



## **The Madhya Pradesh Bhiksha Vritti Nivaran Adhiniyam, 1973**

Act 3 of 1974

**Keyword(s):**

Begging, Certified Institution, Child, Juvenile Court, Neglected Child, Receiving Centre

Amendment appended: 15 of 2018

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## **LEGISLATIVE HISTORY ▼**

[Dated 5th January, 1974]

Received the assent of the President on the 5th January, 1974; assent first published in the Madhya Pradesh Gazette (Extraordinary) dated the 19th January, 1974.

An Act to consolidate the law relating to beggars and to provide for the prevention of begging, for the detention, training and employment of beggars and their dependents in certified institutions and for the custody, trial and punishment of beggar offenders in the State of Madhya Pradesh.

Be it enacted by the Madhya Pradesh Legislature in the Twenty-fourth Year of the Republic of India as follows :

### **CHAPTER I**

#### ***Preliminary***

**1. Short title, extent and commencement.** - (1) This Act may be called The Madhya Pradesh Bhiksha Vritti Nivaran Adhiniyam, 1973.

(2) It extends to the whole of Madhya Pradesh.

(3) It shall come into force in such area and on such date as the State Government may, by notification, appoint, and different dates may be appointed for different areas.

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

(a) "*begging*" means,-

- (i) soliciting or receiving alms in a public place or a private place or indulging in any activity in any place directed to induce other persons to give alms by appealing to their sense of charity;
- (ii) exposing or exhibiting with the object of obtaining or extorting alms any sore, wound, injury, deformity or disease, whether of a human being or animal;

- (iii) having no visible means of sustenance and, wandering about or remaining in any public place in such condition or manner, as makes it likely that the person doing so exists by soliciting or receiving alms;
- (iv) allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms; but does not include, soliciting or receiving money or food or gifts for a purpose authorised by any law or authorised in the prescribed manner by the District Magistrate or by the State Government;
- (b) "*Certified Institution*" means any institution which the State Government provides and maintains for the detention, training and employment of beggars and their dependents and includes an institution certified to be such under sub-section (1) of Section 13;
- (c) "*Chief Inspector*" means the Chief Inspector of Certified Institutions appointed under sub-section (1) of Section 17 and includes an Additional Chief Inspector appointed under that Section;
- (d) "*Child*" has the meaning assigned to it in the Madhya Pradesh Bal Adhiniyam, 1970 (No. 15 of 1970);
- (e) "*Juvenile Court*" has the meaning assigned to it under the Madhya Pradesh Bal Adhiniyam, 1970 (No. 15 of 1970);
- (f) "*Neglected Child*" means a child as defined in the Madhya Pradesh Bal Adhiniyam, 1970 (No. 15 of 1970);
- (g) "*Probation Officer*" means an officer appointed to be a Probation Officer under sub-section (1) of Section 17;
- (h) "*Public Place*" includes a railway compartment;
- (i) "*Receiving Centre*" means an institution for the reception and temporary detention of beggars provided by the State Government or certified to be such under sub-section (1) of Section 12;
- (j) "*Superintendent*" means a Superintendent of a Receiving Centre or a certified institution, as the case may be.

## CHAPTER II

### ***Procedure for Dealing with Beggars and Beggars Offenders***

**3. Powers of Courts.** - The powers conferred on Courts by this Act, shall be exercised only by the High Court, a Court of Session, a Magistrate of the first class or a Juvenile Court and may be exercised by such Courts whether the case comes before them originally or on appeal or revision.

**4. Power to require person found begging to appear before Court.** - (1) Any police officer or other person authorised in this behalf in accordance with rules made by the State Government may arrest without a warrant any person who is found begging.

(2) Such police officer or other person shall take or send the person so arrested to a Court.

(3) The provisions of Section 61 of the [Code of Criminal Procedure, 1898 (No. 5 of 1898)], shall apply to every arrest under this Section, and the officer-in-charge of the police station, shall cause the arrested person to be kept in the prescribed manner until he can be brought before a Court.

**5. Summary enquiry in respect of persons found begging and their detention.** - (1) Where a person who is brought before the Court under Section 4 is not proved to have previously been detained

in a certified institution under the provisions of this Act, the Court shall make a summary inquiry in the prescribed manner, as regard the allegation that he was found begging.

(2) If the inquiry referred to in sub-section (1) cannot be completed forthwith, the Court may adjourn it, from time to time, and order the person to be remanded to such place and custody as may convenient.

(3) If on making the inquiry referred to in sub-section (1), the Court is not satisfied that the person was found begging, it shall order that such person be released forthwith.

(4) If on making the inquiry referred to in sub-section (1), the Court is satisfied that such person was found begging, it shall record a finding that the person is a beggar.

(5) The Court shall order the person found to be a beggar under sub-section (4) to be detained in a certified institution for a period of not less than six months but not more than three years ;

Provided that if the Court is satisfied from the circumstances of the case that the person found to be a beggar as aforesaid is not likely to beg again it may, after due admonition release the beggar on a bond for the beggar's abstaining from begging and being of good behaviour, being executed with or without sureties as the Court may require by the beggar or any other person whom the Court considers suitable.

(6) In passing any order under the provisions of this Act, the Court shall have regard to the following considerations, that is to say-

(a) the age and character of the beggar;

(b) the circumstances and conditions in which the beggar was living;

(c) reports made by the Probation Officer; and

(d) such other matters as may, in the opinion of the Court, require to be taken into consideration in the interest of the beggar.

(7) The report of the Probation Officer or any other report considered by the Court under sub-section (6), shall be treated as confidential:

Provided that if such report relates to the character, health or conduct of or the circumstances and conditions in which the beggar is living, the Court, may, if it thinks expedient, communicate the substance thereof to the beggar and, in case of dependents, to the guardian concerned, and may give the beggar or the guardian, as the case may be, an opportunity of producing evidence which may be relevant to the matters stated in the report.

(8) A copy of the order made under sub-section (5) shall be sent forthwith to the Chief Inspector.

(9) Notwithstanding anything in this Section when the person found to be a beggar as aforesaid is a child, 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 the provisions of the Madhya Pradesh Bal Adhiniyam, 1970 (No. 15 of 1970), as if the child were a neglected child. 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. Penalty for begging after detention as beggar.** - (1) Whoever, having been previously detained in a certified institution under this Act is found begging, shall on conviction be punished as hereinafter in this Section provided.

(2) When a person is convicted for the first time under sub-section (1), the Court shall order him to be detained in a certified institution for a period of not less than two years and not more than three years.

(3) When a person is convicted for the second or subsequent time under sub-section (1), the Court shall order him to be detained for a period of more than three years but not exceeding ten years in a certified institution and may convert any period of such detention, not exceeding two years, into a sentence of imprisonment extending to a like period.

**7. Offences to be tried summarily.** - All offences under this Act except those under Section 11 shall be tried in a summary way.

**8. Contribution of parents.** - (1) The Court, which makes an order for the detention of any person in a certified institution under Section 5 or Section 6 may, make an order on the parent or other person liable to maintain him, to contribute to his maintenance, if able to do so, in the manner and to the extent prescribed.

(2) Before making any order under sub-section (1) the Court shall make inquiry into,-

(i) the circumstances of the parent or other person liable to maintain him;

(ii) whether the person has any property in his own right or is entitled to any share in any property or has any relative who is legally bound to maintain him;

and shall record evidence, if any, in the presence of the parent or such other person or relative as the case may be :

Provided that no order shall be passed against the parent, such other person or the relative without giving him an opportunity of being heard.

(3) Any order made under this Section may, on an application made by the party liable or otherwise be varied by the Court.

(4) Any order made under this Section may be enforced in the same manner as an order under Section 488 of the [Code of Criminal Procedure, 1898 (No. 5 of 1898)].

**9. Court may order detention of persons wholly dependent on beggar.** - (1) When the Court has ordered the detention of a person in a certified institution under Section 5 or Section 6 it may, after making such inquiry as it thinks fit, order any other person who is wholly dependent on such person to be detained in a certified institution for a like period :

Provided that before such order is made, such dependent person shall be given an opportunity of showing cause why it should not be made.

(2) Where the dependent person is a child, the Court shall forward it to a Juvenile Court which shall deal with it under the provisions of the Madhya Pradesh Bal Adhiniyam, 1970 (No. 15 of 1970), as if the child were a neglected child :

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 of 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, brought before itself and examined by a medical officer. The provisions of Section 61 of the

[Code of Criminal Procedure, 1898 (No. 5 of 1898)], shall apply to every arrest under this sub-section, and the officer-in-charge of the police station shall cause the arrested person to be kept in the prescribed manner until he can be brought before a Court.

**10. Power of State Government to order further detention of incurably helpless beggars.** - When any person who is detained in a certified institution under Section 5 or Section 6 or Section 9 is considered, whether on an application made by him to the State Government or otherwise, by the State Government to be blind, cripple or otherwise incurably helpless, the State Government may order that he shall, after the expiry of the period of his detention, be further detained indefinitely in a certified institution :

Provided that the State Government may release any such inmate if any person whom the State Government considers suitable executes a bond, with or without sureties as the State Government may require making himself responsible for the housing and maintenance of such inmate, and for preventing him from begging or being used for the purpose of begging.

**11. Penalty for employing or causing persons to beg or using them for purposes of begging.** - Whoever employs or causes any person to solicit or receive alms, or whoever having the custody, charge or care of a child, connives at or encourages the employment or the causing of a child to solicit or receive alms or whoever uses another person as an exhibit for the purpose of begging, shall, on conviction, be punished with imprisonment for a term which may extend to three years but which shall not be less than one year.

### CHAPTER III

#### *Receiving Centres and Certified Institutions*

**12. Provision of Receiving Centres.** - (1) The State Government may provide and maintain one or more receiving centres as such place or places as it thinks fit, and may certify any institution to be a receiving centre for the purposes of this Act.

(2) Every such receiving centre shall be under the control of a Superintendent.

**13. Provision of certified institutions.** - (1) The State Government may provide and maintain one or more certified institutions at such place or places as it thinks fit, and may certify any institution to be a certified institution for the purposes of this Act. Any such certified institution may include provisions for the teaching of agricultural, industrial and other pursuits and for the general education and medical care of the inmates.

(2) Every such certified institution shall be under the charge of a Superintendent.

**14. Visiting Committee.** - (1) For every receiving centre and every certified institution the State Government shall appoint a visiting committee in such manner as may be prescribed.

**15. Advisory Committees.** - (1) The State Government may constitute for any area in which this Act has come into force under sub-section (3) of Section 1 an Advisory Committee consisting of such persons not exceeding twenty-one in number as it may appoint :

Provided that where a local authority renders financial assistance for the maintenance of certified institutions in which beggars from the area subject to the jurisdiction of the local authority are detained,

the State Government shall appoint such number of persons representing the local authority as it deems fit on the Advisory Committee.

(2) The Advisory Committee constituted under sub-section (1) in any area or any member thereof may visit, at all reasonable times and after due notice to the Superintendent any certified institution in which beggars from that area are detained.

(3) The Advisory Committee may also-

- (i) tender advice as regards management to any Certified Institution through the Chief Inspector or such other officer as the State Government may specify;
- (ii) collect subscriptions towards the recurring as well as nonrecurring expenses of any or all Certified Institutions within the area and in which beggars from that area are detained, and disburse the collections in the prescribed manner;
- (iii) advise the State Government, through the Chief Inspector, as regards the certification of any institution as a certified institution, or the de-certification of any certified institution within the area;
- (iv) advise the State Government generally on the working of this Act in that area and particularly on any point referred to it by the Chief Inspector or any other officer specified by the State Government.

**16. Payment of contribution by local authorities and recovery thereof.** - (1) Notwithstanding anything contained in any law for the time being in force, the State Government by order direct a local authority to pay a certain sum of money for the maintenance of certified institutions within its jurisdiction before a date specified therein :

Provided that before such order is made the local authority shall be given an opportunity of showing cause why it should not be made.

(2) If any sum is not paid by a local authority under sub-section (1) before the specified date, the State Government may make an order directing any person, who, for the time being, has custody of any moneys on behalf of the local authority, as its officer, treasury, banker or otherwise to pay the sum from such moneys as he may have in his hands or may, from time to time, receive, to the State Government, and such person shall be bound to obey such order. Even payment made pursuant to such order shall be sufficient discharge to such person from all liability to the local authority in respect of any amount paid by him out of the moneys of the local authority so held by him.

**17. Appointment of Chief Inspector, Inspector, Assistant Inspectors and Probation Officers.** - (1) For carrying out the purposes of this Act, the State Government may appoint a Chief Inspector of certified institutions, an Inspector and such number of Additional and Assistant Inspectors and Probation Officers as it thinks advisable to assist the Chief Inspector and every person so appointed to assist the Chief Inspector shall have such of the powers and perform such of the duties of the Chief Inspector as the State Government may direct but shall act under the direction of the Chief Inspector.

(2) Every receiving centre and certified institution shall, at least once in every six months, be inspected by the Chief Inspector or Inspector, Assistant Inspector or a Probation Officer.

**18. Search in Receiving Centre and Certified Institutions.** - (1) The Superintendent of a receiving centre or a certified institution may order that any person received in the receiving centre or certified institution shall be searched, that he cleansed, that his person effects shall be inspected, and that any money or valuables, found with or on the person shall be kept in the custody of such Superintendent,

and that any effects other than money or valuable so found shall be disposed of in the prescribed manner. Where an order of detention is passed by the Court against any such person, the Superintendent may order that any money or valuables found with or on the persons shall be disposed of in the prescribed manner. Where the Court passes an order other than an order of detention with regard to any such person his money and valuables shall be returned to him and if his clothing has been destroyed, he shall be provided with fresh clothing. The expenses of providing such clothing at the prescribed standard shall be borne by the State Government :

Provided that a female shall be searched only by a female and with due regard to decency.

**19. Management and discipline.** - Persons remanded to or detained in receiving centres and certified institutions under this Act shall be subject to such rules of management and discipline, including the imposition of manual or other work and the awarding of punishment for breach of any such rules as may, from time to time, be prescribed.

**20. Disciplinary imprisonment.** - (1) Without prejudice to any disciplinary action that may be taken under Section 19, the Chief Inspector, the Inspector or Superintendent may report to the Court, the case of any person detained in a certified institution who habitually or wilfully disobeys or neglects to comply with any rule referred to in Section 19 and the Court may thereupon, if satisfied that the person has wilfully disobeyed or neglected to comply with any such rule, convert the balance of the period of his detention in a certified institution or part thereof into a term of imprisonment.

(2) The sentence of imprisonment ordered under sub-section (1) shall be executed in the same manner as a sentence passed under Section 6.

**21. Transfer from one Receiving Centre or Certified Institution to another.** - (1) The Chief Inspector may, subject to such conditions as may be prescribed, direct any person detained in a receiving centre or certified institution to be transferred therefrom to another receiving centre or certified institution in the State, as the case may be :

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

(2) In directing such transfer, the Chief Inspector shall have regard to the medical certificate and the directions, if any, made by the State Government or Court under Section 26.

**22. Release on licence.** - (1) Subject to such conditions as may be prescribed-

(a) the Chief Inspector or the Superintendent of the certified institution may at any time grant permission to a person detained in a certified institution to absent himself for short period; and

(b) the Chief Inspector may at any time release such person conditionally and issue him a licence therefor.

(2) Any licence issued under sub-section (1) shall be in force until the expiry of the term for which the person was ordered to be detained in a certified institution unless sooner revoked.

(3) The period during which such person is absent from a certified institution by permission or by licence issued to him under this Section shall, for the purpose of computing his term of detention in a certified institution, be deemed to be part of his detention.

**23. Revocation of licence.** - (1) The Chief Inspector may, subject to such conditions as may be prescribed at any time revoke the licence issued under Section 22, and thereupon the released person

shall be detained in a certified institution until the expiry of the term for which he had been ordered to be detained.

(2) For the purpose of this Section, the Chief Inspector may, if necessary, cause the released person to be arrested and sent to the nearest receiving centre together with a copy of the order of detention, and thereupon the provisions of sub-section (1) of Section 25 shall, as far as may be, apply.

**24. Unconditional release.** - At any time after the expiration of three months from the commencement of the release on licence of any person under Section 22 the Chief Inspector may, if he is satisfied that there is a probability that such person will abstain from begging; recommend to the State Government his unconditional release. The State Government may on such recommendation release such person unconditionally and thereupon the term for which such person had been ordered to be detained in a certified institution shall be deemed to have expired.

## CHAPTER IV

### *Miscellaneous*

**25. Procedure on order of detention or sentence of imprisonment.** - (1) Subject to the provisions of sub-section (2) when a person has been ordered to be detained in a certified institution under Section 5 or Section 6 or Section 9, the Court which ordered the detention shall forthwith forward him to the nearest receiving centre with a copy of the order of detention. The person shall thereupon be handed over into the custody of the Superintendent of the receiving centre and shall be detained in the receiving centre until he is sent therefrom to a certified institution.

(2) If any person against whom an order of detention is passed, as provided in sub-section (1), is also sentenced to imprisonment, the Court shall forward the person along with a warrant and a copy of the order of detention to the jail in which he is to be confined. On the expiry of the sentence of imprisonment, the officer-in-charge of such jail shall, if detention in a certified institution for any period remains to be undergone by such person, forward him forthwith together with a copy of the order of detention to the nearest receiving centre, and thereupon the provisions of sub-section (1) shall, as far as may be, apply.

(3) In computing the period for which a person is ordered to be detained in a certified institution, there shall be included the period for which he is detained in a receiving centre under the Section.

**26. Medical examination and detention of [\*\*\*] lunatics.** - [(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, the State Government may by an order setting forth the grounds of belief that the beggar is of unsound mind, order his removal to a mental hospital or other place of safe custody, as the case may be, to be kept there and treated as the State Government directs during the remainder of the term from which he has been ordered to be detained or, of 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 State Government that the beggar has ceased to be of unsound mind, [\*\*\*], the State Government shall, by an order direct 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 (No. 4 of 1912), 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 :

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 Indian Lunacy Act, 1912 (No. 4 of 1912), for an immediate order of committal to a mental hospital until such time as the orders of the State Government can be obtained in the matter.

**27. Arrest of person escaping from receiving centre and certified institutions.** - Any person who leaves a receiving centre or a certified institution without the permission of the Superintendent thereof or fails to return thereto after the expiry of the period of absence permitted under sub-section (1) of Section 22 may be arrested by any police officer without warrant or by an officer of the receiving centre or certified institution authorised in this behalf by the State Government and sent back to the receiving centre or certified institution, as the case may be.

**28. Transfers between certified institutions and institution of like nature in different parts of India.** - (1) The State Government may direct any person detained in a certified institution to be transferred therefrom to any institution of a like nature in any other part of India in respect of which provisions similar to that in the State of Madhya Pradesh is made by the State Government of that part under any law in force therein :

Provided that no person shall be transferred under this Section to other State without the consent of the Government of that other State.

(2) The State Government may, in consultation with the Superintendent of any certified institution, consent to the transfer to that institution of any person in respect of whom an order of detention has been made by a competent authority in any other part of India of the nature of an order under this Act directing him to be detained in a certified institution or institution of a like nature and upon such transfer, the provisions of this Act shall apply to such person.

**29. Power to take finger prints.** - (1) Every person ordered to be detained in a certified institution under this Act shall at any time allow his finger prints to be taken, by the District Magistrate or any officer not below the rank of a Magistrate, Second Class empowered by him in this behalf.

(2) Whoever refuses to allow his finger prints to be taken under sub-section (1) shall on conviction be liable to have his period of detention in a certified institution not exceeding three months converted to a term of imprisonment extending to a like period.

(3) The sentence of imprisonment ordered under sub-section (2) shall be executed in the same manner as a sentence passed under Section 6.

**30. Seizure and disposal of animals exposed or exhibited for obtaining or extorting alms.** - (1) Any Police Officer or other person effecting under sub-section (1) of Section 4 the arrest of a person

who was found begging may seize any animal the sore, wound, injury, deformity or disease of which was exposed or exhibited by such person with the object of obtaining, or extorting alms.

(2) The police officer or other person effecting the arrest may remove such animal to any infirmary appointed under Section 35 of the Prevention of Cruelty to Animals Act, 1960 (No. 59 of 1960), or such other place as may be prescribed 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 or such other place as may be prescribed until it is fit for discharge, 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 under the Prevention of Cruelty to Animals Act, 1960 (No. 59 of 1960), 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 or such other place as may be prescribed the animal may be confiscated.

(4) An animal sent for care and treatment to an infirmary or such other place as may be prescribed shall not unless the Court directs 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 or such other place is situated or such other veterinary officer as has been authorised under the Prevention of Cruelty to Animals Act, 1960 (No. 59 of 1960).

**31. Offences to be cognizable and non-bailable.** - The offences under Sections 6 and 11 of this Act shall be cognizable and non-bailable.

**32. Persons to be deemed public servants.** - All persons empowered to perform any function under this Act shall be deemed to be public servants within the meaning of the Indian Penal Code, 1860 (No. 40 of 1860).

**33. Protection of action taken under the Act.** - No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or purported to be done under this Act.

**34. Bonds taken under Act No. 5 of 1898.** - The provisions of Chapter XLII of the Code of Criminal Procedure, 1898 (No. 5 of 1898) shall so far as may be, apply to bonds taken under this Act.

**35. Appeals.** - (1) For the purposes of appeal and revision under the [Code of Criminal Procedure, 1898 (No. 5 of 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.

(2) Any inmate of a receiving centre or a certified institution who is aggrieved by any order passed by the Superintendent under this Act or the rules made thereunder may appeal against such order in the prescribed manner to the Chief Inspector.

**36. Rules.** - (1) The State Government may, by notification, and subject to the conditions of previous publication, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the manner of authorising a purpose under clause (a) of Section 2;

(b) the manner of keeping persons arrested under sub-section (3) of Section 4 or Section 9;

(c) the manner of making summary inquiry under sub-section (1) of Section 5; ,

- (d) the extent of contribution under sub-section (1) of Section 8 for the maintenance of a person detained in a certified institution and the manner in which such contribution shall be paid;
  - (e) the manner of appointing a visiting committee under Section 14;
  - (f) the conduct of business by Advisory Committees;
  - (g) the manner in which fine effects and the money and valuables referred to in Section 18 shall be disposed of;
  - (h) the management and discipline of person detained in a receiving centre or certified institution including the imposition of manual or other work and the awarding of punishment for breach of any rule made under this clause;
  - (i) the conditions subject to which the Chief Inspector may direct transfers under Section 21;
  - (j) the conditions subject to which a person may be released on licence under Section 22;
  - (k) the conditions subject to which a licence may be revoked under
  - (l) the manner of medical examination of beggars;
  - (m) any other matter which is required to be or may be prescribed.
- (3) All rules made under this Section shall be laid on the table of the Legislative Assembly.

**37. Repeal.** - On the commencement of this Act in any area of the State in the manner provided in sub-section (1) of Section 1, all corresponding laws in force in that area (including the laws mentioned in the Schedule, to the extent specified in the third column thereof) shall stand repealed therein.

### Schedule

[See Section 37]

No. and year	Short title	Extent of repeal
Bhopal State V of 1917	The Bhopal State Prevention of Begging Act, 1917	The whole.
Madhya Pradesh No. 23 of 1956	The Madhya Pradesh Municipal Corporation Act, 1956	Chapter XXXI
Madhya Pradesh No. 37 of 1961	The Madhya Pradesh Municipalities Act, 1961	Section 288

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से भी डाउन लोड किया जा सकता है.



# मध्यप्रदेश राजपत्र

( असाधारण )  
प्राधिकार से प्रकाशित

क्रमांक 386 ]

भोपाल, मंगलवार, दिनांक 10 जुलाई 2018—आषाढ़ 19, शक 1940

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 10 जुलाई 2018

क्र. 11338-229-इक्कीस-अ-(प्रा.) अधि.—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 5 जुलाई 2018 को राज्यपाल महोदया की अनुमति प्राप्त हो चुकी है, एतद्वारा सर्वसाधारण की जानकारी के लिये प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,  
रजनी पंचौली, अवर सचिव.

## मध्यप्रदेश अधिनियम

क्रमांक १५ सन् २०१८

## मध्यप्रदेश भिक्षा वृत्ति निवारण (संशोधन) अधिनियम, २०१८

मध्यप्रदेश भिक्षा वृत्ति निवारण अधिनियम, १९७३ को संशोधित करने हेतु अधिनियम

दिनांक 5 जुलाई, 2018 को राज्यपाल की अनुमति प्राप्त हुई, अनुमति "मध्यप्रदेश राजपत्र (असाधारण)" में दिनांक 10 जुलाई 2018 को प्रथम बार प्रकाशित की गई.

भारत गणराज्य के उनहत्तरवें वर्ष में मध्यप्रदेश विधान-मंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :-

संक्षिप्त नाम.

१. इस अधिनियम का संक्षिप्त नाम मध्यप्रदेश भिक्षा वृत्ति निवारण (संशोधन) अधिनियम, २०१८ है.

धारा २६ का संशोधन.

२. मध्यप्रदेश भिक्षा वृत्ति निवारण अधिनियम, १९७३ (क्रमांक ३ सन् १९७४) की धारा २६ में,—

(एक) पार्श्व शीर्ष में, शब्द "कुष्ठ रोगियों और" का लोप किया जाए;

(दो) उपधारा (१) के स्थान पर, निम्नलिखित उपधारा स्थापित की जाए, अर्थात् :—

“(१) जहां राज्य सरकार को यह प्रतीत हो कि किसी न्यायालय के आदेश के अधीन किसी प्रमाणित संस्था में निरुद्ध रखा गया कोई भिखारी विकृत चित्त का है, वहां राज्य सरकार अपने इस विश्वास के कि भिखारी विकृत चित्त का है, आधारों को उपवर्णित करते हुए, एक आदेश द्वारा उस अवधि की जिस तक के लिये उसे निरोध में रखे जाने का आदेश दिया गया हो, शेष अवधि के दौरान यथास्थिति मानसिक चिकित्सालय या सुरक्षित अभिरक्षा के अन्य स्थान में रखे जाने के लिये और चिकित्सा की जाने के लिये, जैसा कि राज्य सरकार निदेश दे, उसे वहां ले जाये जाने का आदेश दे सकेगी, या यदि उस अवधि का अवसान होने पर चिकित्सा ऑफिसर द्वारा यह प्रमाणित किया जाए कि भिखारी या अन्य व्यक्तियों की सुरक्षा के लिये यह आवश्यक है कि उसे चिकित्सीय देखरेख या चिकित्सा के अधीन और आगे निरुद्ध रखा जाय तो उसे तब तक रखा जाएगा जब तक कि विधि के अनुसार उसे उन्मोचित न कर दिया जाए.”;

(तीन) उपधारा (२) में, शब्द "या यह कि उसका कुष्ठ रोग ठीक हो गया है" का लोप किया जाए.

भोपाल, दिनांक 10 जुलाई 2018

क्र. 43381-229-इक्कीस-अ(प्रा.)अधि.—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश भिक्षा वृत्ति निवारण (संशोधन) अधिनियम, 2018 (क्रमांक 15 सन् 2018) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,  
रजनी पंचौली, अवर सचिव.

**MADHYA PRADESH ACT  
NO. 15 OF 2018**

**THE MADHYA PRADESH BHIKSHA VRITTI NIVARAN (SANSHODHAN)  
ADHINIYAM, 2018**

[Received the assent of the Governor on the 5th July, 2018; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 10th July, 2018.]

**An Act to amend the Madhya Pradesh Bhiksha Vritti Nivaran Adhiniyam, 1973.**

Be it enacted by the Madhya Pradesh Legislature in the sixty-ninth year of the Republic of India as follows:—

1. This Act may be called the Madhya Pradesh Bhiksha Vritti Nivaran (Sanshodhan) Adhiniyam, 2018. **Short title.**

2. In Section 26 of the Madhya Pradesh Bhiksha Vritti Nivaran Adhiniyam, 1973 (No. 3 of 1974),— **Amendment of Section 26.**

(i) in the marginal heading, the words "leprosy patients and" shall be omitted;

(ii) for sub-section (1), the following sub-section shall be substituted, namely:—

"(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, the State Government may by an order setting forth the grounds of belief that the beggar is of unsound mind, order his removal to a mental hospital or other place of safe custody, as the case may be, to be kept there and treated as the State Government directs during the remainder of the term from which he has been ordered to be detained or, of 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.";

(iii) in sub-section (2), the words "or is cured of leprosy" shall be omitted.