

Authenticated by,

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THE MIZORAM PROHIBITION OF BEGGARY BILL, 2025

GOVERNMENT OF MIZORAM

SOCIAL WELFARE, WOMEN & CHILD DEVELOPMENT DEPARTMENT

THE MIZORAM PROHIBITION OF BEGGARY BILL, 2025

A

BILL

To provide for prohibition of beggary and rehabilitation of beggars in the State of Mizoram and for matters connected therewith and incidental thereto.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Seventy-sixth year of the Republic of India as follows:

CHAPTER 1-PRELIMINARY

1. Short title, extent and commencement.-

- (1) This Bill may be called the Mizoram Prohibition of Beggary Bill, 2025
- (2) It extends to the whole of Mizoram
- (3) It shall come into force on the date of publication in the Official Gazette.

CHAPTER 2 – DEFINITIONS

2. Definitions.- In this Act, unless the context otherwise requires,-

- (a) "alms" means anything given gratuitously to a beggar, such as money, cooked or un-cooked food, grains or clothing, or any other thing of value;
- (b) "beggar" means any person other than a child who, -
 - (a) solicits or receives alms in a public place or through electronic media whether or not under any pretence such as singing, dancing, fortune telling, performing tricks;
 - (b) enters any private premises for the purpose of soliciting or receiving alms;
 - (b) exposes or exhibits in a public place or through electronic media with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease whether of a human being or of an animal;
 - (c) allows himself to be used as an exhibit for the purpose of soliciting or receiving alms:

Provided that a person shall not be deemed to be a beggar if he, -

- i) is a religious mendicant licensed by the State Relief Committee to solicit alms in the prescribed manner;

- ii) in the performance of any religious vow or obligation as sanctioned by custom or religion collects alms in a private or public place, without being a nuisance; or is permitted in writing by the State Relief Board or local board notified for the purpose to collect contributions in cash or kind from the public for any public institution, whether religious or secular or for the furtherance of any object for the good of the public; or
 - iii) is a student collecting alms for the prosecution of his studies;
- (c) "child" means a boy or girl, who has not attained the age of eighteen years; or as defined in the Juvenile Justice (Care and Protection of Children) Act, 2015 as amended from time to time.
- (d) "Government" means the Government of Mizoram;
- (e) "institution" includes a receiving centre, a relief centre, women shelter/homes, child-care institution or any other institution declared to be such by the Government by notification;
- (f) "local area" means an area declared as such by the Government from time to time for the purposes of this Act by notification;
- (g) "local relief board" means the board appointed by the State Relief Board for any local area;
- (h) "notification" means a notification published in the Official Gazette;
- (i) "prescribed" means prescribed by rules made under this Act;
- (j) "public place" means any place intended for the use of or accessible to the public and includes any public conveyance;
- (k) "receiving centre" means a centre established by the State Relief Board for the reception and temporary retention of beggars; and
- (l) "relief centre" means a centre established by the State Relief Board for the relief of beggars sent thereto.
- (m) "State Relief Board" means the board constituted by the Government under section 5;

CHAPTER 3 – PROHIBITION OF BEGGING

3. Begging prohibited:- No person shall beg or cause to beg in the areas in which this Act is in force.

CHAPTER 4 – COMMITTEES & ADMINISTRATION

4. State Relief Board.-

(1) The Government may by notification constitute a State Relief Board (hereunder referred to as the Board).

(2) The Board shall consist of,-

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|--|---|------------------|
| (a) The Secretary to Government, Social Welfare, Women & Child Development Department | - | Chairperson |
| (b) The Secretary to Government, Finance Department | - | Member |
| (c) The Secretary, Home Department | - | Member |
| (d) The Secretary, Law & Judicial Department | - | Member |
| (e) The Secretary, Rural Development Department | - | Member |
| (f) The Secretary, Urban Development & Poverty Alleviation Department | - | Member |
| (g) The Secretary, Transport Department | - | Member |
| (h) The Secretary, District Council & Minority Affairs Department | - | Member |
| (i) The Secretary, Labour, Employment, Skill Development & Entrepreneurship Department | - | Member |
| (j) Four non-official members nominated by the Govt | - | Members. |
| (k) The Director of Social Welfare & Tribal Affairs | - | Member Secretary |

(3) Subject to the discretion of the State Government, the term of the office of the non-official members shall be for a period of three years:

Provided that if a non-official member of the Board absents himself without permission of the Committee for two consecutive meetings of the Board, he shall cease to be a member.

(4) (a) Casual or other vacancies in the Board shall be filled by the Government as may be prescribed.

(b) During any vacancy in the Board the continuing members may act as if no vacancy had occurred.

(5) The non-official members shall be paid such remuneration and allowances as may be prescribed.

(6) The Board shall meet at least once in six months.

(7) Subject to the provisions of this Act and the rules made thereunder, the supervision, direction and control of all matters relating to the administration of relief shall vest in the Board.

5. Local Relief Boards.- The Board may, for the purposes of carrying out the provisions of this Act in any local area, constitute a Local Relief Board which may consist of Non-Government Organisations and Churches as may be prescribed

6. Local administration.-

(1) Subject to the control of the State Relief Board and the rules made in this behalf, the administration of relief to the beggars in any local area shall be vested in the Local Relief Board.

(2) For the purpose of carrying out the provisions of this Act in any part of a local area, the local board may constitute such sub-committees as may be prescribed.

CHAPTER 5 - INSTITUTIONS

7. Receiving Centres.- The State Relief Board may provide receiving centres for the reception and temporary retention of beggars or it may by notification declare any institution to be a receiving centre for the purposes of this Act.

8. Relief Centres.- The State Relief Board may establish relief centers in such places as may be deemed necessary for the detention, relief and rehabilitation of persons contravening the provisions of section 3 and sent thereto or it may by notification declare any existing institution as a relief centre.

9. Management of institutions.-

(1) Subject to the provisions of this Act, the State Relief Board shall make rules for the proper management of institutions and for the care of the inmates therein.

(2) Every person detained in any of the institutions shall be subject to such rules of discipline as may be prescribed.

Explanation: 'Discipline' includes the enforcement of manual labour and hard labour.

10. Enforcement of discipline.- The State Relief Board may authorise the officer-in-charge of any institution to enforce discipline in such institution in such manner as may be prescribed.

CHAPTER 6 - PROCEDURES & PUNISHMENTS

11. Arrest and enquiry.-

(1) Any police officer or such other officer as may be authorised by the Government in this behalf by general or special order who finds any person other than a child contravening the provisions of section 3 shall arrest such person and inform him of the grounds for such arrest and remove him immediately to the nearest receiving centre.

(2) The officer-in-charge of the receiving centre shall thereupon without delay, hold such enquiry as may be prescribed and if satisfied that the person, if released, will not resort to begging or cause to beg shall release him forthwith, with or without surety.

(3) The officer in charge shall hold an enquiry and if satisfied that such person has committed the offence of begging but undertakes not to commit such offence, shall release him on his furnishing a bond for a sum of rupees five thousand

(4) If any person released under sub-section (3) is again arrested for a similar offence, and the contravention of section 3 is proved against him, he shall not be released without a surety for a sum of rupees ten thousand.

(5) If a child is involved in any way in these processes the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 and the rules made thereunder shall apply.

(6) If an animal is involved in any way, the provisions of the Prevention of Cruelty to Animals Act, 1960 and the rules made thereunder shall apply.

12. Officer-in-charge to send beggar to the relief centre. -

(1) If a person against whom action has been taken under section 11 is again arrested for a similar offence, or on the ground that such person does not or is unable to comply with the directions contained in the said section and if it is found that the person has contravened the provisions of section 3, an order of detention in the nearest relief centre, for such period which shall not be less than one year but which may extend to three years as may be specified in the order, may be passed. Rehabilitation process shall be carried out during this period.

(2) An order of detention passed under sub-section (1) may at any time be revoked or modified.

(3) The personal belongings of the identified beggar or inmate shall be retained by the relief center or institution unless such retention is deemed unfeasible by the officer-in-charge of such relief center or institution. Such personal belongings may be disposed in such manner as may be prescribed.

13. Infirm, disabled and decrepit beggars and persons suffering from any incurable disease to be arrested and sent to receiving centres.-

(1) Notwithstanding anything contained in section 11 where an officer-in-charge of the receiving centre in the course of enquiry held in pursuance of sub-section (2) of section 11 finds that a person other than a child is infirm, disabled, decrepit or suffering from any severe or incurable disease he shall ascertain from that person if he has any relatives and if there are any, he shall immediately send for them and if on enquiry it is found that the person cannot be taken care of, or if there are no relatives, the officer-in-charge of the receiving centre shall, with the report of his enquiry, immediately produce send him to a relief center, for such period which shall not be less than one year but which may extend to three years as may be specified in the order :

Provided that no person arrested shall be detained in the custody beyond a period of twenty-four hours.

14. Medical examination and detention of lunatics.-

(1) Where it appears to the Government that any beggar detained in an institution is of unsound mind, the Government may, by an order setting forth the grounds for the belief that the beggar is of unsound mind, order his removal to a mental hospital or

other place of safe custody, there to be kept and treated as the Government directs during the remainder of the term for which he has been ordered to be detained, or if on the expiration of that term, it is certified by a medical officer that it is necessary for the safety of the beggar or of others that he should be further detained under medical care or treatment, then until he is discharged according to law.

(2) Where it appears to the Government that the beggar has ceased to be of unsound mind, the Government shall, by an order direct the person having charge of the beggar if still liable to be kept in custody, send him to the institution from which he was removed or if the beggar is no longer liable to be kept in custody, order him to be discharged.

(3) Subject to the provision of sub-section (2), the provisions of the Mental Health Care Act, 2017 or the corresponding provision of any other law in force in any area of the State, shall apply to every beggar confined in a mental institution or hospital under sub-section (1) after the expiration of the period for which he was ordered to be detained; and the time during which a beggar is confined in a mental institution or hospital under that sub-section shall be reckoned as part of the period for which he may be ordered to be detained:

Provided that where the removal of a beggar due to unsoundness of mind is immediately necessary, it shall be open to the authorities of the institution in which the beggar is detained to apply to a court having jurisdiction under the Mental Health Care Act, 2017 or under any corresponding law in force in any area of the State for an immediate order of committal to a mental hospital or until such time as the orders of the Government can be obtained in the matter.

15. Beggar to leave Institution on discharge or permission.- No person who is admitted to any Institution shall leave without an order of discharge or without the written permission of the officer-in-charge of the Institution.

16. Absconding beggars to be dealt with.-

(1) On a report from the officer-in-charge of any institution that a person has left such institution in contravention of section 15, any police officer or such other officer as may be authorised by Government in this behalf, shall arrest such person without a warrant and inform him of the grounds for such arrest and immediately remove him back to the institution which he had left.

(2) Any person dealt with under the provisions of sub-section (1), who absconds or takes to begging after he is discharged under section 15 shall be placed before a Magistrate who after summary trial may convict him and sentence him to imprisonment for a period not exceeding three months.

17. Abettors to be punished with imprisonment or fine or both.- Whoever employs any person to beg or abets such employment, shall be punished on conviction by a

Magistrate with simple or rigorous imprisonment for a term which may extend to twelve months or with fine which may extend to rupees fifty thousand, or both.

18. Refusal of a beggar to go to an institution or to a Magistrate punishable with imprisonment or fine or both.- Any beggar refusing or failing to accompany a Police Officer or any officer authorised by the Government in this behalf appear before a Magistrate or to be taken to an institution when required under this Act, shall be punished on conviction by a Magistrate with simple imprisonment for a term which may extend to one month or with fine which may extend to ten thousand rupees or with both.

CHAPTER 7 - MISCELLANEOUS

19. Transfer from one Institution to another.- Chairman of the State Relief Committee may direct any person detained in a receiving centre or relief centre or any other institution to be transferred therefrom to another receiving centre, relief centre or Institution of a like nature in the State:

Provided that the total period of detention of such person shall in no case be increased by such transfer.

20. Temporary release of beggars.-

(1) The Government or any authority to which the Government may delegate its power in this behalf, may release on parole for such period as it may deem necessary any beggar detained in a relief centre in case of any serious illness or death of any member of the beggar's family or any of his nearest relatives or for any other sufficient cause.

(2) The period of release of a beggar under sub-section (1) shall not count towards the total period of his detention in the relief centre.

21. Unconditional release of beggars.- At any time after the expiration of three months from the date on which a beggar is detained in a relief centre, if the officer-in-charge of such relief centre is satisfied with the conduct of such beggar in such centre during the period of his detention that there is a probability that such person will abstain from begging, he may recommend to the Government his unconditional release and the Government may order the release of such person unconditionally and thereupon the term for which such person had been ordered to be detained in a relief centre shall be deemed to have expired.

22. Transfer between relief centres in the State and institutions of a like nature in other States of India.- The Chairman of the State Relief Board may, in consultation with the officer-in-charge of a relief centre, order the transfer of a beggar belonging

to any state other than the State of Mizoram in respect of whom an order of detention has been made by a competent authority under this Act, to any relief center or institution of like nature in any other State in India to whom such a beggar belongs :

Provided that the conditions for transfer of beggars from one institution to another or from one state to another may be as prescribed.

23. Deportation of beggars: The State Government may, in accordance with the guidelines and instructions issued from time to time by the Ministry of Home Affairs under the Foreigners Act, 1946 and the Passport(Entry into India) Act, 1950, order the deportation of any beggar who is a foreigner to such country of origin from which the person belongs.

24. Fines.- Fines recovered under this Act, shall be credited to the State Relief Fund.

25. Power to acquire property, etc.- Subject to the rules made in this behalf the State Relief Board or any local committee shall have power to acquire property, enter into contracts, institute and defend legal proceedings and do all other acts incidental thereto.

26. Appointment of officers.- The State Relief Board or the local committees with the previous sanction of the State Relief Board may appoint officers for the purpose of the Act in accordance with the rules prescribed in that behalf.

27. Protection of action taken in good faith:- No suit, prosecution or other legal proceedings shall lie against the Government or any officer of the Government or any other person in respect of anything done in good faith or intended to be done under this Act or any rules made thereunder.

28. Public Servant.- Every person empowered to perform any function under this Act shall be deemed to be a public servant within the meaning of clause 28 of section 2 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (Act 46 of 2023)

29. State Relief Fund.- (1) In order to carry out the purposes of this Act, a fund called the State Relief Fund shall be formed. This Fund shall consist of,-

- (i) subscriptions and donations;
- (ii) grants from the Government;
- (iii) grants from local bodies, and other private or public institutions;
- (iv) fines recovered under this Act; and
- (v) receipts from other sources.

(2) The State Relief Fund shall be administered by a Committee consisting of the Secretary to Government, Social Welfare Department, who shall be the Chairman and the Director of Social Welfare as Member Secretary and a representative of the Finance Department nominated by the Government who shall be the members of the Committee.

(3) Subject to such rules as may be prescribed, the State Relief Fund shall be applied for such purposes and in such manner as may be decided by the Committee constituted under sub-section (2) from time to time.

30. Board of Visitors.- The Government may, in accordance with the rules made in this behalf, appoint a Board of Visitors in local areas to inspect, from time to time, the institutions situated therein, and to report on the working of these institutions, to the Government and offer such suggestions as they deem fit for the improvement of the said institutions.

31. Revision.- Notwithstanding anything to the contrary contained in the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (Act 46 of 2023), any person aggrieved by any decision of an authorised person or Magistrate under this Act, may apply to the Court of Session having jurisdiction in the prescribed manner and within the prescribed time for revision of such decision and the Court of Session in so doing may examine the legality or propriety of the proceedings before the Magistrate. The decision of the Court of Session shall be final.

32. Appeal.-

(1) If any inmate of an institution is aggrieved by any order passed by any person in charge of the institution, he may appeal against that order to the Chairman of the Local Relief Board.

(2) The decision of the Chairman of the local committee may be taken up in second appeal to the Board of Appeal constituted in the prescribed manner by the State Relief Committee from amongst its members and the order of that Board shall be final.

33. Charge for misconduct.- The Government may on the report of an auditor who may be appointed by the Government to audit the accounts of the State Relief Fund pass an order charging any person responsible for causing any loss through misconduct or negligence, after obtaining his explanation and shall in every such case certify the amount due from such person, and upon the application of the State Relief Committee the revenue authorities shall recover the said amount from such person as if it were an arrear of land revenue and credit to the State Relief Fund.

34. Accounts of State Relief Board.-

(1) The annual accounts of receipts and expenditure, and the budget when sanctioned shall be open to public inspection.

(2) Accounts shall be audited and thereafter published annually in such manner as may be prescribed.

35. Administration Report.-

(1) As soon as may be after the 1st July every year, and not later than such date as may be fixed by the Government, the State Relief Board shall submit to the Government an administration report for the preceding official year in such manner and with such details as the Government may direct.

(2) Each local committee shall, as soon as may be after the 1st July of each year and not later than such date as may be fixed by the State Relief Board, submit to the State Relief Board an administration report for the preceding official year in such manner and in such form as may be fixed by the State Relief Board.

(3) The report shall be published in such manner as the Government may direct.

CHAPTER 8 – CONTROL

36. Powers of Government.- (1) The Government or any officer authorised by the Government by a general or special order shall have power,-

(a) to enter and inspect any institution under the control or management of the State Relief Board or inspect any work in progress under it or under its direction;

(b) to call for any extract from the proceedings of the State Relief Board or of any Committee under its control and direction and any return, statement, account or report which the State Relief Board may be required to furnish;

(c) to inspect the office of the State Relief Board or any office under its control and direction, and call for the records of any such office, and the officer authorised shall submit the records for the orders of the Government if he is satisfied that the order or proceedings of the State Relief Board or the local committee is contrary to law or orders for the time being in force.

37. Disputes.-

(1) If any dispute arises between the State Relief Board and Local Relief Boards or local bodies in any matter arising under the provisions of this Act and the dispute is not amicably settled, the matter shall be reported to the Government who may take cognizance of the dispute and decide it and the decision of the Government shall be final.

(2) No suit shall be entertained by a civil court in respect of any dispute referred to in sub-section (1).

38. Power to remove difficulties:

(1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provision, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiration of two years from the date on which this Act came into force.

(2) Every order made under sub-section (1) shall be laid before the Legislative Assembly.

39. Power to make rules.-

(1) The Government may by notification make rules generally for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for,-

(a) manner of filling up of casual or other vacancy in the State Relief Board

(b) remuneration and allowances of non-official members of State Relief Board

(c) constitution of local relief board and sub-committee

(d) establishment of institutions, their powers, duties and functions

(e) manner of holding under sub-section 2 of section 11

(f) appointment of officers under section 26.

(g) manner of application and purpose of utilisation of State Relief Fund

(h) constitution of Board of Appeal, its powers, duties and functions.

the constitution of the committees and institutions and their powers, duties and functions;

(i) manner of inspection, publication and auditing of annual accounts.

(j) the manner in which the personal effects of identified beggars or inmates of receiving center and relief center are to be disposed of;

(k) conditions for transfer of beggars from one institution to another and on such conditions as may be prescribed from one State to another;

(l) any other matter in respect of which rules are required to be or may be made under this Act.

STATEMENT OF OBJECTS & REASONS

Beggary is a social evil that has troubled other States for decades although laws against such practice have been legislated and enforced.

In, Mizoram we are fortunate to have very few beggars due to our social structure, the involvement of Churches and NGOs and the welfare measures and schemes being implemented in the State.

However, there are some concerns that beggary is increasing and there may be an influx of beggars from outside the State with the arrival of railhead at Sairang-Sihhmui.

It is believed that with proper regulatory frameworks in place, we can mitigate this danger and keep the State free of beggary.

Hence, The Mizoram Prohibition of Beggary Bill, 2025, if passed, will make laws for prohibition and prevention of beggary in Mizoram.

Date

14/8/25


(LALRINPUII)

Minister,
Social Welfare, Women & Child
Development Department

FINANCIAL MEMORANDUM

The Bill may entail some expenditure, the exact amount cannot be calculated at this juncture.

For the institutions for detainment, relief and rehabilitation centers, existing facilities such as Children's Homes, Womens' Shelters, BSUPs or Rest Houses may be identified as far as practicable.

Section 29 of the Bill contains that there will be a State Relief Fund: (1) In order to carry out the purposes of this Bill, a fund called the State Relief Fund shall be formed. This Fund shall consist of :-

- (i) Subscriptions and donations;
- (ii) Grants from the Government;
- (iii) Grants from local bodies, and other private or public institutions;
- (iv) fines recovered under this Act; and (v) receipts from other sources.

Date

14/5/25

(LALRINPUII)

Minister,
Social Welfare, Women & Child
Development Department

MEMORANDUM OF DELEGATED LEGISLATION

1. Section 36 of the Mizoram Prohibition of Beggary Bill, 2025 confers power to the State Government to make rules for the purposes specified therein.
2. The powers delegated are normal and not of an exceptional character

Date

14/8/25



(LALRINPUII)

Minister,
Social Welfare, Women & Child
Development Department