

L. C. BILL No. XV OF 2025.

A BILL

further to amend the Maharashtra Prevention of Begging Act.

(As passed by the Legislative Council on the 10th December, 2025.)

X of 5
1960. **WHEREAS** it is expedient further to amend the Maharashtra Prevention of Begging Act for the purposes hereinafter appearing; it is hereby enacted in the Seventy-sixth Year of the Republic of India as follows :—

1. This Act may be called the Maharashtra Prevention of Begging (Amendment) Act, 2025. Short title.

X of 10
1960. **2. In section 2 of the Maharashtra Prevention of Begging Act (hereinafter referred to as “the principal Act”), in sub-section (1),-** Amendment of section 2 of X of 1960.

Bom.
LXXI of
1948.
2 of 2016. **(a) in clause (iv), for the words and figures “the Bombay Children Act, 1948” the words, brackets and figures “the Juvenile Justice (Care and Protection of Children) Act, 2015” shall be substituted;**

(b) after clause (iv), the following clause shall be inserted, namely :-

“(iv-a) “Child Welfare Committee” means the Child Welfare Committee constituted under section 27 of the Juvenile Justice (Care and Protection of Children) Act, 2015;” ; 2 of 2016.

(c) clause (vi) shall be deleted. 5

Amendment of section 3 of X of 1960. **3.** In section 3 of the principal Act, the words “a Juvenile Court” shall be deleted.

Amendment of section 4 of X of 1960. **4.** In section 4 of the principal Act, in sub-section (3), for the words and figures “section 61 of the Code of Criminal Procedure, 1898” the words and figures “section 58 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted. 10 V of 1898. 46 of 2023.

Amendment of section 5 of X of 1960. **5.** In section 5 of the principal Act, sub-section (9) shall be deleted.

Amendment of section 8 of X of 1960. **6.** In section 8 of the principal Act, in sub-section (4), for the words and figures “section 488 of the Code of Criminal Procedure, 1898” the words and figures “section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted. 15 V of 1898. 46 of 2023.

Amendment of section 9 of X of 1960. **7.** In section 9 of the principal Act,-

(1) in sub-section (2),-

(a) for the portion beginning with the words “to a Juvenile Court” and ending with the words “of that section”, the following 20 portion shall be substituted, namely :-

“to the Child Welfare Committee which shall deal with the Child as per the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015;” ; 2 of 2016.

(b) in the proviso, the words “a contagious leper or” shall be 25 deleted;

(2) in sub-section (3), for the words and figures “section 61 of the Code of Criminal Procedure, 1898” the words and figures “section 58 of the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted. V of 1898. 46 of 2023.

Amendment of section 26 of X 1960. **8.** In section 26 of the principal Act,- 30

(a) in the marginal note, the words “leprosy patients and” shall be deleted;

(b) in sub-section (1), the words “or a leper”, at both the places where they occur, and the words “or leper asylum” shall be deleted;

(c) in sub-section (2), the words “or is cured of leprosy” shall be deleted; 35

(d) for sub-section (3), the following sub-section shall be substituted, namely:-

“(3) The provisions of section 18 of the Mental Healthcare Act, 2017 shall apply to every beggar confined in a mental 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 hospital under that sub-section shall be reckoned as part of the period for which he may have been ordered by the Court to be detained. 10 of 2017. 40

5 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 said Act, for an immediate order of committal to a mental hospital until such time as the order of the State Government can be obtained in the matter.”.

9. In section 30 of the principal Act,-

Amendment
of section 30
of X of 1960.

XI of 1890.
59 of 1960. 10

(a) in sub-section (2), for the words and figures “section 6B of the Prevention of Cruelty to Animals Act, 1890” the words and figures “section 35 of the Prevention of Cruelty to Animals Act, 1960” shall be substituted;

XI of 1890.
59 of 1960.

(b) in sub-section (3), for the words and figures “section 15 of the Prevention of Cruelty to Animals Act, 1890” the words and figures “section 38 of the Prevention of Cruelty to Animals Act, 1960” shall be substituted;

XI of 1890. 15
59 of 1960.

(c) in sub-section (4), for the words and figures “section 15 of the Prevention of Cruelty to Animals Act, 1890” the words and figures “section 38 of the Prevention of Cruelty to Animals Act, 1960” shall be substituted.

45 of 1860.
45 of 2023. 20

10. In section 32 of the principal Act, for the words “the Indian Penal Code” the words and figures “the Bharatiya Nyaya Sanhita, 2023” shall be substituted.

Amendment
of section 32
of X of 1960.

V of 1898.
46 of 2023.

11. In section 33 of the principal Act, for the words and figures “the Code of Criminal Procedure, 1898” the words and figures “the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.

Amendment
of section
33 of X of
1960.

V of 1898. 25
46 of 2023.

12. In section 34 of the principal Act, for the words and figures “the Code of Criminal Procedure, 1898” the words and figures “the Bharatiya Nagarik Suraksha Sanhita, 2023” shall be substituted.

Amendment
of section 34
of X of 1960.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Prevention of Begging Act (X of 1960) contains the provisions relating to prevention of begging in the State of Maharashtra and for the matters connected therewith.

2. The Supreme Court in Federation of Leprosy Organ. (FOLO) and Anr. V/s Union of India and others (Writ Petition (Civil) No. 83/2010, alongwith W.P.(C) No. 1151/2017) *vide* order dated the 7th May 2025 has directed all the States to make suitable amendments in the State laws, Regulations, Statutory Rules or Bye-Laws, etc., pre or post Constitution, which contains the discriminatory expressions in respect of leprosy affected or cured persons.

3. Accordingly, in adherence to the said order of the Supreme Court, the Government has constituted a Committee under the Law and Judiciary Department for identifying such discriminatory provisions in State laws. The said Committee has identified that sections 9 and 26 of the Maharashtra Prevention of Begging Act contain such provisions in respect of leprosy affected or cured persons and hence, recommended for amending the said Act, suitably. Therefore, it is considered necessary to make amendments in sections 9 and 26 of the Maharashtra Prevention of Begging Act.

4. An opportunity is also taken to make consequential amendments in the said Act to substitute references of the repealed Central and State Acts by existing Central Acts.

5. The Bill seeks to achieve the above objectives.

Nagpur,

Dated the 8th December 2025.

ADITI TATKARE,

Minister for Women and Child Development.

(Mah X of 1960)

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|---------|---|----|----|----|--|
| 1. | ** | ** | ** | ** | |
| 2. | (1) In this Act, unless the context otherwise requires,— | | | | Definition. |
| | (i) to (iii) | ** | ** | ** | ** |
| | (iv) “child” has the same meaning as in the Bombay Children Act, 1948 | | | | |
| | (v) | ** | ** | ** | ** |
| | (vi) “Juvenile Court” has the same meaning as in the Bombay Children Act, 1948 | | | | |
| | (vii) to (xi) | ** | ** | ** | ** |
| (2) | ** | ** | ** | ** | |
| 3. | The powers conferred on courts by this Act shall be exercised only by High Court, a Court of Sessions, a Presidency Magistrate, a Magistrate of first class, a Juvenile Court, or any other Court exercising criminal jurisdiction in the area, and may be exercised by such Courts whether the cases before them originally or on appeal or revision. | | | | Power of Court. |
| 4. | (1) & (2) | ** | ** | ** | ** |
| | | | | | Power to require person found begging to appear before Court. |
| (3) | The provisions of section 61 of the Code of Criminal Procedure, 1898, shall apply to every arrest under this section, and the officer in charge of the police station or section shall cause the arrested person to be kept in the prescribed manner until he can be brought before a Court. | | | | |
| 5. | (1) to (8) | ** | ** | ** | ** |
| | | | | | Summary inquiry in respect of persons found begging and their detention. |
| (9) | Notwithstanding anything in this section, when the person found to be a beggar as aforesaid is a child, being a child who is not under the age of five years, the court shall forward him to a Juvenile Court, and shall not make any order under sub-section (5). The Juvenile Court shall deal with the child under section 40 of the Bombay Children Act, 1948, as if the child were a person described in clause (a) of that section. For the purpose of ascertaining the age of the person, the court may, if necessary, cause the beggar to be examined by a medical officer. | | | | |
| 6. & 7. | ** | ** | ** | ** | |

Contribution of Parents.	8. (1) to (3)	**	**	**	**
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(4) Any other made under this section may be enforced in the same manner as an order under section 488 of the Code of Criminal Procedure, 1898.

Court may order detention of persons wholly dependent on beggar.	9. (1)	**	**	**	**
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(2) Where the dependent person is a child the Court shall forward him to a Juvenile Court which shall deal with him under section 40 of the Bombay Children Act, 1948 as if the child were a person described in clause (a) of that section :

Provided that where the dependent person is the beggar's own child, being a child who is under the age of five years, and the beggar is an able bodied mother, not being a contagious leper or a lunatic, the child may be ordered to be detained in a Certified Institution without being separated from the mother as regards the place or detention, until it attains the age of five years, and thereafter dealt with as provided in this sub-section.

(3) For the purpose of this section, the court may if necessary cause the dependent person to be arrested and brought before itself and caused to be examined by a medical officer. The provisions of section 61 of the Code of Criminal Procedure, 1898 shall apply to every arrest under this sub-section, and the officer in charge of the police station or section shall cause the arrested person to be kept in the prescribed manner until he can be brought before a court.

10. to 25.	**	**	**	**
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Medical examination and detention of leprosy patients and lunatics.	26. (1) Where it appears to the State Government that any beggar detained in a Certified Institution under any order of a court is of unsound mind or a leper, the State Government may, by an order setting forth the grounds of relief that the beggar is of unsound mind or a leper, order his removal to a mental hospital or leper asylum or other place of safe custody, there to be kept and treated as the State 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.
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(2) Where it appears to the State Government that the beggar has ceased to be of unsound mind, or is cured of leprosy, the State Government shall, by an order directed to the person having charge of the beggar if still liable to be kept in custody send him to the Certified 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) The provisions of section 31 of the Indian Lunacy Act, 1912, or [subject to the provisions of sub-section (2)] of section 14 of the Lepers Act 1898, shall apply to every beggar confined in a mental hospital or leper asylum 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 hospital or leper asylum under that sub-section shall be reckoned as part of the period for which he may be ordered by the Court to be detained :

Provided that where the removal of a beggar due to unsoundness of mind, or leprosy 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 Indian Lunacy Act, 1912, or the Lepers Act, 1898, as the case may be, for an immediate order of committal to a mental hospital or a leper asylum until such time as the orders of the State Government can be obtained in the matter.

27. to 29. ** ** ** **

30. (1) ** ** ** ** Seizure and disposal of animals exposed or exhibited for obtaining or extorting alms.

(2) The police officer or other person effecting the arrest may remove such animal to any infirmary appointed under section 6B of the Prevention of Cruelty to Animals Act, 1890, for detention therein pending its production before a Court.

(3) The Court before which the person found begging is brought may direct that the animal shall be treated and cared for in such infirmary until it is fit for discharge or that it shall be sent to a pinjrapole, or, if the veterinary officer in charge of the area in which the animal is found or such other veterinary officer as has been authorised by the rules made under section 15 of the Prevention of Cruelty to Animals Act, 1890, certifies that it is incurable or cannot be removed without cruelty, that it shall be destroyed; and the Court may also order that, after release from the infirmary, the animal may be confiscated.

(4) An animal sent for care and treatment to an infirmary shall not, unless the court directs that it shall be sent to in a pinjrapole or that it shall be destroyed, be released from such place except upon a certificate of its fitness for discharge issued by the veterinary officer in charge of the area in which the infirmary is situated or such other veterinary officer as has been authorised by rules made under section 15 of the Prevention of Cruelty to Animals Act, 1890.

31. ** ** ** **

32. All persons empowered to perform any function by this Act shall be deemed to be public servants, within the meaning of the Indian Penal Code. Persons to be deemed public servants.

33. The provisions of Chapter XLII of the Code of Criminal Procedure, 1898, shall, so far as may be, apply to bonds taken under this Act. Bonds taken under Act V of 1898.

34. For the purposes of appeal and revision under the Code of Criminal Procedure, 1898, an order of detention under this Act (including an order of detention under section 5), shall be deemed to be a sentence of imprisonment for the same period. Appeals.

35. & 36. ** ** ** **

SCHEDULE ** ** ** **

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. C. BILL No. XV OF 2025.]

**[A Bill further to amend the
Maharashtra Prevention of Begging Act.]**

[ADITI TATKARE,
Minister for Women and Child Development.]

**[As passed by the Legislative Council
on the 10th December, 2025.]**

DR. VILAS ATHAWALE,
Secretary (III),
Maharashtra Legislative Council.