar situation has also been encountered in our learning experience. We got to converse with such people who have accepted their state of haplessness giving it the name of fate and even if there are people who actually want to lend a helping hand to them but then, they are the ones who are hesitating to lead a better life. So overall it is an experience of lifetime and moreover a stepping stone towards something bigger and better.





















### **Details of Team Members at the Anti-beggary Campaign**

<b>Sl. No.</b>	<b>Name</b>	<b>Detail</b>
<b>1</b>	<b>Dhriti Gupta</b>	<b>Convener, L.A.C.</b>
<b>2</b>	<b>Harshita Prakash</b>	<b>Co-convener, L.A.C.</b>
<b>3</b>	<b>Ahona Pal</b>	<b>Co-convener, L.A.C.</b>
<b>4</b>	<b>Seetal Patra</b>	<b>P.L.V., L.A.C.</b>
<b>5</b>	<b>Shambhavi Gupta</b>	<b>P.L.V., L.A.C.</b>
<b>6</b>	<b>Vaishali Singh</b>	<b>P.L.V., L.A.C.</b>
<b>7</b>	<b>Anshuman Mohit Chaturvedi</b>	<b>Volunteer</b>
<b>8</b>	<b>Gauri Sharan</b>	<b>Volunteer</b>
<b>9</b>	<b>Mihir Saraswat</b>	<b>Volunteer</b>
<b>10</b>	<b>Namrata Raj</b>	<b>Volunteer</b>
<b>11</b>	<b>Smriti Kataria</b>	<b>Volunteer</b>
<b>12</b>	<b>Subrajit Majumdar</b>	<b>Volunteer</b>
<b>13</b>	<b>Anirudh Malik</b>	<b>Volunteer</b>
<b>14</b>	<b>Karan Arora</b>	<b>Volunteer</b>