

# Andhra Pradesh Prevention of Begging Rules, 2010

ANDHRA PRADESH

India

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### Rule

## ANDHRA-PRADESH-PREVENTION-OF-BEGGING-RULES-2010 of 2010

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Andhra Pradesh Prevention of Begging Rules, 2010Published vide Notification No. G.O.Ms.No.26, Social Welfare (BUDGET), dated 29.3.2010Last Updated 19th August, 2019G.O.Ms.No.26. - In exercise of the powers conferred by sub-section (1) of Section 33 of the Andhra Pradesh Prevention of Begging Act, 1977 (Andhra Pradesh Act 12 of 1977) the Governor of Andhra Pradesh hereby makes the following rules, the same having been previously issued in G.O.Ms. No. 8, Social Welfare (Budget. 2) Department, dated. 10-3-2006 and published in the rules Supplement to Part-1 Extraordinary issue of the Andhra Pradesh Gazette No. 18, dated 17th March, 2006 as required under sub-section (1) of Section 33 of the said Act, and after having considered the objections and suggestions received with respect thereto: -Chapter-I

### 1. Short title.

- These Rules may be called the Andhra Pradesh Prevention of Begging Rules, 2010.

### 2. Definitions.

(1)In these rules, unless the context otherwise requires:-(a)"Act" means the Andhra Pradesh Prevention of Begging Act, 1977;(b)"Authorized Officer" means any Police Officer, not below the rank of a Sub Inspector of Police or any Revenue Officer not below the rank of a Tahsildar or District Probation Officer and the Probation Officers who are empowered to round up child beggars and produce them before the appropriate body or any other officer authorized by the Government to arrest a person who is found Begging or maintaining Beggars in contravention of the provisions of the Act.(c)"Certified institution" means, " Any institution called Special Home or work centre".(d)"Child" means a person who has not completed sixteen years of age.(e)"Designated Officer"means the Municipal Commissioner of the respective Municipality in municipal areas and

the Deputy Director (Social Welfare) in respect of other areas in the district.(f)"Receiving Centre" or "Relief Centre" means a certified institution by the Government, which may be a home maintained by the Social Welfare or Municipal Administration Department or any institution run by a Non-Governmental Organization, where the beggars, identified by an Authorized Officer, will be rehabilitated.(g)"Receiving Officer" means the person authorized to run the certified institution whether called as Superintendent / Warden / In-charge of a certified institution or Home run by Government or Non Governmental Organisation (NGO), where the beggars are brought to the certified institutions by the Authorized Officers.(2)Words and expressions used but not defined in these rules shall have the same meaning respectively assigned to them in the Act.

### **3. Begging in a public place is an offence.**

- Begging in a public place is an offence. Any person who is found begging in a public place shall be punishable under Section 27 of the Act or the rules made there under.Chapter-II

### **4. Arrest of Beggars and the Procedure for Committing them to Certified Institutions.**

(1)Any Authorized Officer may arrest without warrant any person who is begging in a public place. The Municipal Commissioner/Local Body shall provide necessary assistance to the authorized officer in identification of beggars, arresting them and to produce before the Court. Necessary official machinery and transport may be provided by the local bodies, to the authorized officer wherever required. The person so arrested may be informed as soon as may be, the grounds of such arrest and shall be produced within a period of 24 hours of such arrest excluding the time necessary for the journey from the place of arrest to the Court, together with a report explaining the circumstances under which the arrest was made.(2)The Court shall, as soon as may be, order the person to be taken before a Medical Officer, not below the rank of an Assistant Civil Surgeon and the medical officer shall, after examining such person, prepare and forward a medical report to the Court regarding the age and physical capacity for ordinary manual labour of such person,(3)The Medical officer referred to in sub rule (2) shall state in the medical report referred to therein, inter alia, the following details in a Health Register maintained by him:(a)The age and sex of the person;(b)Whether the person is suffering from leprosy or any other, communicable disease other than leprosy;(c)Whether the person is an idiot or of unsound mind;(d)The general state of health and bodily condition of the person and for which kind of work, if any, he is fit.(e)Those requiring medical treatment shall be attended to by the Medical Officer in the centre or sent to any Government Hospital;(f)The health of every inmate shall be examined by the Medical Officer once in every fortnight and the result thereof noted in the history report of the inmate.

### **5. Summary Enquiry by the Court.**

(1)The Court after receipt of the medical report make a summary enquiry into the facts and circumstances of the case and also age, character and the physical capacities for ordinary manual labour of the person produced before it.(2)During such inquiry, the Court shall explain to such

person the facts alleged against him in the report of the Authorized Officer and record any statement which he may wish to make with reference thereto.(3)If such person disputes the correctness of the report of the authorized officer in any material respect, the Court shall proceed, as early as may be, in accordance with the procedure laid down for trial of summons cases in the Code of Criminal Procedure, 1973.(4)If the inquiry cannot be completed forthwith, the Court may adjourn it, from time to time and order the person to be remanded to place and custody as may be convenient.(5)For the purpose of inquiry, the Court may examine the Medical Officer as a witness and shall reduce the examination to writing.

## **6. Orders of the Court on completion of enquiry.**

(1)If on completion of the inquiry, the Court is satisfied that the person was not guilty of offence punishable under the Act, it shall order that such person shall be released forthwith(2)If on completion of the inquiry, the Court is satisfied that person is guilty of the offence under the Act, it shall record a declaration that the person is a beggar and shall make further orders as provided in sub-rules (3) or (4) or (5) as the case may be, and person to be taken before the Medical Officer.(3)If the Court finds that the person who is declared as beggar under sub-rule (2) is a child, it may, subject to the provisions of Section 7, deal with the case in any manner specified in Section 28 of the Andhra Pradesh (Andhra Area) Children. Act 1920, in accordance with provisions of that Act.(4)If the Court finds that the person who is declared as beggar under sub-rule (2) has completed sixteen years of age and is physically capable of ordinary manual labour, it may, instead of sentencing him under Section 27 of the Act order his detention in a workhouse for a specified period not less than one year but not exceeding three years;Provided that if the Court is satisfied that the person declared as a beggar under sub-rule (2) is not likely to beg again, it may;(i)instead of releasing him on probation of good conduct under clause shall, after examining such person, prepare and forward a medical report to the Court regarding the age and physical capacity for ordinary manual labour of such person,(ii)release such person after due admonition on his giving an undertaking in writing that he will not again commit an offence under Section 3 of the Act.(ii)direct that he be released on his entering into a bond with or without sureties to appear and receive sentence when called upon during such period as the court may direct and in the mean time to be of good behaviour.(5)If the Court finds that the person who is declared as beggar under sub-rule (2), has completed sixteen years of age but is not physically capable of ordinary manual labour, it may instead of sentencing him under Section 27, of the Act order his detention in a special home for such period as the Court may deem fit.

## **7. Search of beggars received in certified institution.**

(1)Beggars who are not immediately released by the Designated Officer shall be searched in his presence and any cash or other valuables found with them shall be taken for safe custody and noted in a Register of properties.(2)The competent authority to take safe custody of a Beggar is the Superintendent / Warden / in-charge of the Home or Institution run by the Government / Non Governmental Organisation after receiving the Beggars from the Designated Officer who will issue a safe custody certificate and record belongings / properties if any pertain to the beggars in the registers maintained at the institution / home.(3)A format for a safe custody certificate and

proforma of register of properties is furnished below.Format of a Safe Custody Certificate.

From The Superintendent / Warden / In-charge of the Certified institution.	To The Authorized Officer, Place: Division: District;
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This is to certify that Sri / Smt. / Master.....S/o / D/o.....a native of..... found begging in.....Place and referred to this certified institution by.....and the same person is admitted on.....and kept in the safe custody of the Institution and necessary food, accommodation and medical treatment etc. will be provided to him and technical skills / ordinary skills will be imparted to eke out his livelihood and to stand on his feet. Signature of the Superintendent / Warden In-charge of the institution Place : Date : Proforma of "Register of properties"

Sl.No.	Name of the Beggar	Father,s Name	Date of admission	Nature of belongings	Receiver's signature & date	Date of discharge	Date of handing over of belongings	Remarks
Cash	Gold ornaments	Other belongings						

## 8. Accommodation of Beggars etc.

(1)The Designated Officer shall make all necessary arrangements for feeding, accommodation and medical treatment required to the beggars during the time of their retention in the Center and sending them to the Court, Hospital and Relief Center.(2)The Receiving Officer shall also attend and aid the Court in dealing with the cases of beggars produced before it for enquiry and orders.(3)Whenever a beggar is sent to a Relief Center by a Designated Officer, the person in charge shall enquire into the particulars to be recorded in an Inmate Register.(4)The particulars contained in an extract of the property Register sent from the Receiving Centre with the beggar concerned shall be verified and transferred to a Register of the properties and Income. A proforma of Register to enter the income particulars of the persons kept in the Relief Centre, is given below.

S.No.	Name of the person kept in the Relief Centre	Nature of work attended	No. of hours worked	income earnedL	Amount utilized if anyL	Balance availableL
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(5)After the preliminaries are over, each inmate shall be given a disinfectant bath and immediately supplied with clothing, the clothing worn by him at the time being destroyed, if it is in rags or in a filthy or shabby condition.(6)The beggars identified/arrested may be classified into the following categories with the help of a Medical Officer, wherever it is required;(a)Diseased and Leprosy effected(b)Disabled(c)Mentally unsound(d)Minors, child beggars and street children.(e)Aged(f)Able bodied(g)Any otherMales, females and children and each group shall, as far as possible, be accommodated separately from the rest. Care shall be taken that inmates suffering from the

infectious disease do not mingle with others.(7)In case of able bodied adult beggars, some of them are destitute, while others may still be staying with their families. In either of those situations, anti-beggary regulations shall be enforced strictly and severely.(8)The Officer-in-charge shall see that every beggar is provided prescribed diet at prescribed times, three times a day.(9)In the case of sick persons the diet may be altered either in regard to the scale or ingredient on the advice of the Medical Officer and the fact recorded in the History Report.(10)The superintendent/Warden/In-charge of the "Ashraya Home" shall personally supervise the distribution of food to each inmate.(11)The food shall be cooked under the supervision of one of the staff who shall be detailed for the work by a person In charge.(12)The person In-charge shall also visit the kitchen at least once a day and see that the place and utensils are kept clean and tidy and that the cooking is done with care and in time.(13)Every beggar shall get the following articles of clothing and bedding for his use;Male-2 pairs of dresses.Female-2 Sarees with petticoats, blouses and Bedding MaterialOne blanket, two bed sheets, one mat, one pillow.The above are to be provided once in every year.(14)All inmates except the sick shall bath every day. Every male member shall be provided cosmetic charges of L 50 per month for purchase of soaps and oils in addition to an amount of L 5 per month for barber charges.(15)Every female member shall be provided cosmetic charges of L 75 per month for purchase of soaps, oils etc.(16)The Officer-in-charge shall see that every inmate keeps himself as well as the clothing, bedding and other articles given to him neat and tidy.(17)Every inmate shall wash his own clothing at least once in a week usually on Sundays and at such other times officer-in-charge may direct. In special cases, however, when any inmate is physically unable to do so, it shall be arranged to have it done by the staff of the Centre.(18)Such inmate whom the officer-in-charge considers fit for work, shall do the work allotted to him. In allotting work due regard shall be paid to any ailment from which an inmate may be suffering.(19)Arrangements shall be made to impart elementary education, training in arts and crafts, training in agriculture and poultry, establishment of an industry and primary education to the inmates,(20)Daily hours of work shall not exceed six and the wages earned by an inmate under a system of wages prescribed by separate rules shall be deposited and paid to him at the time of discharge.Chapter-III

## 9. Certified Institution.

(1)Certified Institutions are to be established as permitted in Section 11 and 12 of the Act.(2)The Government shall establish and maintain one or more Work-Houses and one or more Special Homes at such place or places as they think fit; or may certify any Institution not established and maintained by the Government, to be a work House or Special Home for the purpose of this Act.(3)Separate accommodation for males and females shall be provided in each such Certified Institutions.(4)Every Certified Institution shall be under the charge of a Superintendent who shall exercise such powers and perform such functions as are assigned to him by or under this Act,(5)Every Certified Institution may, for general public and uplift of its inmates provide the following.(i)Training in arts and crafts;(ii)Training in agriculture and poultry;(iii)Establishment of an industry;(iv)Primary education;(v)Education in morals and conduct in every day life;(vi)Health and medical care.(vii)Every inmate shall be issued with oil, soap, and other materials as per the following scales.

#### Boys

- (1) Coconut oil for grooming the hair 100 gms per month
- (2) Carbolic soap (125 gms) 1 per month.
- (3) Tooth powder (Colgate) 30 gms per month
- (4) Tooth brush & Tongue cleaner 1 each per 3 months.
- (5) Shampoo 8 ml sachet 1 on Sunday.
- (6) Washing soap (125 gms) 1 per month.

#### Girls

- (1) Coconut oil for grooming the hair 50 gms per week
- (2) Carbolic soap (125 gms) 2 per month.
- (3) Tooth powder (Colgate) 30 gms per month.
- (4) Tooth brush & Tongue cleaner 1 each per 3 months.
- (5) Shampoo 8 ml sachets 2 on Sunday.
- (6) Washing soap (125 gms) 2 per month.

#### Chapter-IV

### 10. Procedure on order of Detention or sentence of imprisonment.

(1) When a person has been ordered to be detained in a Certified Institution the Court which ordered the detention shall forthwith forward him to the nearest Certified Institution with a copy of the order of detention and the person shall there upon be handed over to the custody of the Superintendent of the Institution, who shall detain him in the Institution. (2) When any such person has been sentenced to imprisonment, the Court passing the sentence of imprisonment, shall forthwith forward a warrant to a jail in which he is to be confined and shall forward him to such jail with the warrant together with a copy of the order of detention. After the sentence of imprisonment is fully executed, the officer executing it shall, if detention in a Certified Institution for any period remains to be undergone by such person, forward him forthwith together with the copy of the order of detention to the nearest Certified Institution. Chapter-V

### 11. District And Local Advisory Committees And Preventive Measure.

(1) Constitution, of District Advisory Committee: A District Advisory Committee may be constituted in every District with the following members namely:

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|---------------------------------------|-----------------|
| (a) Collector and District Magistrate | Chairman        |
| (b) Superintendent of Police          | Member          |
| (c) Chief Executive Officer           | (ZPP) Member    |
| (d) All Municipal Commissioners       | Members         |
| (e) Deputy Director (Social Welfare)  | Member/Convener |
| (f) District Medical & Health Officer | Member          |

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|---|--------|
| (g) District Women and Child Welfare Officer -  | Member |
| (h) Two Non-Governmental Organisations in the concerned fields  | Member |
| (i) District Leprosy Officer  | Member |
| (j) Assistant Director (Disabled Welfare) Member  |        |
| (k) District Probation Officer  | Member |
| (l) Two other persons nominated by each local authority for whose local area the Certified Institutions are established or certified. |        |
- (2) Local Advisory Committee at the Revenue Division Level: A Local Advisory Committee may be constituted in every Revenue Division with the following members namely:
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|-----------------------------------|----------|
| (a) Revenue Divisional Officer    | Chairman |
| (b) Sub Divisional Police Officer | Member   |