

A LITTLE KINDNESS PULLS STREET CHILD TO THE DARKER WORLD OF BEGGING

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Abstract:

Hanging out with your family or for shopping even in our daily practice we used to see lot of wishy-washy faces with filthy hair child begging on roads barefooted with scattered clothes and we give them some money to get rid off them or because of benevolence. But did we ever wondered why do they beg? Is it for hunger or something else? Are they left to die on streets? Do they have any identity in our society? I would say it is not only about their identities but also about how they came in the world of begging. This paper will explore the reasons and causes of child begging.

Keywords: Child begging, cartels, organized crime, child trafficking

Introduction:

On the traffic light seeing child begging and women holding babies pretending to be their mother- generally the child were drugged to unconscious either after abducted by the human trafficking cartels or by borrowing from labor class mothers for rent. According to Indian National Human Rights Commission reports 40,000 children are abducted in India every year, over 25% of whom remain untraced. Money which is given to them will not be used for their food, shelter & education but to give them drugs or either used by their traffickers. Drugs are given to them so that they would not try to abscond. Even if they have been provided with something for their utility they sell it rather than using it because it would not help in eradicate poverty but they will be exploited physically and mentally. In some cases parents force their children for begging to fulfill their

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addictive needs. Well it is hard to say that begging cannot be chosen for substantial living as ample number of people picks it as a way of survival.

This is the major problem in our society that people chose to beg instead of some work or job. But nothing is constant even the way to beg. Now most of them do not ask for money in a straight line but they try to sell you something with the changing demand according to the occasions like flowers on valentines week, flags on national days and cleaning vehicles which is not as much worst as begging in my opinion but still what about their education? Let me share my experience at a traffic light in Jaipur where two old aged women are still begging in the name of relocation to their home town for the last seven years. I don't know how much money they are needed to buy a ticket of bus or train but one thing is ambiguous that possibly this will end up with new faces in their position. Do they deserve to be like this till the demise and what about their next generation? Will they continue like this in their shady world with no purpose of their own?

Most of the street child are left with no choice but to beg as they don't have any other option because of their families who forced them in the world of begging. This does not end here, these child are even being sold for sexual abuse in exchange of monetary benefits, this is not the matter of poverty only but vanishing of humanity, lost innocence and twist of fate. No one is there to listen to them even if they try to raise their voices which forces children to become ferocious and commit acts of violence. Kidnapping or maiming a minor for the purpose of begging is treated as an offence under section 363 A of IPC. Further, Section 24 of Juvenile Justice Act, 2000 prohibits employment of juvenile or child for begging. Section 144 of the Indian Railway Act, 1989 stipulates prohibition of hawking and begging. At present, 20 states and 2 UTs have either enacted their own anti-beggary legislations or adopted those enacted by other states. These anti-beggary laws are mostly based on the Bombay Prevention of Begging Act, 1959 which criminalizes the act of begging and any person found involved in it can be arrested without warrant.²

In 2004, International Labour Organization adopted the definition of begging. Begging is defined as a range of activities whereby an individual asks a stranger for money on the basis of being poor

² PTI, "Central scheme soon to tackle beggary", *Economic Times*, 17th Jan, 2016.

or needing charitable donations for health or religious reasons. Beggars may also sell small items, such as dusters or flowers, in return for money that may have little to do with the value of the item for sale.³ Although there is no absolute specific definition for child begging so we could conclude child begging as supplicating others to get something majorly money or food in a extremely deprived manner without exchanging anything in return as it varies in different countries like in India it is about “Roti(Bread), Kapda(Clothes), Makaan(Shelter). If we look for USA, trafficked children are not forced in begging but in crimes like smuggling, robbery, prostitution. In Thailand, they are forced into begging, while immature girls are trafficked into China for sex slave industry.

Reasons for involvement of children into begging:

Abuse: Mostly in urban and slum areas children left their homes due to sexual abuse and beaten by their drunk family members. Further, they are trapped by cartel and eventually forced for beg by make them addicted of drugs, some of the child physically abused all the way through forced labour and sex slavery

Poverty: Apparently one of the major reasons for child begging. Due to dearth of money, child cannot be able to obtain education even not a proper meal and they are left with no other option but to beg for the money to get food for himself and the family members. After independency, several actions, schemes and plans were launched to eradicate poverty, government of India introduced planning commission 1950 & five year plan to build up economy in a effective and efficient manner, Similarly, with a view to facilitate economic growth, 14 banks were nationalized in 1962. Afterwards in 1972, coal mines were nationalized and that was followed by government taking control of big private iron and steel company and wholesale business in food grains. Accordingly, in 1975 – 1978, the 20 point programme with the main intention of removing (Garibi Hato) and upliftment of weaker section of the society was introduced. There were also other programmes for employment generation and poverty alleviation like Jawahar Rozgar Yojana (JRY) 1989, Prime Minister’s Rozgar Yojana (PMRY) 1993, Rural Employment Generation

³ “PREVENTION OF CHILD EXPLOITATION IN SOUTH EAST EUROPE”, *Save The Children*, December, 2011. Available at <https://resourcecentre.savethechildren.net/sites/default/files/documents/5495.pdf>

Programme (REGP) 1995, Pradhan Mantri Gramodaya Yojana⁴. Even after these initiatives by government people did not wish to leave begging as it is an easiest and more profitable than many other work.

Trafficking: Above three lakh children across the country are strained to beg by means of making dependent of drugs and some sort of violent coercion. These human trafficking cartels make millions of rupee by making an army of trafficked children. Human trafficking industries work with confidentiality and do not work under law, no one knows their origin from where they are operating but one thing is visible and that is forced child begging. In fact, forced child begging is classified as one of the worst forms of child labour, and completely violates the basic human rights protection framework of the UN convention on the Rights of the Child.

Money is the clear driving factor behind the existence of this type trafficking & indeed the practice can be lucrative. In 2005, China, a man could earn \$30,000 and \$40,000 per year by forcing children to beg. Generally, children on the streets of Thailand will earn around 1000 Baht per day that is if child is handicapped. Studies have found that handicapped children bring in three times as much revenue as non handicapped ones which lead to forced mutilations and amputations- the cutting off of legs, removal of eyes – with the goal of goal of rendering the children more profitable.

Forced begging is an extremely widespread form of human trafficking, occurring in various forms across the globe – from Argentina, Algeria and Thailand to Pakistan, Albania, and the US. In Switzerland, for example, there have been numerous reports of Roman women trafficking children from Romania to beg on Swiss streets. In Senegal, children are exploited closer to home and forced into begging. In India, large scale human trafficking cartels control over 300,000 children, forcing them to beg, drugging them, and beating them.

As with all forms of human trafficking the eradication of forced child begging will be difficult and complex – but necessary. Increased education is one of the essential steps towards the elimination

⁴ Chapter III “Causes and Implications of Beggary”. Available at https://shodhganga.inflibnet.ac.in/bitstream/10603/159933/13/13_chapter3.pdf

of this form of trafficking. Most victims of forced begging are denied access to schooling, which allows the traffickers to tighten their control.

Moreover, we, as individuals, might feel morally compelled to give put coins when we are faced with child beggars. We shouldn't. These coins are unlikely to be seen by the children ever again – ending instead in the pockets of perpetrator of human trafficking.⁵

Illiteracy: Children are not propelled by their parents to get education in schools even if government provides facilities, due to illiteracy among them. Underprivileged kids lag at all stages of education. When earning a livelihood and taking care of the members of the family becomes a primary matter of concern in one's life, education stands a little or, very often, no chance of pursuance. For the millions of underprivileged people in India, education is a high-priced luxury, and this negative outlook continues on with every new generation. Poverty damages childhood with significant effects on a child's physical and mental health, as well as educational achievement. It limits the expectations of the child's ability to perform well in school, constantly reminding him/her of the miniscule chance he/she has to overcome adversity and poverty. The father of modern education—John Amos Comenius proposed – “all persons should be educated, so we could have peace in the world”. Visionaries of the world understood that peace meant guaranteeing every person certain rights that are conditional for humanity—education being one of the most important.

The addition of the Right to Education (RTE) in the Universal Declaration of Human Rights in 1948 was the beginning of a remarkable expansion of educational opportunities around the world. The parliament of India enacted the Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE) on August 2009. The same got enforced on April 1st 2010.

As per the act, education is a fundamental right of every child who is between 6 and 14 years old. The act also states that until the completion of elementary education, no child shall be held back, expelled or required to pass a board examination. There is also a provision for special training of

⁵ Rumani Saikia Phukan, “My India “*Begging in India: A Menace to the Society*”, October 15, 2015. Available at <https://www.mapsofindia.com/my-india/society/begging-in-india-a-menace-to-the-society>

school drop-outs to bring them up to par with students of the same age. despite of these provisions these people pay no attention to education of their children but send them to beg for money.⁶

Occupation: Poverty and Illiteracy is just a single phase of the story. Yes, there is not a single doubt that these factors are originally spread in several countries but begging is not real. From the last decades people are considering begging as profession as well as business. Because of this mind set force their children to beg for money instead of encouraging them for getting education or to do some other work. In fact some of them make their own gang for a particular area for begging to get superior share of the day's earning as they are able to make good money they do not prefer to do any other work. These gangs and trafficking cartels gives training to the children to beg in different ways to persuade people for some bucks in return. Sometimes they use very ruthless and offensive words if you deny to give money which is enough to spoil your mood in the middle of the way to your destination, they get dressed according to the surrounding like they could be showed in the attire of any Hindu god while begging in a Hindu area, on the other hand if the area is of Muslim people then they could be seen in Muslim dress up.

The shocking truth about the beggar mafia emerged last year when doctors were filmed by Indian journalists agreeing to cut off the healthy limbs of children for just £100. With at least one child being taken every week in Mumbai, not to mention dozens more in India's other overcrowded cities, the beggar mafia makes more than £20 million a year in Mumbai alone, and the corrupt officers ensure that the trade thrives. Almost these entire child beggars, whether mutilated or not, are addicted to solvents, alcohol and charras (powerful Afghan hashish, often laced with opium), which are supplied by the gang masters to keep the children under control. Despite India's economic boom, the future looks bleak for millions of the nation's children⁷

Gender: In countries like India gender inequality is still resides in the mind of people, they consider girls as a burden and curse for them, so they sell their girls to the traffickers which lead them to world of sex slavery and begging. *Global Report on Trafficking in Persons* launched today

⁶ Smile Foundation “*Child Rights*”. Available at https://www.smilefoundationindia.org/child_rights.html

⁷ Haiku Deck “*India's Million Dollar Begging Question*”, 21st November, 2015. Available at <https://www.haikudeck.com/indias-million-dollar-begging-question-education-presentation-zLzMstSNjk>

by the United Nations Office on Drugs and Crime (UNODC) provides new information on a crime that shames us all.

Based on data gathered from 155 countries, it offers the first global assessment of the scope of human trafficking and what is being done to fight it. It includes: an overview of trafficking patterns; legal steps taken in response; and country-specific information on reported cases of trafficking in persons, victims, and prosecutions. At the launch of the Report in New York, the Executive Director of UNODC, Antonio Maria Costa said that "many governments are still in denial. There is even neglect when it comes to either reporting on, or prosecuting cases of human trafficking". He pointed to the fact that while the number of convictions for human trafficking is increasing, two out of every five countries covered by the UNODC Report had not recorded a single conviction.

According to the Report, the most common form of human trafficking (79%) is sexual exploitation. The victims of sexual exploitation are predominantly women and girls. Surprisingly, in 30% of the countries which provided information on the gender of traffickers, women make up the largest proportion of traffickers. In some parts of the world, women trafficking women is the norm. The second most common form of human trafficking is forced labour (18%), although this may be a misrepresentation because forced labour is less frequently detected and reported than trafficking for sexual exploitation⁸.

Over 2010-2014, out of the 3.85 lakh children who went missing across the country, 61% were girls. For example, the number of missing girls in the state of Andhra Pradesh stands at a shocking 11,625 as against 6,915 missing boys (The Times of India). These girls are often forced into prostitution and begging rackets and are destined for a life of child abuse and exploitation⁹.

Link between child begging and trafficking in India and other countries: A research by Emily Delap shows that the children who took part in the research be they forced to beg by others or not,

⁸ United Nations on Drug and Crime "UNODC report on human trafficking exposes modern form of slavery". 12th November, 2009. Available at <https://www.unodc.org/unodc/en/frontpage/unodc-report-on-human-trafficking-exposes-modern-form-of-slavery-.html>

⁹ Child right and you "*Child Trafficking*", Available at <https://www.cry.org/issues-views/child-trafficking>

did not originally come from the places where they were found begging and living. Migration and trafficking away from impoverished communities of origin towards urban areas, believed to have greater relative wealth and income-generating possibilities, were particular features of the poverty that pushed children into begging and forced begging situations. In Albania, many children had migrated with their families from villages to larger towns in search of higher incomes. Children and families had also migrated or been trafficked from Albania to Greece. As stated previously, there is evidence in recent years of a decline in cross-border trafficking by third parties. The vast majorities of the 52 child beggars spoken to during the in-depth and rapid interviews in Delhi were not born in the city, but had come from other parts of India. The largest numbers came from the states of Uttar Pradesh, Rajasthan and Bihar. The influx of families from Rajasthan in recent years has been linked to drought in this state. Most had come with their families. Others, notably the three boys who participated in the research and had been forced to beg through drug addiction, had travelled alone, although in these three cases the decision to leave was linked primarily to abusive home lives¹⁰

Lack of birth registration has been highlighted as an issue of concern in the southeast Asia region due to the increased vulnerability of stateless persons (Refugee International 2009; Vital Voices Global Partnership 2007). Without citizenship, such persons 'have limited or no access to healthcare services, education, travel, employment or political representation' (Vital Voices Global Partnership 2007: 11) and are largely excluded from obtaining both government benefits and protections. For example, many hill-tribe women and girls who are not afforded Thai citizenship become vulnerable to exploitation through lack of legal status and are known to be trafficked for both labour and sexual purposes¹¹

According to a recent study, "Missing Children In Delhi 2018", by Alliance for People's Rights (APR) and NGO Child Rights and You (CRY), 26,761 children went missing in Delhi in the last

¹⁰ Emily Delap, Anti Slavery International "Begging for Change", Available at: <https://www.antislavery.org/wp-content/uploads/2017/01/beggingforchange09.pdf>

¹¹ Jacqueline Joudo Larsen, "The trafficking of children in the Asia-Pacific" in Trends and Issues in Crime and Criminal Justice, Australian Institute of Criminology, No. 415, April 2011.

five years. Of these, only 9,727 could be traced, the report stated. That is, of every 10 children going missing in the national capital, six remain untraced.

According to the report based on National Crime Records Bureau data and RTI replies from the police, 63 per cent of missing children in Delhi were untraceable; almost double the 30 per cent figure for the rest of the country.

Soha Moitra, CRY regional director (north), said the rehabilitation of young trafficked children poses a "big challenge".¹²

According to UNODC, "*Global Report on Trafficking in Persons 2018*" the detection of own nationals as trafficking victims has been increasingly recorded across the countries of Western and Southern Europe. As for cross-border trafficking, the main origins of inbound flows remain the countries in Central and South-Eastern Europe, although the detection of these flows has declined markedly compared to 2012 and 2014. Victims from South-Eastern Europe have been recorded in large numbers in almost every part of this sub region.

Victims from Central Europe are also detected in many parts of Western and Southern Europe, though to a lesser extent. Some Western European countries report having detected victims from the Baltic countries of Latvia and Lithuania, with larger numbers in the United Kingdom. It appears that countries in Western and Southern Europe are increasingly detecting victims from other (affluent) countries in this sub region. Outside of the region of Western and Central Europe, sub-Saharan Africa remains the most relevant origin of detected trafficking flows into Western and Southern Europe.

The share of detected victims with citizenships from this part of the world has increased somewhat in recent years. Among sub-Saharan African victims, the largest part of this flow consists of victims trafficked from West Africa. Victims from West Africa comprised about 16 per cent of the

¹² PTI, The Week "*Sellers at the red light: Whose children are they anyway?*", October 07, 2018, Available at: <https://www.theweek.in/leisure/society/2018/10/07/sellers-at-the-red-light-whose-children-are-they-anyway.html>

victims detected in Western and Southern Europe in 2016. These victims have been detected in almost every country of this sub region. Detected victims from East Africa mainly originate from the Horn of Africa. Few victims are trafficked from Southern Africa to Western and Southern Europe. Victims from East Asia and the Pacific account for less than 10 per cent of the total, but they are detected, even if in small numbers, in most countries of this sub region.

Most of the detected victims from East Asia come from South-East Asia: from the Philippines, Thailand and to a lesser extent, from China and Viet Nam. Compared to previous years, detections of victims with these citizenships appear to have become more frequent. Victims from South Asia (and South-West Asia) are also detected in many parts of Western and Southern Europe. They account for about 5 per cent of the total detected victims in this sub region. Victims are trafficked from most South Asian countries, including Bangladesh, India, and Pakistan, and to a limited extent also from Nepal and Sri Lanka. Victims from Afghanistan have been detected in the Nordic countries, the Netherlands, and the United Kingdom¹³

Human trafficking is mounting every year with large figure in the world and every nation needed to take regular initiatives to control it for the better future.

Organized crime mafias and Child begging: In the changing world there is also an unknown shady face of the world called as organized crime led by mafias. The beggars' mafias kidnap infants and young children and force them to work as beggars on the street. The kidnapers come off as kind people who are just trying to help; however, they end up drugging the children and forcing them to be beggars. The mafia kidnap newborns from the hospitals, infants, homeless children, and any child that may seem vulnerable. The mafia will also rent a baby, drug him or her, and send them out on the street with the women in order to cause sympathy. The children are brutally beaten, starved, burned, and some even have limbs amputated or eyes pulled out. The worse the children look, the more money they bring into the mafia. The mafia also keeps the children addicted to opium or other drugs in order to control them. The children are not allowed to keep the money they earn, all of it goes to the mafia leader. If they do not make the target amount, the child

¹³ UNODC, "Global Report on Trafficking in Persons 2018". Available at https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf.

is brutally beaten and abused. The mafia teaches these children how to effectively beg for money. They teach them where to beg, who to beg, and how to get sympathy from other people. These children eventually become addicted to the street life considering that is all they know. A lot of these children will stay in the streets even when offered help to get out of it. There are no limits when it comes to the beggar mafia in India¹⁴

Children are trafficked into begging by networks or gangs all over the world. For example, it was reported that in China adults force street children to beg, and sometimes break their arms or legs to evoke more pity. It is thought that such individuals can earn US\$30-40,000 per year by forcing children to beg (US Department of State, 2008). Elsewhere in Asia, children are reported to be trafficked for begging from Afghanistan, Azerbaijan, Tajikistan, India, Burma, Laos, Cambodia and Thailand (US Department of State, 2008; IOM, 2004a).¹⁵

The CNN-IBN news channel underwent an investigation and caught three doctors on video agreeing to amputate limbs of child beggars for as low as \$200 or 10,000 rupees. However, the price usually ranges between \$200-\$800 or 10,000 to 40,000 rupees. The doctors would typically sew the muscles shut which cause gangrene then they would amputate the chosen limb two to three days later. The reason they choose to amputate the children's legs is because disabled children brought in more money since people felt bad for them.¹⁶

The research in Delhi suggests that a number of boys are forced into begging by drug dealers. In-depth interviews with three boys in three separate locations point towards the use of drugs to trap boys into begging. Drug dealers, often older children themselves, get boys addicted to drugs and into debt. They refuse to provide them with more drugs unless they return to the streets to beg and bring them further income. Boys in the three locations, who took part in the in-depth interviews, group discussions and rapid interviews, all suggested that drug dealers have several boys under their control at any one time. A 14 years old and comes to the Purana Hanuman Mandir temple every day at six in the morning to begin begging, leaving again late in the evening to sleep in a

¹⁴ Anything Related, "*Beggar Mafia In India*", 17th February 2015. Available at: <http://www.anythingrelated.com/2015/02/beggar-mafia-in-india.html>

¹⁵ Emily Delap, Note 10.

¹⁶ Anything Related, Note 14

nearby park. He earns Rs.10-20 per day (US\$0.20-0.40) from begging and is also given food by the temple's devotees, eating only once or twice a day. He left his home near Mumbai when he was nine years old because his father was abusing him sexually. He gives most of the money he earns from begging to his 'friend,' who also supplies him with drugs. He says that his 'friend' will beat him if he doesn't bring him money each day. Javed suffers from poor eyesight in one eye and his right hand shakes constantly. He is exhausted from lack of sleep as the park is often too noisy for him to rest.¹⁷

From last few years, children in school dresses has been showed asking for donations in the name of certain causes with valid identity proofs, sometimes I sense is it really about donations or is it something else. There could be some possibilities of hands of some mafias behind these acts to grab good amount of money in the name of donations. Now Again the same question arises how to identify the authenticity of these type of donations?

Laws Related to Child Begging: Some of the epithet indicated India's ugly face before the world. It took shape of extremely offensive situation. Beggars now involving in illicit acts and living like parasites. In order to control the beggary many states in India have passed laws making beggary as illegal. Some of the important Acts are:

- The Hyderabad Prevention of Beggary Act, 1941
- The Bengal Vagrancy Act, 1945
- The Mysore Prevention of Beggary Act, 1945
- The Bombay Prevention of Beggary Act, 1945
- The Madras Prevention of Beggary Act, 1945
- The Cochin Vagrancy Act, 1945
- The Travancore Prohibition of Begging Act, 1945
- The Bhopal Prevention of Beggary Act, 1947
- The Bihar Prevention of Beggary Act, 1952.

¹⁷ Emily Delap, Note 10.

Apart from these Acts, Section 363-A of the Indian Penal Code makes kidnapping or obtaining custody of a minor and maintaining of a minor for the purpose of begging. It provides deterrent punishment which may extend to life imprisonment if the children are maimed. The Criminal Law (Amendment) Act, 2013 provides for an imprisonment for a convict of beggary (10 years). The Act prescribes following provision:

- a) Beggars may be arrested without warrant
- b) They can be sentenced to jail without trial or may be sent to shelter homes/certified institutions
- c) The punishment for beggary ranges from 3-10 years imprisonment.
- d) Court may pass detention of persons if totally dependent on beggar.
- e) prescribes Penalty for employing persons to beg or using them for purposes of begging
- f) Provisions are made for the teaching of agricultural, industrial and general education.
- g) Provisions are made for medical care of the inmates of the Receiving Centers and/Certified institutions.
- h) If any beggar detained in a certified institution, found to be of unsound mind or a leper, he/ she can be removed to a mental hospital or leper asylum as per provisions of the Indian Lunacy Act, 1912 and of the Lepers Act, 1898¹⁸

The Bombay Prevention of Begging Act prescribes penalty of more than 3 years of jail in case of first conviction for begging and person can be ordered to be detained for ten years in subsequent conviction. At present, there is no central law on begging and destitution but most states have adopted Bombay Prevention of Begging Act 1959. But in 2018 Delhi High Court has declared 25 sections of Bombay Prevention of Begging Act, 1959 which have been extended to Delhi, as “unconstitutional”. With this, it has struck down legal provision criminalizing begging in national capital. The court’s order came on PILs which had sought decriminalization of begging in capital and beggar by challenging provisions of the Bombay Prevention of Begging Act. The PILs had argued that poverty can never be crime and if a person is destitute and begs for living, such person cannot be treated as criminal.¹⁹

¹⁸ Dr. BK Das, “Anti beggary laws in India: A critical analysis”, *International Journal of Law*, May 2017

¹⁹ GK Today, “Bombay Prevention of Begging Act Current Affairs – 2019”, 9th August, 2018. Available at: <https://currentaffairs.gktoday.in/tags/bombay-prevention-of-begging-act>

In 2018, a Bill (The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018) has been introduced and later passed by Lok Sabha for examination of the entire trafficking cycle to rescue, protect and rehabilitate trafficked victims. The Bill provides for the establishment of investigation and rehabilitation authorities at the district, state and national level. Anti-Trafficking Units will be established to rescue victims and investigate cases of trafficking. Rehabilitation Committees will provide care and rehabilitation to the rescued victims. The Bill also classifies certain purposes of trafficking as ‘aggravated’ forms of trafficking. These include trafficking for forced labour, bearing children, begging, or for inducing early sexual maturity. Aggravated trafficking attracts a higher punishment. The Bill sets out penalties for several offences connected with trafficking. In most cases, the penalties set out are higher than the punishment provided under prevailing laws.

Presently, there are several laws which deal with specific forms of trafficking. For instance, the Immoral Traffic (Prevention) Act, 1986 covers trafficking for commercial sexual exploitation while the Bonded Labour System (Abolition) Act, 1976 deals with punishment for employment of bonded labour. These laws specify their own enforcement mechanism. As per the Statement of Objects and Reasons of the Bill, the Bill intends to serve as a comprehensive law to deal with all cases of trafficking. However, the Bill continues to also retain all existing laws on trafficking. This may create a parallel legal framework and enforcement machinery to deal with trafficking in certain cases. Since each of these laws has different procedures, there could be confusion as to which procedure to apply in such cases of trafficking.²⁰

Sometimes there is a slim line between trafficking and organized begging, and sometimes the begging may involve conduct which could be regarded as misleading. But for the purpose of this presentation I leave those difficulties aside. This means I take it as a prerequisite for my talk that there is no trafficking, no molestation, and no misleading conduct from the beggars’ side. And this in fact seems to be in line with reality as far as the begging is concerned which is now taking place in Northern Europe. Those people seem to know the laws and the risks involved in breaking the laws. There are exceptions to this principle that begging is not prohibited. And I know of one

²⁰ PRS Legislative Research, “*Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018*”, Available at: <https://www.prsindia.org/billtrack/trafficking-persons-prevention-protection-and-rehabilitation-bill-2018>

country where it is not only forbidden but even criminalized. That exception is Australia. There, begging is prohibited by law and even made a crime. There has been a lot of discussion about this in the last ten years in Australia, but so far no change has occurred.

In Sweden, the police threw out beggars from the country in the year 2010. The ground for this was that the police considered begging was not "an honest way of making a living". This practice was seriously criticized by the Swedish Parliamentary ombudsman in 2011. There was no ground to find begging "a dishonest way of making a living", said the ombudsman. So there was no ground for throwing the beggars out of the country. The ombudsman also noted the 2004 EU directive on free movement of people. He said that in this case he had no reason to test the police actions against the directive, as there was no ground even in national Swedish law for the expulsions. But even if there had been ground in Swedish law, it is very likely according to the Ombudsman that it would have been prohibited according to the directive. If that is the case, EU law protects beggars from being thrown out of the country unless there is some specific ground for it (article 27.2 of the directive)

Most countries do not prevent people from begging unless the begging involves for example threats, fraud, gross misleading conduct, trafficking in children or other human beings or molestation. This is true even if the begging is organized; it is not prohibited.²¹

Recommendation and Suggestions: We already discussed about the data of beggars at some extent globally. Claiming that many schemes have been in used to eradicate beggary by the government and international institutions, however still we are facing beggars in our paths with increasing proportion day by day. People have religious and traditional mindset which induce them to give money to beggars, if not everywhere but outside the temple for sure and religious places are one of the preferred place of beggars.

This is not only about a single nation but ethical liability of every citizen of all the nations to end this problem, and the first and foremost step is to stop giving money to beggars. What's wrong in

²¹ av Goran Lambertz, "Begging, Human Rights and International Law", Institute for Cultural Diplomacy, 2014. Available at: <http://goranlambertz.se/articles/begging-human-rights-and-international-law/>

showing some unkind gestures and taking an oath to not give a single money, if it is about a child begging on street, a children who lost his mother at the very young age because of money makers and their future obviously, surely this will be helpful in eradicating beggary.

No doubt government has its own role in this; shelters should be provided to them where food and education facility should be provided to them. In fact we could also help them by offering food instead of money. Non-governmental organizations should work with each other and government for revitalization of such children by providing them some means of work and education.

The UN children's agency and ICAT continue to call for the implementation of government policies and cross-border solutions to keep these children safe, including:

Expanding safe and legal pathways for children to move with their families, including by accelerating refugee status determinations and addressing obstacles in law and practice that prevent children from reuniting with their families. Strengthening child and social protection systems to prevent, identify, refer, and address cases of trafficking, violence, abuse, and exploitation against children and respond to children with specific needs based on age and gender.

Ensuring that sustainable solutions are guided by an individual assessment of the child's case and best interests determination (BID), regardless of the child's status, and that the child participates in this process to a degree appropriate to her / his age and maturity and Improving cross-border collaboration and knowledge exchange between and among border control, law enforcement and child protection authorities, and implement faster family tracing and reunification procedures and alternative care arrangements for children deprived of parental care.²²

Conclusion:

A single person can't transform the whole thing but helping one child can make a variation. If each one helps at least one child then in future the relative amount of child beggars will be few and help

²² UNICEF "*Children account for nearly one-third of identified trafficking victims globally*", 29 July 2018, Available at: <https://www.unicef.org/press-releases/children-account-nearly-one-third-identified-trafficking-victims-globally>

in stopping these rackets and mafia gangs who run these child beggars racket. Also, paying these child money means that you are helping in sustaining these rackets. Do not give money to them, it is equal to wipe out their lives and their identities. Help them in a reasonable manner.

Lost children by traffickers are not identified effortlessly. Organized crimes like forced child begging are highly underreported. In order to better fight exploitation of children for forced begging or forced criminal activities, it is essential to boost the alertness about this phenomenon and enhance cooperation between nation's law enforcement agencies and NGO's.

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