

**REPORT**  
**OF THE**  
**MENDICANCY COMMITTEE,**  
**CALCUTTA,**  
**1920.**



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2. With this exception, no begging of any kind by any class should be allowed in the streets or public places	30
3. There should be no interference of any kind with the house-to-house solicitation of alms	30
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(b) Hospital for Incurables and Curable Ward.	
(c) Almshouse.	
(d) Industrial Home.	
(e) Industrial School.	37
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13. The Receiving Centre and Casual Ward should be built to accommodate 200 persons—men, women and children	41
14. The Incurable Hospital should be built to consist, in the first instance, of five 40-bed wards, and the Curable Ward of 50 beds	45
15. An Almshouse should be provided for those who are too old to work, but who are capable to some degree of looking after themselves and are free from disease	45
16. The Almshouse should be built, in the first instance, to accommodate 75 persons—men and women	46
17. An employment bureau should be combined with the Industrial Home, and the chief duty of the Superintendent should be to secure outside employment for the vagrants in the Home	47
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19. The Industrial Home should be built to accommodate 75 persons	49

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26. The management of the institutions should rest with four members nominated by the Corporation of Calcutta, four members nominated by Government and four other members co-opted by them from among persons of experience in social and charitable work and acquainted with the needs of mendicants	54
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# REPORT OF THE MENDICANCY COMMITTEE.

CALCUTTA, 1920.

## CHAPTER I.

### INTRODUCTORY.

IN July 1918 a resolution was moved in the Bengal Legislative Council recommending that a committee should be appointed to consider the desirability of legislative action to discourage professional beggary in the different provincial municipalities. The resolution was withdrawn on an assurance being given by Sir Henry Wheeler, on behalf of the Government of Bengal, that a preliminary enquiry would be made with a view to obtaining more definite information.

2. The results of this enquiry are treated generally in the following resolution of the Governor of Bengal in Council, dated the 10th February 1920, and published in the *Calcutta Gazette* :—

“ On the 3rd July 1918 a resolution was moved in the Bengal Legislative Council by the Hon'ble Babu Kishori Mohan Chaudhuri, recommending that a committee should be appointed to consider the desirability of legislative action to discourage professional beggary in the different provincial municipalities. The resolution was withdrawn on the assurance that a preliminary enquiry would be made from those interested in the subject with a view to ascertaining some more definite data as to whether professional beggary was assuming serious proportions, and to the best lines of grappling with it. It was added that, if the results showed that there was room for further enquiry, it would be undertaken.

A general reference was accordingly made to those most likely to have knowledge of the question, and replies have now been received. Since their receipt some time has been lost in ascertaining whether it would be practicable to take a census, through the police, of the mendicant population of Calcutta, but it appears unlikely that, without an elaborate organisation, any sufficiently accurate results would be forthcoming, and with the regular census of 1921 impending it would seem sufficient to await the enumeration which will then be effected.

2. The general trend of opinion in the *mufassil* municipalities is to the effect that professional mendicancy has not increased in recent years, or as yet attained such dimensions as to justify any special remedial measures, and that view the local Government would be prepared to accept. The whole problem of effective organised effort to cope with the prevalence of begging is still novel in this country, as there is common agreement that the enforcement of such legal penal provisions as obtain has achieved but little. There is also general recognition of the difficulties which surround the question. Hence it will facilitate a solution to concentrate attention upon that area in which the matter has assumed most prominence and in which there are the greatest facilities for dealing with it. That area is, of course, Calcutta.

3. With few exceptions (through noticeably among them are the British Indian Association and the Commissioner of the Presidency Division), the weight of opinion is clearly to the effect that professional begging in Calcutta is on the increase, though a wish for more exact figures is expressed in more than one quarter. The difficulty of obtaining these at the moment has been already mentioned, but whatever the precise numerical total, the majority are agreed that it is sufficiently large to justify the taking of special action. Among the majority are to be found the Calcutta Corporation (which, in its turn, made a fairly extended enquiry), the District Charitable Society, the Bengal Chamber of Commerce, the Trades' Association, the Social Study Society, the Chief Presidency Magistrate and Commissioner Booth Tucker.

4. In the suggestion of remedies opinion has apparently been largely influenced by action taken recently in Bombay and Ceylon. A succinct account of this is given in a report of a special committee of the Corporation, from which the following quotation is made :—

“The proposals which have been adopted by the Corporation of Bombay and have been submitted to Government are—

- (i) To establish a refuge, an infirmary and a work-house.
- (ii) To pass a Vagrancy Act applicable to particular areas in the first instance, but liable to extension to any area in the Presidency at the discretion of Government, and containing provisions—
  - (a) enabling the Magistrate to send a vagrant on second conviction to a work house if he is able-bodied, or to an alms-house or an infirmary, if he is disabled ;
  - (b) exempting religious mendicants ;
  - (c) allotting a portion of the expenses of working the Act to the Bombay Corporation and other municipalities, the contribution of the former being determined on the same principles on which other municipalities are called upon to contribute towards poor relief from local rates. It is proposed that the cost of maintenance of foreign beggars should be borne by the district from which they hail.

“Under the Ceylon Vagrancy Ordinance, beggars are arrested by the police by whom they are brought before a Magistrate. If the Magistrate declares them to be vagrants they are taken by the police to the house of detention which is under police control. The vagrants are here sorted and medically examined. Those who are feeble, sick and aged are passed on to the home for vagrants which is in charge of the Salvation Army. Those who are able-bodied are either sent to the tea estates and other places of employment (persons refusing to work being liable to imprisonment), or are made to sign an agreement to leave Ceylon and not to return for five years, and are removed from the island, if they fail to do so. The cost of the upkeep of the home for vagrants is divided equally between the Colombo Municipal Council and the Ceylon Government. Other towns which send vagrants to the home pay the cost of their vagrants. Priests and pilgrims who are required to gather alms, or who are prohibited from working for their livelihood, by their religion or order or in the performance of any religious vow or obligation, are exempted from the operation of the Ordinance.”

5. Following these lines there is practical unanimity (and to this extent only the British Indian Association also concurs) that an infirmary, home or refuge should be established for the disabled poor—the halt, the maimed and the blind, who are prevented by physical disability from earning a living and who are without friends or relatives to support them. Lepers would come within this category (though in their case there are additional reasons for preventing their association with the general community), but their treatment is under separate consideration and is best regarded as a special case.

There is also, seemingly, a general consensus of opinion (though some have dealt with the point in greater detail than others) that arrangements on the lines of industrial schools (either combined with or separate from the infirmary) are required for the reclaiming of beggar children, so that they can be taught some form of labour likely to enable them hereafter to maintain themselves.

As regards the able-bodied loafer who can work but will not work, there is agreement that he deserves more drastic treatment than he now gets, and the majority would give this in a house of detention or work-house. The Corporation, looking to the many demands for labour that are available, thinks that (at any rate at first) it would suffice to penalise such men by enhancing the maximum term of imprisonment which may be awarded to them to six months, the theory being, presumably, that in the face of a deterrent punishment they would seek work of their own accord (with such assistance as the prison authorities may be able to give them).

For the aged, respectable poor, the Trades' Association would favour an alms-house, but others, though referring, in some instances, to the case of *bhadralok* poverty, have not suggested any specific provision therefor.

6. To meet the cost of any such institution, three sources of revenue are mentioned, namely, grants from the State, contributions from the Corporation and private generosity, and to these recourse is suggested in varying



degrees. Thus the British Indian Association would build a refuge by private effort, supplemented by Government, and have it maintained by the Government and the Corporation in equal proportions: the Trades Association regards the construction and upkeep of a refuge and workhouse as an obligation of the State, the Corporation maintaining an alms-house out of the proceeds of a poor rate. The Chamber of Commerce, though not finally committing themselves, seems to favour the Bombay scheme of dividing the cost between Government and the different municipalities concerned; the District Charitable Society advocates the division of the cost between Government and the Corporation, and the latter body, while accepting one-third of the expenditure, would leave the balance to the State, basing their recommendation on the relative proportion of strictly Calcutta poor and those who drift into the city from outside.

7. Such, in brief, is the upshot of the definite proposals which have reached the local Government, and in the opinion of the Governor in Council they point to the conclusion that some action in Calcutta is required; that developments should be effected gradually, making a beginning with the institutions most urgently required and being guided by the experience gained; and that, preferably, whatever the incidence of cost, the agency of management (other than of a workhouse, which seems to be primarily the affair of the police) should not be Governmental. (The Chamber of Commerce would entrust control to the Salvation Army.)

In this view, the Governor in Council would like to see a beginning made with a scheme for (1) an infirmary, and (2) an industrial school (either separately or in conjunction) leaving the rest to wait, and he proposes to appoint a committee to work out practical details on these lines. An appropriate constitution of such a committee would be three members nominated by the Corporation, one member (three in all) nominated each by the Chamber of Commerce, the Trades' Association and the British Indian Association, and three members selected by Government from those interested in philanthropic work. Government might also conveniently nominate a Chairman, and the public bodies concerned will now be addressed on these lines.

The recent correspondence will afford a nucleus for the committee's deliberations, although in their further procedure they will be left a free hand.

The terms of reference to them would embrace the elaboration of practical proposals for dealing with the problem of professional mendicancy in Calcutta. While the present resolution may afford them some assistance in their proceedings, they need not consider themselves bound by it or confined within its *prima facie* conclusions. But in any report submitted the Governor in Council would like to find specific recommendations formulating—

- (a) the nature of any institutions to be started;
- (b) their location, size and probable cost (capital and recurring);
- (c) the incidence of the expenditure involved (including in particular the question of contributions by outside local bodies);
- (d) the agency of control;
- (e) the lines of legislation which may be required (if any). A useful suggestion of the Calcutta Corporation contemplates the punishment of those who employ children to beg and live upon their earnings;
- (f) the treatment of religious mendicants (though there seems to be general agreement that these should be exempted notwithstanding the risk of the unscrupulous falsely assuming this garb. The Corporation, on the other hand, think that as the religious mendicant ordinarily begs from house-to-house, he need not be exempted from any measures aimed at the suppression of street begging)."

3. On the 27th April 1920 in accordance with the terms of paragraph 7 of the Resolution, the Government of Bengal appointed a committee, consisting of the following members, with the Hon'ble Mr. A. D. Pickford as Chairman to work out practical details in the matter of dealing with professional beggary.

*Members.*

The Hon'ble Sir Deva Prosad Sarvadhikary, RT., C.I.E.  
 Prince Afsar-ul-Mulk Mirza Muhammad Akram Hosain Khan.  
 Mr. J. A. Jones.  
 Mr. G. P. Shelton.  
 Babu Gokul Chandra Mondal.  
 Mr. R. J. G. Ballantyne.  
 Rai Chuni Lal Bose Bahadur, I.S.O., M.B., F.C.S.  
 Mr. J. G. Dunlop, I.C.S.  
 Mr. J. S. Wilson.

4. The complex nature of the problem with which the committee were confronted had already been indicated in the preliminary enquiry made by Government. That enquiry had been provincial in its nature, whereas the committee's reference was confined to Calcutta. A questionnaire was drawn up and circulated to a number of public bodies and private individuals whose opinions and recommendations, it was thought, might prove of value. This questionnaire and a list of the public bodies and private individuals to whom it was addressed are reproduced in Appendix A.

5. A considerable amount of time passed before the replies to the questionnaire issued were received so that a period of 2 months elapsed between the 1st and 2nd meetings of the committee. The committee have held 5 meetings in all. The Chairman and Secretary have also visited the Juvenile Jail, the Refuge, the Kalighat Temple, also the Marble Palace where daily doles are distributed under the terms of the will of the late Raja Rajendra Lall Mullick Bahadur.

6. The only oral evidence taken by the committee was that of the following gentlemen who were questioned especially with regard to the religious aspect of the mendicancy question in so far as it affected their communities.

Babu Debi Prosad Khaitan, representing the Marwari community.

Serajul-Ulma Meerza Altaf Hossain, representing Shiah Muhammadans.

Babus Gurupada Haldar and Krishna Chandra Mukerjee representing the *Shebaitis* of the Kalighat Temple.

Sahebzada Mansoor Ali Khan was also invited to attend before the committee to give evidence as representing Sunni Muhammadans, but was unable to be present. He, however, sent in a written statement based on the questions put to the other gentlemen.

It was felt by the committee that no useful purpose would be served by taking further oral evidence, the replies received to the questionnaire showing general agreement on the main principles of the committee's mandate.

7. Mr. G. P. Shelton, who represented the Trades' Association on the committee, unfortunately left unexpectedly for England in May and was unable to take part in our enquiry.

## CHAPTER II.

### A Review of Mendicancy in Calcutta.

8. It may be accepted that mendicancy has never been India as an offence, and this is certainly true of Calcutta. From times it has been customary for certain Brahmins and others to subsist by begging. Since the private giving of alms was a necessity for some form of organised ch

at first make itself felt, so that the somewhat natural consequence has been that professional able-bodied beggars have taken advantage of the custom. It is now time that public opinion should be directed towards the establishment of institutions where medicants can be provided for.

9. In the Census of 1911 the total number of beggars returned in Calcutta and its suburbs was 5,624. This figure, even if accurate at the time, is out of date now, and there are no figures giving the total number of beggars in the city at the present day. In 1919 the Corporation of Calcutta recommended, as preliminary to a further investigation of the problem, that Government should undertake a census of beggars in Calcutta.

The Commissioner of Police was asked towards the end of the year to arrange to make a census of the professional beggars in Calcutta, omitting religious mendicants. A form suggested by Mr. M. M. Chatterjee, a member of the Social Study Society, was designated as suitable for the purpose.

In reply, the Commissioner of Police informed the Government of Bengal that, considering the very large number and the indeterminate nature of professional beggars, it was not possible to secure a return on the forms suggested. He did not consider it feasible to secure an estimate of the number of professional beggars in Calcutta except by a protracted and searching enquiry by a special staff of officers deputed for the purpose. At the same time the Commissioner forwarded to Government the numbers of persons who were attended to at the feeding of the poor on the occasion of the Peace Celebrations on the 14th December 1919; 9,062 Hindus and 2,064 Muhammadans were present, the numbers of the latter who attended being possibly affected by the Anti-Peace Celebration agitation. Of these numbers 9,197 were designated as able-bodied and 1,909 as infirm.

We agree that it is not possible to obtain any accurate or reliable figures with regard to the numbers of professional beggars and consider that the Census of 1921 must be awaited; even then we consider that the figures will probably be misleading. It is sufficient for our purpose that professional mendicancy exists to a degree which demands serious attention both in the interests of public health and the conservation of the amenities of the city.

10. Some indications of the prevalence of mendicancy in Calcutta is given by the numbers who are seen on the streets and who collect at Kalighat and at houses where alms are distributed. The general opinion of the public bodies and individuals addressed by us is that the evil has increased of recent years, but whether disproportionate to the increase in population it is impossible to say. It is agreed, however, that the increase in the number of beggars in the streets and other public places, especially at Kalighat, is most noticeable.

11. The Special Committee of the Corporation of Calcutta which considered this question in 1918-19 found that about a fourth of the beggar population enumerated in Calcutta and the suburbs were born in Calcutta. This finding was based on the census returns of 1911 which show 1,283 beggars as having been born in Calcutta and 799 in the 24-Parganas; 1,196 are returned as being born in other districts of Bengal and 2,234 as being born in other parts of India. Of this last number Bihar and Orissa is responsible for 1,179 and the United Provinces for 869. It is very difficult to judge the incidence of immigration from these figures which are moreover not necessarily accurate. At the same time the fact that scarcity in the mofussil produces an influx of distressed people into Calcutta has been exemplified by the recent floods in Midnapore and Orissa, many people coming into Calcutta from these areas and attending the public feedings of the poor.

12. Reference has been made to the private distribution of alms. This practice is still in force in Calcutta, especially on the occasion of religious observances.

There are several places in Calcutta where daily distribution of food takes place. The most important of these charities is the Raja Rajendra Mullick Bahadur's institution. Official correspondence in connection with the great famine of 1866 shows that Babu Rajendra Mullick first organised arrangements for distributing food to the famine stricken paupers who flocked into Calcutta. When the Executive Committee of the Bengal and Orissa Famine Relief Fund decided that it was necessary to clear Calcutta

of the paupers who crowded the northern portion of the town and to concentrate the relief work in Chitpore, Babu Rajendra Mullick ceased his private distributions and placed Rs. 100 per day at the disposal of the committee, for the purpose of feeding 1,000 paupers at Chitpore. On his death in 1887 Raja Rajendra Mullick Bahadur left in his will several properties in Calcutta as an endowed fund to provide for the feeding of 500 people daily. This daily feeding of the poor still takes place at the Marble Palace, Muktaram Babu Street, and has increased so that, on an average, some 1,000 people are fed daily while on religious and festive occasions many more are fed.

13. The generosity of those gentlemen, who, in accordance with the prevailing custom, formerly devoted large sums of money to the daily feeding of the poor, will be fully appreciated, but we think it necessary to point out the effect of this generosity on the present day solution of the mendicancy problem. These charitable institutions for the feeding of the poor provide, to a certain limited extent, a check on street begging; but, in consequence of the large numbers fed, it is possible that the food given to such persons is insufficient to support them without being supplemented, while no shelter or occupation of any kind is provided. The result is that while such charity encourages idleness the shelterless idlers must of necessity wander about on the streets and live and die on the street pavements. That such charity does encourage idleness is indisputable and can be proved any day by a visit to the Marble Palace when the poor are fed. From 10 to 20 per cent. of those that attend for the daily dole are able-bodied men and women or healthy children.

It is to be remembered as a most important fact that there is no unemployment in Calcutta and therefore there is no excuse of any kind for the dependence of these able-bodied persons on charity.

14. There are various reasons for the increase in the number of beggars on the streets. Economic causes, although having little influence on the question so far as the ordinary residents of Calcutta are concerned, undoubtedly encourage an influx of immigrants into Calcutta from districts where scarcity prevails. It is, however, stated that, owing to the doles offered in private houses being smaller than before, beggars find it more profitable to beg on the streets and in public places. It is also stated that the impression that there has been an increase of beggars in the streets is caused by the greater importunity now practised and by the more blatant exhibition of deformities and diseases rather than by any increase in their number. Instances have, however, been brought to notice of men throwing up employment and taking to begging as being more profitable and less arduous.

### CHAPTER III.

#### The law relating to mendicancy in England and as existing in Calcutta.

15. According to the English Law, the Poor Relief Act, 1601, 43 Elizabeth, C. 2, every inhabitant, vicar, or others and every occupier of land, or houses, coal miners, etc., was taxed to meet the expenses of giving help and relief to those who were unable to maintain themselves, having no ostensible means of livelihood, and to the aged and infirm. Under this Act work-houses and poor-houses were instituted and their cost met by taxing the inhabitants of the parish.

To suit changing conditions different Acts were passed from time to time, but all based on the fundamental principle that the maintenance of the poor was the duty of the parish or local area.

In 1867 the Metropolitan Poor Act, 30 Vic. C. 6, was passed for the "establishment in the metropolis of asylums for the sick, insane and other classes of the poor and of dispensaries, and for the distribution over the metropolis of portions of the charge for poor relief and for other purposes relating to poor relief in the metropolis".

In England, therefore, it is axiomatic that the cost of poor relief should be borne by the local taxation of those who are in better circumstances.

16. Vagrancy in England is a misdemeanour under the Vagrancy Acts, 1824 to 1898.

Vagrants by the Vagrancy Act, 1824, are either—

- (i) Idle and disorderly persons, viz :—
  - persons failing to maintain themselves or their families, though able to do so, and becoming chargeable to the parish ;
  - pedlars wandering abroad and trading without a certificate ;
  - persons wandering abroad or placing themselves in public places to beg or gather alms, and those who cause or encourage children to beg ;
  - insubordinate paupers ;
  - common prostitutes ;
- (ii) rogues and vagabonds, viz., persons —
  - committing any of the above offences after being previously convicted as idle and disorderly persons ;
  - exposing wounds or deformities in order to obtain alms ;
  - expelled or deported aliens found in the United Kingdom (Aliens Act, 1905) ;
  - alien immigrants landing without a permit ;
  - and many other persons ;
- (iii) incorrigible rogues, viz., any person convicted twice or oftener as a rogue and vagabond, etc., etc.

All such persons are liable to arrest by the police and may be dealt with as follows :—

Idle and disorderly persons are placed before a Justice of the Peace who may commit them “to the House of Correction, there to be kept to hard labour for any time not exceeding one calendar month”.

Rogues and vagabonds may be committed to the House of Correction for any time not exceeding three calendar months.

Incorrigible rogues may be committed by a Justice of the Peace to the House of Correction “there to remain until the next General or Quarter Sessions of the Peace”. By the Sessions they may be “further imprisoned in the House of Correction and be there kept to hard labour for any time not exceeding one year” and may “further be punished by whipping.”

In this connection the Instruction Book for the guidance of the Metropolitan Police Force notes : “It is not necessary that the person charged should actually beg, if his evident object is to gather alms. Crossing sweepers and persons who pretend to sell matches, etc., but are really beggars, should be watched and cautioned before being arrested”.

17. It is also an offence under the Children Act, 1908, if any person over 16 causes or allows a child or young person to be in any street, premises or place for the purpose of begging or receiving alms, whether or not there is any pretence of singing, playing, performing, etc.

Such person is liable to a fine not exceeding £25, or alternatively, or in default of payment of fine, or in addition thereto, to imprisonment, with or without hard labour, for any term not exceeding three months.

18. The existing law in Calcutta is contained in sections 70 and 70A of the Calcutta Police Act and in sections 40 and 40A of the Calcutta Suburban Police Act. Any person found begging in streets and public places, or exhibiting deformities with a view to obtaining alms, or seeking or obtaining alms by reason of any false statement may be arrested by the police and may be sentenced in the town of Calcutta to imprisonment, with or without hard labour, for any term not exceeding one month, and in the suburbs to a fine not exceeding Rs. 50. The differential treatment is curious and has existed since 1866.

The power is given under sections 70A and 40A, respectively, to declare any institution to be a refuge for the reception of aged, infirm or incurably diseased persons convicted under sections 70 and 40, respectively. The only institution so far notified under the Acts is the Refuge at 125, Bowbazar Street.

19. The defects in the existing law are obvious. The maximum period of punishment in the town is too low to act as a deterrent in the case of confirmed able-bodied beggars and the maximum period of detention in the Refuge in the case of the maimed, the halt and the blind, is too short to serve any useful purpose, to cure the curable, to teach any trade or even materially to alleviate distress. This has contributed to the fact that the enforcement of the law has been spasmodic, and in the majority of cases the punishments inflicted by the Magistrates have been only nominal.

20. Since the existing law has very naturally not the support of public opinion nor of the Magistracy, police action under it cannot cope with the evil.

The police figures for 1917 may be cited. In that year the police arrested 2,739 beggars; of these 2,719 were sent up to Court where only 3 were acquitted. Of the remainder, 1,031 were warned and discharged, 1,120 were detained until the rising of the Court, 234 were fined, 155 were sentenced to imprisonment. In addition, 145 were sent to the House of Detention for Juveniles, 5 to the Refuge and 26 to the Leper Asylum. The figures for 1918 and 1919 show similar results. The figures given above do not imply that 2,731 individual beggars were arrested in 1917. Many of them were arrested several times and a Court Officer has calculated that the arrests represent some 800 separate beggars only. It is obvious that any action on these lines is a mere waste of effort and that the existing law is a complete failure.

21. It has been pointed out to us that the present system is ineffectual inasmuch as many beggars welcome arrest. For, while detained in the Police or Court lockup during the pendency of a case, they are fed at Government expense, and the continuance of their professional occupation is not likely to be interfered with, as in the majority of cases they are back on the streets the same afternoon.

The Magistrates are naturally disinclined to send beggars to jail to mix with ordinary criminals. The Superintendents of the Calcutta Jails are also opposed to the practice of sending diseased beggars to jail where they cannot be properly treated or taught any useful avocation.

22. There is no separate provision penalising the employment of children to beg as in England and in Bombay.

23. We are convinced that the most important factor in connection with the existing legislation and its administration is that there are no suitable institutions to which those beggars, who are not able-bodied, can be sent for treatment. If this want were remedied then we believe the problem of mendicancy in Calcutta would be susceptible of solution.

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## CHAPTER IV.

### Religious Mendicants.

24. The greatest difficulty in connection with mendicancy is the religious aspect of the question. Generally speaking, religious sentiment in India approves the profession of begging. Poverty has received a religious sanction and religious mendicants form a recognised part of the Hindu social system and are popularly accepted as such on the basis of their religious garb. Genuine religious mendicants are comparatively few: but under the garb of religion a regular profession of begging has sprung up.

25. Mr. M. M. Chatterjee has discussed the various varieties of religious and pseudo-religious mendicants in a paper read before the Calcutta Social Study Society in 1918. We do not propose to describe these in any detail. We are not so much concerned with religious mendicants as such, but with gauging the strength of public feeling should any attempt be made to treat mendicants as a whole, and ignore the religious aspect.

26. The answers to our questionnaire show an unexpected unanimity that religious mendicants should not be exempted as a class. There is a general concensus of opinion that no one should be allowed to beg in the public streets. Differential treatment of religious mendicants is only suggested at places of public worship and bathing ghâts. The opinion is

commonly held that in such places religious mendicants should be allowed to sit and accept alms, but not to beg. There is also agreement that house-to-house begging of any kind should not be interfered with.

The opinion of the Marwari Association, which may be taken as generally indicative of Hindu opinion, is that if street begging is stopped altogether and only house-to-house solicitation of alms permitted, the question as to who is and who is not a religious mendicant would be decided by the owner or occupant of the house and he would so decide according to the view of his community or his own particular caste. The Marwari Association in fact go further than we are at present prepared to go and would allow only house-to-house begging and disallow all begging on the streets even in the vicinity of religious places. (See paragraph 30.)

27. With regard to Muhammadans, we have it on the authority of Serajul-Ulama Meerza Altaf Hossain, Sahibzada M. M. Mausoor Ali Khan and of the Secretary of the Muhammadan Orphanage that the Muhammadan religion does not countenance begging and that the adoption of begging as a profession is totally prohibited. Muhammadan teaching based on the Holy Koran enjoins Muhammadans first to help their poor relatives, then poor orphans, and after that needy neighbours. If they are still in a position to render further help they ought to give it to the needy public. Sahibzada M. M. Mansoor Ali Khan states also that "Id-ul-Fitr is the day among Muhammadans when mendicants receive alms from the *zakat* and that is distributed according to our Holy Book—the Koran, but we are not bound to distribute the same to such beggars". We are of opinion that the problem of the religious mendicants is of comparatively little importance so far as the Muhammadan poor are concerned.

28. As regards Hinduism, however, the problem is one which has to be handled with the greatest care. We have failed to come to any satisfactory definition of a Hindu religious mendicant. All are agreed that genuine *sadhus* are religious mendicants, but there is great diversity of opinion with regard to the classification, for example, of Vaishnabs. Mr. M. M. Chatterjee's paper, to which we have already alluded, contains the following reference to them: "Mendicant castes in Bengal are popularly known as Vaishnabs or Bairagis. They are not, however, all of the Vaishnava religious persuasion. In Bengal, Vaishnavas are worshippers of Chaitanya's or Krishna's reappearance on earth. They are disciples of the descendants of one or other of the companions of his earthly life, believed to be reappearances of the companions of his life as Krishna in Brindaban. But there is a caste called Vaishnava which admits into it men of any caste, and mendicancy may be said to be its hereditary occupation, although some members of it may be found in a trade and in public employment. There are also similar sects or castes which the best authorities regard as survivals of Buddhism in Bengal suppressed by Brahmanical revival and Mussalman conquest. They are wandering ministrals or troubadours . . . They carry on their avocations by singing and dancing . . ."

We have elaborated this point as it is necessary to do so in connection with the suggestion that religious mendicants should be allowed to accept alms in the vicinity of religious places.

29. We have been fortunate in securing the opinion of the *shebait*s of the Kalighat Temple on this subject. They placed mendicants in four classes, Brahmans, Kumaris, or unmarried girls under 9 years of age, Batooks or boys under 5, and ordinary beggars. It is claimed that the first three classes are required for the religious observances of the temple, and we ascertained that on ordinary days some 40 Brahmans, 25 Kumaris and 12 Batooks are required. On Poojah days the numbers are greatly increased. We were told that the *shebait*s would be prepared to regulate or license the beggars of the first three classes who are required within the temple. We found it very difficult, however, to obtain any definite opinion as to the restrictions which should or could be enforced outside the temple and between it and the Nakuleswar Temple, a distance of some 100 yards. The gentlemen examined by us admitted that begging in Kalighat had greatly increased during the last few years, while as one of our members put it, the importunity of the beggars of Kalighat has become proverbial. The point

is one of some importance as if a large zone round each temple is regarded as sacrosanct it will be impossible to solve the problem. So far as we have ascertained, while there is no religious obligation in the distribution of alms by people who come to the temple after bathing, there is no doubt that any interference with this practice which has grown up would be resented on sentimental grounds, more especially by Hindu ladies.

30. For these reasons we feel that it is necessary to recommend that beggars, whether religious or otherwise since we cannot arrive at any definition, should be allowed to remain in the immediate vicinity of religious places including temples and bathing ghâts, as defined by the Commissioner of Police or District Magistrate, as the case may be, and accept alms provided they do not solicit alms in any way and are not, by reason of disease, a danger to the public health. In making this recommendation we realise that a somewhat unfair burden is placed on the police who will always, as now, be regarded as responsible for the continued presence of beggars on the streets and whose action in making arrests in these reserved areas may be popularly regarded as an interference with religious liberties. We are agreed that, with this exception, no begging of any kind by any class should be allowed on the streets or in public places. We are also agreed that there should be no interference with the solicitation of alms from house-to-house.

31. We have already alluded to the charitable endowments for feeding the poor, but we think it necessary to draw attention to them again. These endowments have been made from charitable and religious motives and we are told that in Calcutta they represent an annual income of some 3 to 4 lakhs of rupees a year and possibly more. These endowments as at present constituted offer no solution of the mendicancy question, but in fact aggravate the problem. We hope that in due time public opinion will bring about the diversion of such generosity to the support of institutions, orphanages and the like for the welfare of the poor. We consider that in this respect, as in the indiscriminate giving of alms, a publicity campaign should be undertaken to educate the people up to more modern methods of charity. We endorse Dr. Jahangir Cussetji's words :—

“ So long as alms are to be had for the mere asking and given indiscriminately to these professional beggars, so long will they flourish and thrive in our midst displacing the urgent claims of the really needy unfortunates. If there was no such misguided charity there would scarcely be any begging at all, and almost the entire army of our sturdy street beggars would be starved out of existence, by the simple process of *no work, no food*. Our misdirected charities are in reality and in truth, far from helping the case, directly strengthening and perpetuating the evil in our midst and fully justify the assertion that the nuisance is to a great extent one of our own making ”.

## CHAPTER V.

### **Poor Law Institutions—Receiving Centre and Casual Ward—Hospital for Incurables—Curable Ward—Alms-house—Industrial Home.**

32. We have already shown that the chief difficulty experienced by Magistrates in the administration of the existing law is the want of places to which mendicants can be sent.

The Refuge at 125, Bowbazar Street, is the only institution in Calcutta which caters specially for this class, but as far as the existing law is concerned, it is of little use owing to the fact that no beggar can be compelled to reside there for more than a month.

The Refuge owes its existence to the public spirit of Mr. A. M. Biswas, the founder, and he would seem to be the only gentleman in Calcutta who has made any real attempt to deal with the problem on practical lines.



Mention should also be made, however, of the Indian Orphanage and Rescue Home at Kalighat which contains an orphanage, invalid home and rescue home, and provides temporary relief to persons in distress.

33. The Refuge contains over 200 inmates, but neither in its situation nor in its buildings can it be said to be suited for the purpose for which it is used. The institution required for the scheme we put forward must of necessity be separate. Mr. Biswas has a scheme in hand for moving out to Kanchnrapara where he hopes to establish a settlement. We think that the work Mr. Biswas is doing deserves encouragement and that there will still be room for it even if the institutions we suggest are established. We, therefore, commend it to the continued support of Government and of the public.

34. For Europeans and Anglo-Indians there are several homes in existence in Calcutta which cater for both sexes and all Christian religions. We consider that if, as has been proposed by the Domiciled Community Enquiry Committee, a casual ward is attached to the European Work-house, no other institution of any kind is needed for European and Anglo-Indian mendicants, who are few in number, and those mostly of a depraved or criminal type.

35. The opinions we have received, with one possible exception, are in favour of the establishment of various institutions for the relief of mendicants and those opinions are emphatic in pronouncing that such institutions are necessary. We have come to various conclusions with regard to each which we will deal with in turn, but we are agreed that the machinery for dealing with mendicants should be complete in every stage, although, at first, we recommend its establishment on a small scale. That is, we consider that if any provision is to be made for beggars, it must be made so as to meet the needs of all classes of beggars, the able-bodied, the diseased, infirm, feeble, aged and children. Unless this is done we feel that it will not be possible to carry into effect the principle we have in view, namely, that a person placed before a Magistrate and declared a vagrant for the first time should not be given any specific sentence, but be committed to the care of experts who will be in a position to study his needs and place him in some institution where he can be properly treated with some prospect of the sick being cured, and of the idle and of children who have been trained to mendicancy being directed into respectable means of earning their living.

36. We have been considerably impressed with the methods that have been adopted in Colombo to deal with the beggar-question, and have to some extent based our present recommendations on the system in force there. This system was introduced in 1913 and has, according to a letter from the Inspector-General of Police, Ceylon, considerably reduced the number of vagrants found dead and uncared for.

The system is briefly this :—

*Physically fit professional beggars* are prosecuted under Ordinance IV of 1841 and sent to jail, on first conviction for a term not exceeding 14 days, on second conviction for any period not exceeding one month, and on a third or greater number of convictions for any period not exceeding four months. *Vagrants who are physically unfit for work and really require medical attention* are dealt with under Ordinance V of 1907 and are produced before a Magistrate and committed to what is known as the House of Detention.

The House of Detention is a clearing house. After a vagrant has been washed, medically attended to and fed, it is possible, so the Inspector General of Police writes, to say within a period of two or three weeks whether he is fit for work or whether he will never be fit for work again. If he is fit for work, work is found for him, and if he refuses the work found for him he is liable to imprisonment for any term not exceeding one month. If it is clear that he is physically unfit for any work, he is moved into a neighbouring institution called the Home for Vagrants.

The House of Detention is practically a clearing house for the treatment of ill-fed and uncared for beggars and the home for vagrants is really a home for incurables and vagrants who are too infirm for work.

While the average number of inmates per month in the House of Detention has been 65 and in the Home for Vagrants 149, from 1913 to 31st

December 1919 actually no less than 3,465 vagrants passed through the institutions.

37. Following these lines and extending them, we desire to recommend to Government the establishment of the following institutions :—

- (a) Receiving centre and casual ward.
- (b) Hospital for incurables and curable ward.
- (c) Alms-house.
- (d) Industrial Home.
- (e) Industrial School.

The characteristics and uses of each institution are discussed below, but we believe they form integral units of the machinery we propose to meet the mendicancy evil.

38. Our proposals are based on the paramount necessity of putting it out of the power of an able-bodied person to make a living otherwise than by honest work. Further that those who have fallen into misfortune and are attacked by sickness and disease and all children shall be placed under influences of a remedial character so as to render the alleviation of their distress a probability instead of, as now, an impossibility. We recognise that our proposals must be largely of an experimental nature owing chiefly to the fact that they involve a great change in the present custom and introduce a system new to India. We believe, however, that they represent the minimum of requirements needed to deal with the present situation.

39. We recommend that the five institutions, while preserving their separate entity, be grouped together in one place and placed under the same general superintendence so as to secure co-ordination of their working. For this purpose we recommend the selection of an outlying site in the northern area. The actual site of these institutions will greatly depend on the development of this area, and we do not think that it is advisable for us at the present time to do more than indicate generally the direction in which a suitable site might be found.

40. As General Superintendent of the Poor Law Institutions we recommend the appointment of a well-paid medical man who should be an Indian. The medical examination of beggars is of the greatest importance and their continued residence in, or transfer from, any institution is very largely dependent on competent medical supervision. The principle that we have approved, namely, that the Magistrate's functions should be confined to committing vagrants to poor law institutions, renders it obligatory that an expert be in charge and such expert assistance can only be obtained by employing a fully qualified medical officer to devote his whole-time to the medical and psychological study of beggars. The hospital in itself, although containing only 250 beds in the beginning, is sufficient justification for the appointment of a competent medical officer. We suggest for the Medical Superintendent a pay of Rs. 1,000—25—1,250 with free quarters. We think it essential that the Medical Superintendent be forbidden to take any outside practice. The general administrative staff and the details of the staff suggested for all the Poor Law Institutions is set out in Appendix B.

41. On the committal of a vagrant to the Poor Law Institutions he will be sent to the Receiving Centre. This institution will correspond to the House of Detention in Ceylon. The vagrant will be there cleansed, attended to and placed under strict observation to determine his future. We are not certain how long a period will be required to classify each person admitted. In Colombo the approximate period given is two or three weeks, but it is probable that with a complete range of institutions this period can be lessened, and, in any case, if any faulty classification is made, the Medical Superintendent will be able to remedy it without any delay. As we have stated, we have no definite figures on which to base our recommendations, but we consider that it will be sufficient to start with a Receiving Centre and casual ward which can accommodate 200 persons—men, women and children. We would place this institution in the immediate charge of a Superintendent on a pay of Rs. 100—5—150. To this institution we propose that a subordinate officer of the rank of Assistant Sub-Inspector should be deputed

from the Calcutta Police. His duty will be to take the finger prints and descriptions of vagrants on admission for purposes of identification and record. Apart from this we do not think that the police should have any connection with the institutions.

42. The staff we propose for the Hospital for Incurables and curable ward is also contained in Appendix B. We are greatly indebted to Major Gourlay, D.S.O., I.M.S., for the advice he has given us in this connection. We regard the establishment of this hospital as a matter of the most vital importance.

43. In December 1919 the Superintendent, Campbell Medical School and Hospital brought to the notice of the Surgeon-General that there was "an enormous number of aged, infirm and paralytic patients" in the Campbell Hospital, "for whom no prospect of health could be afforded by medical or surgical treatment." He questioned whether these people should occupy space which could be much better utilised by affording relief to those who would benefit by treatment. At the time he wrote the Superintendent had in the hospital 81 cases which ought, as he says, to have been in a hospice or refuge. He calculated that on an average the hospital had continually no less than 60 of these unfortunates who had been either abandoned by their relatives or picked up from the streets.

In forwarding the Superintendent's letter to the Government of Bengal, the Surgeon-General wrote :— "I consulted the Superintendent of the Medical College Hospitals in the matter, he is in entire agreement with Lieut.-Colonel Leventon's views. At present a very large number of aged, infirm and paralytic patients, although they cannot benefit by any further treatment, occupy our hospital beds simply because they are paupers and there is no refuge or poor-house where they can be accommodated. It is an astonishing fact, and a sad one, that in a modern city like Calcutta such provision was not made years ago. All our hospitals are dangerously overcrowded, and yet we have to utilise very valuable bed space for incurables and permanent cripples, who ought to be provided for elsewhere. I look on the provision of adequate accommodation for these cases as one of the most urgent medical necessities of this city and earnestly request Government to take early steps for the establishment of a refuge for incurables, or to move the Calcutta Corporation to take action in the matter."

44. We feel that we can add nothing to what the Surgeon-General has written, and we most earnestly recommended the establishment of this hospital. Even apart from the question of mendicancy we consider that nothing should be allowed to stand in the way of the erection of an incurable hospital and that it is a duty which the Government of Bengal and the Corporation of Calcutta seem called upon in the interests of common humanity to fulfill.

45. Considering the figures given by Lieut.-Colonel Leventon we recommend that the hospital should contain 5 blocks of 40 beds each and the curable ward, 50 beds, and we further recommend that the hospital be built so as to be capable of expansion at any time. We have ascertained from the various hospitals of Calcutta that this accommodation represents a bare minimum.

The Health Officer of the Corporation, however, arguing on the deaths amongst paupers, *i.e.*, persons whose remains were buried or cremated free of charge (1,620 in 1919) estimates the following requirements :—

- "(1) for curable cases, assuming an average stay in hospital of one month, 100 beds for 1,200 curables ;
- (2) for incurables, assuming an average stay in hospital of 12 months 400 beds for 400 incurables."

As his conclusions are based on somewhat slender premises he has however, not felt justified in recommending the provision of an infirmary with 500 beds and, therefore, endorses the suggestions we have made.

46. For those who are too old to work but who are capable of looking after themselves to a certain extent and are free from disease, we recommend the establishment of a small Alms-house to provide in the first instance, for

75 persons—men and women. We consider this to be a necessary part of our recommendations as there are a number of beggars on the streets who have only been driven there by old age. These should not be classified for treatment with other beggars but dealt with separately. As far as possible, married couples should be allowed to live together and all, according to their capability, should be given some light task in connection with the working of the establishment. Such people would be out of place in an industrial home and would occupy space in an incurable hospital which could be put to more suitable use. A separate institution for them is therefore absolutely necessary. We have no statistics on which we can base an estimate of the accommodation required in the alms-house and we have therefore given a figure that we consider to be a bare minimum. We think that no separate staff in addition to the general staff will be necessary for the alms-house.

47. We realise that we are on more debatable ground when we recommend the establishment of an Industrial Home. Many people consider that such a home is out of place in India, and especially in Calcutta, where there is a large demand for labour of all kinds.

Not only is it expensive, but it is sometimes held to compete with private enterprise. We consider that in spite of these arguments there is a need for an industrial home where some kind of work-test can be introduced and also where those who are partially crippled can be taught to make a living for themselves. Unless an industrial home is part of the Poor Law Institutions, we consider that it will be difficult to apply the work-test to any vagrant. It has been suggested that, as in Ceylon, vagrants should be given employment. We are fully in agreement with this, but we think that it will be necessary first to ascertain the vagrant's willingness to work and subsequently to gauge his capabilities, and this can only be done in an industrial home. With the industrial home we would combine an employment bureau and it should be one of the chief duties of the Superintendent of the home to secure suitable employment outside for vagrants, as soon as possible. The Medical Superintendent should see to it that this requirement is fulfilled, as otherwise one of the most important objects of the home—the provision of a work-test—will be defeated.

48. A penalty should be provided for refusing any employment thus found. The rules should also make it clear that the industrial home is not intended to provide permanent or continued employment within the home.

49. We have purposely limited the accommodation of the industrial home, in comparison with the other institutions to 75, so that the principles of a work-test and a minimum period of detention may be enforced.

50. The Industrial School is discussed in Chapter VI which deals with children.

51. We consider that all those employed in connection with the institutions should be provided with free quarters.

52. In Appendix B we have set down the staff which we think will be required in connection with all these institutions and in Appendix C we have given a rough estimate of cost, recurring and non-recurring, of all institutions, including the industrial school.

The figures we give are only rough and approximate as we do not consider that at the present moment we should be justified in calling for detailed plans and estimates of buildings or detailed estimates of other expenditure. The total non-recurring cost comes to Rs. 21,24,500 and the recurring cost to Rs. 1,55,220 per annum. The figures for the cost of buildings have been supplied by the Public Works Department. We recommend that the buildings should be of the simplest and the cost of building reduced to the lowest.

53. The Corporation of Calcutta have already enunciated the principle that the Corporation should bear one-third of the cost of any Poor Law institutions and Government two-thirds. This opinion is admittedly based on the census figures of 1911, which show that about one-fourth of the beggar-population enumerated in Calcutta were born in Calcutta. We have shown in paragraph 11 that if the returns are further examined the Province of Bihar and Orissa is responsible for as many of the Calcutta beggars as all Bengal, exclusive of Calcutta and the 24-Parganas. The argument adduced, if

followed to its logical conclusion, would, therefore, produce a very involved system of financial contribution. We propose (paragraph 75) that mendicant immigrants from other provinces should be repatriated.

The members of the committee who are representatives of the Corporation of Calcutta adhere to the view already expressed by the Corporation to the effect that Government should bear two-thirds and the Corporation one-third of the non-recurring and recurring cost of the institutions. As a result of the investigations of this committee the majority, consisting of the other members, consider that some modification of these proportions may be desirable and suggest for consideration that the expenditure should be divided equally between Government and the Corporation.

We recommend also that, if the Mendicancy Act we propose is extended beyond the jurisdiction of the municipality of Calcutta, the cost of the maintenance of the vagrants arrested in the outlying municipalities and consigned to Calcutta institutions should be borne by the municipalities concerned on a capitation basis in the same proportion.

54. We agree that the management of the institutions should rest with a specially appointed Board of Guardians. We suggest that the members of the Board should be four members nominated by the Corporation of Calcutta, four members nominated by Government and four other members co-opted by them from among persons of experience in social and charitable work and acquainted with the needs of mendicants. We recommend that ladies should be eligible for service on the Board.

55. We also recommend that a representative panel of visitors should be appointed yearly by the Board to visit and comment on the working of the institutions. In the panel of visitors should be included ladies and gentlemen who take an interest in social and charitable problems and authorities on both juvenile and technical education.

56. Apart from the establishment of these Poor Law institutions we recommend that the possibility of establishing a labour colony for the benefit of the poor in Assam or elsewhere should be further considered.

## CHAPTER VI.

### Children and Industrial School.

57. Since we regard the question of the child mendicant as most important in relation to the future problem of mendicancy, we have devoted a separate chapter to children and our recommendations in connection with them.

58. In Chapter V we have alluded to an Industrial School as one of the poor law institutions. The public bodies and individuals we consulted practically all emphasised the necessity for the establishment of an industrial school. The Corporation of Calcutta have especially recommended that all children under 16 years of age, who are found begging in the streets, should be placed in a home until they are 16 years old, or until some one undertakes to maintain them. The Superintendent of the Reformatory School, Hazaribagh, has given expression to an opinion very generally held that the child-beggar develops into the child criminal, and that therefore the crux of the question lies in taking the child in hand. Accepting this as true, in part at least, it is natural that if the child is sent to an institution where he can be taught some useful avocation, the chances of his becoming an adult beggar are greatly lessened. We, therefore, recommend the establishment of an industrial school as part of the scheme for the establishment of poor law institutions.

59. Children may be sent to the proposed industrial school direct from the Juvenile Court if proved to be vagrants to the satisfaction of the Magistrate. They should, we consider, be retained there, as the Corporation of Calcutta suggest, until 16 years of age, but we make this exception that, if they can be apprenticed to any trade before they are 16 years of age under a license, this should be done. We do not think that a rigid rule requiring

their detention until 16 years of age is admissible, since it means that the industrial school will soon be unduly crowded and the chances of the children of mixing with others in better circumstances will be reduced to a minimum.

60. Other children will be received in the Receiving Centre with their parents, and it is advisable that these children, if old enough, should also be drafted into the industrial school and be detained there until they can be apprenticed or until their parents or others are in a position to look after them. We do not consider that they should be automatically discharged if the parents find employment, but that they should be detained until their parents show that they can keep them from returning to the streets.

61. It has been pointed out that to keep these children apart from other children will produce a bad type, but we do not think there is any alternative. We have ascertained that the existing orphanages are already overcrowded and have no room for expansion. The Calcutta Orphanage for Hindu children and the Muhammadan Orphanage do a considerable amount of good work in taking in children found on the streets, provided they are orphans and under 10 years of age, and Hindus or Muhammadans respectively; but the cases dealt with can only be few in number. The Calcutta Blind School only takes in cases of blind children found on streets, but that is a specialised institution. We are, therefore, unable to recommend the utilisation of any existing orphanage or home for the purpose we have in view, unless the existing institutions are considerably augmented and expanded.

62. We believe that since 1912 the Government of Bengal has had the question of a Children Bill under consideration. His Excellency the Governor has announced that a Bill will shortly be introduced, and we urge that steps be taken to expedite its introduction. We understand that the draft Bill contains provisions by which children under 16, who are found begging or receiving alms (whether or not there is any pretence of singing, playing, performing, offering anything for sale or otherwise), or being in any streets, premises, or place for the purpose of begging or receiving alms may be sent to a certified industrial school. Should this Bill become law, there is nothing in it incompatible with our present suggestions.

63. The Corporation of Calcutta and various other bodies have pointed out that there is no existing penalty for those who employ children to beg. A sufficient indication that the offence is regarded seriously is given by the maximum penalty under the English Children Act, 1908, which has already been indicated in paragraph 17, *i.e.*, a fine of £ 25 <sup>and</sup>/<sub>or</sub> imprisonment with or without hard labour for 3 months. The Corporation recommend the provision of a penalty of "imprisonment up to 1 month or fine up to Rs. 50, or both, in the case of persons employing children to beg, and living on the earnings, with provision making such persons liable to pay the cost of maintenance of the children at a home, unless they can prove to the satisfaction of the trying Magistrate that they have not the means to do so."

We consider this degree of punishment entirely inadequate and we recommend a severer punishment than this, and that there be a maximum punishment of 6 months or fine up to Rs. 500, or both, and we have embodied this penalty in the draft Mendicancy Bill which is discussed in the following chapter.

The case of able-bodied beggars hiring emaciated, mutilated or diseased children for the purpose of inducing thereby the giving of alms should not be overlooked in this connection.

64. We estimate that accommodation for 100 children will be required in the industrial school, and the probability of having to deal with more than this number must be kept in view.

The school should be in charge of a Superintendent on a pay of Rs. 200—10—300 and should be staffed by one headmaster and 4 assistant masters. This staff is included in Appendix B. The children themselves should be used to run the internal economy of the school, and we think that, as far as possible, no servants should be employed. We should like to see the principles of the Boy Scout training introduced into such a school. The training might also include instruction in farming and other agricultural pursuits.

## CHAPTER VII.

## Legislation.

65. As we have already remarked in Chapter III the existing law with regard to mendicancy in Calcutta is ineffective, and has not the support of public opinion. Any police action under it, therefore, cannot be expected to cope with the evil. For these and other reasons we have already stated our conviction that the most important factor in connection with the existing law is that there are no suitable institutions to which beggars, who are not able-bodied, can be sent for treatment. In Chapters V and VI we have recommended a series of institutions which should be introduced to cope with the present evil, and it now remains to suggest legislation which can be utilised to secure the purpose which we have in view, namely, that it should be put out of the power of an able-bodied person to make a living otherwise than by honest work, and that those who have fallen into misfortune and are attacked by sickness and disease, and all children should be placed under influences of a remedial character so as to render the alleviation of their distress a probability instead of, as now, an impossibility.

66. We have already made certain specific recommendations with regard to the various principles to be adopted and we recapitulate these here.

Beggars, whether religious or otherwise, should be allowed to accept alms in the immediate vicinity of religious places, including temples and bathing ghâts, as defined, in the town and suburbs of Calcutta, by the Commissioner of Police and elsewhere by the District Magistrate, provided they do not solicit alms in any way and are not, by reason of disease, a danger to the public health (see paragraph 30).

(We have thought it necessary to limit by executive order the area round each religious place which may be accepted as sacrosanct as otherwise it will be difficult to carry this principle into execution.)

With this general exception no begging of any kind by any class should be allowed in the streets and in public places (see paragraph 30)

There should be no interference of any kind with the house-to-house solicitation of alms (see paragraph 30.)

A person placed before a Magistrate and declared a vagrant for the first time should not be given any specific sentence, but be committed to the care of experts who will be in a position to study his needs and to place him in some institution where he can be properly treated (see paragraph 35).

Vagrants on declaration as such should be committed to a Receiving Centre for observation and classification, and thence drafted to one or other of the institutions whose provision has been recommended by us (see paragraph 41).

It should be the chief duty of the Superintendent of the Industrial Home to secure outside employment for vagrants in the home and the Medical Superintendent should see to it that this requirement is fulfilled (see paragraph 47).

A penalty should be provided for refusing any employment thus found (see paragraph 45).

The non-recurring and recurring cost of the poor law institutions should be borne by Government and the Corporation of Calcutta in a fixed proportion, outlying municipalities contributing a proportionate cost of the maintenance of the vagrants for which they are responsible (see paragraph 53).

A Board of Guardians should be constituted for the control of the poor law institutions (see paragraph 54.)

A specific and severe penalty should be introduced for persons employing children to beg (see paragraph 63.)

67. We have incorporated these specific recommendations in the draft Mendicancy Bill at Appendix D.

68. We have made the Bill applicable in the first instance, to the area comprised within the limits of the Corporation of Calcutta, but we have provided for its extension to any other town or local area and for the inclusion in Calcutta of any local area in the vicinity. We consider that it will not meet the object which we have in view if the legislation we propose is restricted to the municipality of Calcutta only. We recommend its extension to all the

outlying municipalities and especially to Howrah, where we have reason to believe the beggar nuisance is almost as great as in Calcutta.

69. In clauses 5 and 6 we have provided for the provision by Government of receiving centres and other poor law institutions and have also allowed for the certification of other buildings as receiving centres or institutions for the accommodation and treatment of vagrants in case it may be advisable to co-operate with any specialised charitable institution or to take over the control of any existing charitable institution.

70. In clauses 10 and 11 we have provided that the appointment of all officers connected with the poor law institution should be made by the Board of Guardians, subject to the approval of the local Government in the case of the Medical Superintendent.

71. We have provided for the framing of rules for the management of the institutions and in clause 16 have detailed penalties which may be awarded by the Medical Superintendent or Superintendents for disobedience or neglect of these rules. In order to meet the case of recalcitrant vagrants we have also in clause 27 provided a punishment of imprisonment on conviction by a Magistrate, for persistent disobedience and neglect of the rules.

72. Under clauses 25 and 26 penalties have been provided for refusal to go before a Magistrate, and for escape while in transit to, or while detained in, the poor law institutions.

73. We are very strongly of opinion that the punishment for able-bodied beggars is at present entirely inadequate. We have provided that every person when first declared a vagrant, whether able-bodied or not, should be remitted to the receiving centre, but after an able-bodied vagrant has had this one chance we do not consider that any further consideration should be paid to him. In clause 29, therefore, we have recommended that such person, on being declared a vagrant for a second time, should be liable to three months' imprisonment, and, if again declared a vagrant for a third or subsequent time, should be liable to imprisonment for one year. The corresponding terms of imprisonment under the English Law are similarly three months and a year, while in Ceylon they are one month and four months' with the addition in the latter case of corporal punishment not exceeding 24 lashes.

74. In clause 30 we have recommended a maximum punishment of 6 months' imprisonment or a fine of Rs. 500 for any person who allows or employs children under 16 years of age to beg, and have also made this penalty applicable to those who profit by the begging of a child under 16.

75. There appears to be a strong body of opinion that foreign vagrants should be repatriated, and we have allowed for this in clause 31, and have made such repatriation applicable to the able-bodied only who have been born outside Bengal and then after they have had a chance of obtaining employment. A penalty of six months' imprisonment has also been provided against the return of such vagrants.

76. The remaining clauses of the Bill are self-explanatory and we do not think it necessary to refer to them in particular here. We have omitted any mention of European vagrants from our recommendations, since they are already adequately dealt with under the European Vagrancy Act which provides for their detention in the work-house. We have also found (paragraph 34) that if, as proposed by the Domiciled Community Enquiry Committee, a casual ward is attached to the European Work-house, the needs of European and Anglo-Indian mendicants will be fully met.

A. D. PICKFORD.  
 DEVA PRASAD SARVADHIKARY.  
 AKRAM HOSAIN.  
 J. A. JONES.  
 G. C. MONDAL.  
 R. J. G. BALLANTYNE.  
 CHUNI LAL BOSE.  
 J. G. DUNLOP.  
 J. S. WILSON.

*The 16th October 1920.*



We desire to record our appreciation of the valuable assistance given to us by our Chairman Mr. Pickford, and by our Secretary Mr. Wilson, who spared no pains to expedite the work of the committee and to make it as thorough as possible under the circumstances. But for their devoted services the committee could not have finished its work within so short a time. Mr. Wilson drafted the report and has helped the enquiry in many ways, and Mr. Pickford has conducted the proceedings of the committee in a patient and painstaking manner, to which we desire to testify.

DEVA PRASAD SARVADHIKARY.

AKRAM HOSAIN.

J. A. JONES.

G. C. MONDAL.

R. J. G. BALLANTYNE.

CHUNI LAL BOSE.

J. G. DUNLOP.

*The 16th October 1920.*

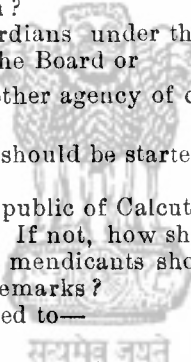


## APPENDIX A.

### Mendicancy Committee.

#### QUESTIONNAIRE.

1. Do you consider mendicancy in the street of Calcutta has increased in recent years?
  2. Do you consider mendicancy is so marked that measures should be taken to check it?
  3. What measures do you consider might be undertaken with special reference to—
    - (a) legislation—any further legislation wanted?
    - (b) workhouse—compulsory tasks in return for casual relief;
    - (c) hospital for incurables (lepers are not within our reference);
    - (d) almshouse—home for aged and infirm;
    - (e) industrial school for children.
  4. Do you consider a Children's Act is desirable?
  5. What is your opinion with regard to religious mendicants with special reference to the following :—
    - (a) should they be exempted?
    - (b) if so, absolutely or conditionally?
    - (c) if the latter, what conditions would you impose?
    - (d) what would be the attitude of the Indian public (Muhammadan, Hindu, Marwari, etc.) towards restricting the operations of religious mendicants?
  6. Accepting that Indians regard the giving of alms to mendicants as a religious act, do you think that they are likely to substitute support to public institutions for relieving mendicants for the direct giving of alms?
  7. If Poor Law institutions for dealing with mendicants are to be started, what agency of control would you advocate—
    - (a) control by the Corporation?
    - (b) control by a Board of Guardians under the Corporation?
    - (c) if (b), the composition of the Board or
    - (d) would you advocate any other agency of control?
  8. If you consider institutions should be started, where do you suggest they should be located?
  9. Do you consider the general public of Calcutta can be legitimately taxed to meet the cost of Poor Law institutions? If not, how should the cost be met?
  10. Do you consider immigrant mendicants should be repatriated?
  11. Any other suggestions or remarks?
- The above questionnaire was addressed to—

  
सत्यमेव जयते

The Chairman, Calcutta Corporation.  
„ Commissioner of Police.  
„ Secretary, Social Service League.  
Mr. Biswas, Superintendent of the "Refuge."  
The Secretary of the Calcutta Orphanage for Hindu Children.  
„ Secretary of the Muhammadan Orphanage.  
„ Superintendent, Reformatory School, Hazaribagh.  
„ Superintendent, Juvenile Jail.  
„ Superintendent, Presidency Jail.  
„ Secretary, District Charitable Society.  
„ Secretary, Indian Committee, District Charitable Society.  
„ Superintendent, Salvation Army.  
„ Superintendent, Medical College Hospitals.  
„ Superintendent, Mayo Hospital.  
„ Superintendent, Campbell Hospital.  
„ District Magistrate, Howrah.  
„ Hon'ble Dr. A. Suhrawardy.  
Rai Sahib Ram Deo Chokhani, Secretary, Marwari Association.  
Lt.-Col. S. P. Sarvadhicary.  
The Chief Presidency Magistrate.  
Mr. Mohini Mohan Chatterjee.  
Khan Bahadur Abdus Salaam.  
Dr. G. Bose.

## APPENDIX B.

*Proposed Staff for Mendicancy Institutions—*

## I.—Superintendence—

	Rs.	Rs.
(i) Medical Superintendent ...	1,000—25—1,250	
(ii) Head Matron ... (with free board equivalent to Rs. 30).	100—5—150	
Initial cost per month ...	—————	1,130

## II.—Office Staff—

(i) Head Clerk ...	100—5—150	
(ii) 2nd Clerk ...	60—5—100	
(iii) 3rd Clerk ...	40—4—60	
(iv) Duftry ...	15— $\frac{1}{2}$ —20	
(v) 2 Peons, each at ...	12— $\frac{1}{2}$ —15	
Initial cost per month ...	—————	239

## III.—Menial Staff for all institutions except hospital—

(i) Head Cook ...	20—1—25	
(ii) 3 Cooks, each at ...	13	
(iii) 2 Mates, each at ...	11	
(iv) Sweeper Sirdar ...	15— $\frac{1}{2}$ —20	
(v) 4 Sweepers, each at ...	11	
(vi) 1 Mali ...	12— $\frac{1}{2}$ —15	
(vii) 3 Durwans, each at ...	18— $\frac{1}{2}$ —23	
Initial cost per month ...	—————	206

## IV.—Receiving Centre and Casual Ward—

(i) Superintendent ...	100—5—50	
(ii) Jemadar ...	25—1—30	
(iii) 4 Durwans, each at ...	18— $\frac{1}{2}$ —23	
(iv) 2 Female Durwans, each at ...	15— $\frac{1}{2}$ —20	
(v) Assistant Sub-Inspector on deputation from the Calcutta Police ...	30—1—40—2—50	
Initial cost per month ...	—————	257

## V.—Incurable Hospital and Curable Ward—

## (a) General Staff—

(i) Medical Officer, Calcutta M. B. ...	300—15—495	
(ii) Matron ... (with free board equivalent to Rs. 30).	75—5—100	
(iii) 2 L. M. Fs., each at ...	60	
(iv) Indian Nurse ... (with free board equivalent to Rs. 12).	40	
(v) Clerk ...	40—4—60	
(vi) Sweeper Sirdar ...	15— $\frac{1}{2}$ —20	
(vii) Cooly Sirdar ...	15— $\frac{1}{2}$ —20	
(viii) 2 Malis, each at ...	11	
(ix) 1 Sweeper ...	11	
Initial cost per month ...	—————	680

	Rs.	Rs.
(b) For each 40-bed unit in Incurable Hospital—		
(i) Indian Nurse ... ..	40	
(with free board equivalent to Rs. 12).		
(ii) 4 Coolies or <i>dais</i> , each at ...	11	
(iii) 5 Sweepers, each at ...	11	
(iv) 1 Paniwalla ... ..	11	
	—	
Initial cost per month for 5 units		810
(c) Curable Ward—		
(i) 3 Indian nurses, each at ... ..	40	
(with free board equivalent to Rs. 12).		
(ii) 4 Coolies and <i>dais</i> , each at ...	11	
(iii) 4 Sweepers, each at ...	11	
(iv) Paniwalla ... ..	11	
(v) Paniwalli ... ..	11	
(vi) Compounder and Dresser ...	25	
	—	
Initial cost per month ...		291
(d) Miscellaneous—		
Kitchen (i) Head Cook ... ..	15	
(ii) 2 Cooks, each at ... ..	12	
Laundry (iii) By contract at ... ..	80	
Admission room (iv) 2 Durwans, each at ...	18— $\frac{1}{2}$ —23	
(v) Cooly ... ..	11	
Dispensary (vi) 2 Compounders and Dressers, each at	25	
Clothing Store (vii) Cooly ... ..	11	
(viii) Tailor ... ..	15	
(ix) Cooly ... ..	11	
Nurses' quarters (x) Cook ... ..	12	
(xi) Ayah ... ..	11	
(xii) Table servant ... ..	11	
Mortuary (xiii) Dome Sirdar ... ..	13	
(xiv) 2 Domes, each at ... ..	11	
	—	
Initial cost per month ...		322
Initial cost per month of whole staff of Incurable Hospital and Curable Ward ...		2,103
VI.—Alms-house—		
No special staff necessary ; work will be done by inmates, with the help of general staff.		
VII.—Industrial Home—		
(i) Superintendent ... ..	100—5—150	
(ii) 2 Overseers, each at ... ..	50— $\frac{2}{8}$ —75	
	—	
Initial cost per month ...		200
VIII.—Industrial School—		
(i) Superintendent ... ..	200—10—300	
(ii) Head Master ... ..	100—5—150	
(iii) 4 Assistant Masters, each at ...	50— $\frac{2}{8}$ —75	
	—	
Initial cost per month ...		500
Initial cost per month of all Poor Law institutions proposed ... ..		4,635
Per annum ... ..		55,620

## APPENDIX C.

## Statement of approximate cost (non-recurring and recurring) of proposed institutions.

	Rs.	Rs.
<i>A.—Non-recurring cost—</i>		
I.—Cost of 100 bighas of land at Rs. 300 a cottah	...	6,00,000
II.—Cost of erection of buildings—		
(a) Hospital—		
(i) Wards, etc.	... 4,09,175	
(ii) Residential	... 71,525	
(b) Other institutions—		
(i) Wards, etc.	... 3,33,805	
(ii) Residential	... 1,42,495	
(c) Electric installations	... 2,00,000*	
(d) Water-supply and sanitary	... 1,50,000	
(e) Miscellaneous—		
(i) Raising site (if needed)	... 40,000	
(ii) Roads and paths	... 12,500	
(iii) Compound wall	... 60,000	
	-----	14,19,500
III.—Cost of furniture and hospital equipment	...	1,00,000
IV.—Cost of light motor van	... ..	5,000
Approximate total non-recurring cost	...	21,24,500

*B.—Initial recurring cost—*

I.—Pay of staff (Appendix B)	... ..	4,635
II.—Food of inmates at Rs. 10 a head a month	... ..	7,000
III.—Cost of clothing	... ..	500
IV.—Lighting	... ..	150
V.—Upkeep of motor lorry	... ..	150
VI.—Office stationery, etc.	... ..	50
VII.—Medicines, soap, etc.	... ..	250
VIII.—Miscellaneous expenditure	... ..	200
Total monthly expenditure	...	12,935
Approximate annual cost	... ..	1,55,220

\* We consider this figure can be very greatly reduced

## APPENDIX D.

Act No. of 1921.

## The Bengal Vagrancy Act.

*An Act to deal more effectively with beggars and vagrants other than those of European extraction and for the establishment of institutions for the reception, accommodation and treatment of such persons.*

Whereas it is expedient to consolidate and amend the laws relating to begging and vagrancy by persons who are not of European extraction.

And whereas it is expedient to establish institutions for the reception, accommodation and treatment of such persons.

It is hereby enacted as follows :—

## CHAPTER I.

1. (1) This Act may be called the Bengal Vagrancy Act, 1921. Short title.
- (2) It shall come into force on such dates as the local Government may, by notification in the *Calcutta Gazette*, direct; and
- (3) It shall apply, in the first instance, only to Calcutta.
2. The local Government may, by notification in the *Calcutta Gazette*,— Further provision as to extent.
  - (a) extend this Act, or any portion thereof, to any other town or local area; or
  - (b) exclude from, or include in, Calcutta, or any other town or local area to which this Act is extended under clause (a), any portion of such town or local area in the vicinity of the same as may be stated in such notification.
3. Sections 70 and 70A of the Calcutta Police Act, 1866, and sections 40 and 40A of the Calcutta Suburban Police Act, 1866, are hereby repealed, in so far as vagrant as defined in this Act are concerned. Repeal.
4. In this Act, unless there is something repugnant in the subject or context— Definitions.
  - (1) "Calcutta" means, subject to the exclusion or inclusion of any portion of a town or local area by notification under clause (b) of section 2, the area described in Schedule I to the Calcutta Municipal Act, 1899.
  - (2) "Magistrate" means, within the limits of the town of Calcutta, a Presidency Magistrate, and outside those limits—a person exercising powers under the Criminal Procedure Code not less than those of a Magistrate of the 2nd class.
  - (3) "Vagrant" means—
    - (a) any person found asking for alms,
    - (b) any person not being physically able to earn, or being unwilling to work for, his own livelihood and having no visible means of subsistence:

Provided that such person shall not be deemed to be a vagrant if he receives alms without any solicitation for the same in the immediate vicinity of any religious place as defined by order in writing, in the town and suburbs of Calcutta by the Commissioner of Police, and outside Calcutta by the District Magistrate of the district, and is not by reason of any disease a danger to the public health:

Provided also that such person shall not be deemed to be a vagrant if engaged only in the solicitation of alms in private premises:

Provided also that such person does not come under the provisions of the European Vagrancy Act.

## CHAPTER II.

### Receiving Centres and institutions for the reception, accommodation and treatment of vagrants.

5. The local Government may provide receiving centres with their necessary furniture and establishment, at such places as they may think proper, for the reception and detention of vagrants or may, by publication of a notification in the *Calcutta Gazette*, certify any building, or part of a building, as a receiving centre, and thereupon such building or part of a building shall, until the local Government otherwise order, be deemed a receiving centre for vagrants under the Act. Receiving centres.
6. The local Government may similarly provide institutions for the accommodation and treatment of vagrants, such as hospitals for incurables and curables, almshouses, industrial homes, industrial schools or other similar institutions; or may, by publication in the *Calcutta Gazette*, certify any existing building or part of a building to be an institution for the accommodation and treatment of vagrants, and thereupon such building or part of a building shall, until the local Government otherwise order, be deemed an institution for the accommodation and treatment of vagrants under the Act. Institutions for the accommodation and treatment of vagrants.
7. All vagrants declared to be such under the Act shall be received and detained in the first instance in a receiving centre, and after examination by the Medical Superintendent or officer in charge shall be moved to one or other of the institutions for which they may be declared fit. Vagrants to be detained in receiving centre.
8. The local Government may appoint a Board of Guardians which shall consist of four members nominated by the Corporation of Calcutta, four members nominated by the local Government and four other members co-opted by them from among persons of experience in social and charitable work and acquainted with the needs of mendicants. Such persons shall hold office for such period as the local Government may, by notification in the *Calcutta Gazette*, direct. Appointment of Board of Guardians.
9. The Board of Guardians shall have the absolute control and conduct of the receiving centres and institutions provided or certified under section 5 or section 6, subject to any rules made in this behalf by the local Government. Board of Guardians to have control over receiving and other institutions.

Appointment of Medical Superintendent.

10. The Board of Guardians may, subject to the approval of the local Government, appoint a Medical Superintendent to exercise general charge of any or all of such receiving centres and institutions provided or certified under the Act.

Appointment of other officers.

11. Such Board of Guardians may also from time to time appoint such other medical and other officers and servants for the control and management of such receiving centres and institutions and generally for carrying out the provisions of the Act as they may think fit.

Power to make rules.

12. The Board shall make rules to regulate—

- (1) the times and places at which their meetings shall be held ;
- (2) the issue of notices convening such meetings ;
- (3) the conduct of business thereat ; and
- (4) the quorum necessary for such meetings.

Medical Superintendent and other officers to be public servants.

13. Every such Medical Superintendent or other officer as specified by office by a notification in the *Calcutta Gazette* shall be deemed to be a public servant within the meaning of the Indian Penal Code.

Power to make rules for management of receiving centres and other institutions.

14. (1) The Board may, with the approval of the local Government, from time to time make rules for the control and management of the receiving centres and of any hospital for incurables or curables or almshouse, industrial home or industrial school or any other institution provided or certified under the Act for the reception, accommodation and treatment of vagrants. In particular and without prejudice to the generality of the foregoing power such rules may provide for—

- (a) the search of the person and clothing of any vagrant ;
- (b) the custody or destruction of the clothing and effects of such person ;
- (c) the diet, dress and accommodation of the inmates ;
- (d) the personal cleanliness, hours of work, hours of meals, labour and general discipline and conduct of the inmates ;
- (e) the particular institution in which a vagrant may be treated ;
- (f) the taking of finger impressions and the recording of particulars for the future identification of the inmates ; and
- (g) the discharge of inmates from a receiving centre or other institution.

(2) Any rules made under this section may, with the like approval, be altered or rescinded by the Board after previous publication of the alteration or rescission.

(3) Every rule and alteration of a rule made under this section, and every rescission of any such rule, shall be published in the *Calcutta Gazette*.

Vagrants to be subject to rules.

15. Vagrants admitted to a receiving centre or other institution under the Act shall be subject to such rules of management and discipline as may from time to time be prescribed.

Punishment of vagrants disobeying rules.

16. The Board may authorise any Medical Superintendent or any officer in charge of a receiving centre or institution for the reception, accommodation and treatment of vagrant to punish any vagrant who knowingly disobeys or neglects any such rules with any one of the following punishments :—

- (a) hard labour for any time not exceeding seven days or
- (b) reduction of diet to such extent as the Board may prescribe for any time not exceeding seven days.

## CHAPTER III.

### Procedure.

Police-officer may require apparent vagrant to accompany him to nearest Magistrate.

17. Any police-officer may, within the limits of the town of Calcutta, require any person, who is apparently a vagrant, to accompany him or any other police-officer to, and to appear before, the nearest Presidency Magistrate and may, beyond those limits, require any such person to accompany him or any other police-officer to, and to appear before, the nearest Magistrate of the 1st or 2nd class exercising powers under the Code of Criminal Procedure.

Magistrate may send vagrant to receiving centre.

18. (1) The Magistrate shall in such case, or in any other case where a person apparently a vagrant comes before him, make a summary inquiry into the circumstances and character of such person ; and if he is satisfied that such person is a vagrant shall record a declaration to that effect.

(2) If the Magistrate is satisfied that he is not likely to obtain employment at once, and if he has reason to believe that a declaration of vagrancy has not on any former occasion been recorded in respect of such vagrant, he shall require the vagrant to go to a receiving centre for vagrants, and shall draw up an order to that effect.

(3) The vagrant shall then be made over to the custody of the police for the purpose of being forwarded to a receiving centre for vagrants, and the said order shall be sufficient authority to the police for detaining him in their charge while he is on his way to a receiving centre or other institution and to the Superintendent for receiving and detaining him there, or for the removal of the said vagrant from the receiving centre to any other institution for the reception, accommodation and treatment of vagrants provided or certified under this Act.

19. (1) When any person has been convicted of any offence by a Court under its summary jurisdiction, or when any person appears or is brought before such Court under the provisions of this Act, and if, after due enquiry, the Magistrate is of opinion that the person so convicted, or appearing, or brought before the Court is a vagrant within the meaning of this Act, he may, in addition to, or in substitution for, any punishment which he has power to inflict, order such person to go to a receiving centre or other institution for the treatment of vagrants. Magistrate may send vagrant to receiving centre in addition to other punishment.
- (2) Any such order shall declare that the person against whom it is made is a vagrant. Such order shall be sufficient authority to the police for keeping in custody such person on the way to a receiving centre or other institution and to the Superintendent for receiving and detaining him there, or for the removal of the said vagrant from the receiving centre to any other institution for the reception, accommodation and treatment of vagrants provided or certified under this Act.
20. Every person sent to such receiving centre or any such institution shall be detained until work has been found for him or until he is removed or discharged as mentioned herein. Detention in receiving centre.
21. Every person so detained shall, if he is physically fit, be put to such labour as the Medical Superintendent or a Medical Officer appointed by the Board of Guardians shall certify him to be capable of doing. Vagrant to be put to labour.
22. (1) Every vagrant admitted to a receiving centre or other institution shall be searched, and the vagrant's bundles, packages and other effects shall be inspected. Vagrant to be searched on admission.
- (2) The Medical Superintendent or other officer in charge may direct that any money then found with or on the vagrant shall be applied towards his maintenance while in such receiving centre or other institution, and any balance remaining shall be returned to such vagrant on his discharge therefrom.
23. Whenever a person is declared to be a vagrant and is sent to a receiving centre the Medical Superintendent or other officer in charge shall after due period and careful examination decide to which particular institution for the detention and treatment of vagrants he shall further be sent, and such vagrant shall be sent to such institution as the Medical Superintendent or other officer in charge shall decide, subject to the control of the Board of Guardians. Examination and transfer of vagrant.
24. The Medical Superintendent, Superintendents or officers in charge of receiving centres and institutions declared or certified under the Act, and the Board of Guardians shall use his or their best endeavours to obtain, as soon as conveniently may be, suitable outside employment for vagrants under their charge. Medical Superintendent, etc., to obtain outside employment for vagrants.

## CHAPTER IV.

### Penalties.

25. Any person refusing or failing to accompany a police-officer to, or to appear before, a Magistrate for the purpose of a preliminary enquiry, when required to do so under section 17, may be arrested without a warrant and shall be liable, on conviction before a Magistrate, to imprisonment, with or without hard labour, for a term which may extend to one month, or with fine which may extend to 50 rupees, or with both, in addition to any order passed under section 18 or any penalty imposed under section 29. Refusal to go before a Magistrate
26. Any vagrant who escapes from the police while committed to their charge under an order specified in section 18 or section 19, or who leaves a receiving centre or institution for the treatment of vagrants provided or certified under this Act without permission from the Medical Superintendent or officer-in-charge of such centre or institution or who, having such permission, fails to return on the expiration of such time shall, if no satisfactory reason is given for such absence, be liable on conviction before a Magistrate to imprisonment, with or without hard labour, for a term which may extend to six months for every such offence. Escaping from police, receiving centre or institutions.
27. In lieu of any punishment inflicted by the Medical Superintendent or other officer under section 16, any vagrant who knowingly and persistently disobeys or neglects any rules of management or discipline shall be liable, on conviction before a Magistrate, to imprisonment, with or without hard labour, for a term which may extend to three months. Disobeying or neglecting rules.
28. Any vagrant who refuses or neglects to avail himself of employment obtained for him under section 24 shall be liable, on conviction before a Magistrate, to imprisonment, with or without hard labour, for a term which may extend to three months. Refusing employment.
29. (1) Any person who has previously been produced or who has previously appeared before a Magistrate under section 18 or section 19, and has previously been sent to a receiving centre or any institution for the reception, accommodation and treatment of vagrants, and is again produced or appears before a Magistrate under the same sections of this Act, and is again declared a vagrant shall be liable to imprisonment, with or without hard labour, for a term which may extend to three months, and for any third or subsequent declaration as a vagrant to imprisonment, with or without hard labour, for a term which may extend to one year. Habitual vagrants.
- (2) It shall be no bar to a prosecution under this section that such vagrant, owing to the fact of his previous declaration as a vagrant being then unknown, has been dealt with under section 18 or section 19, and already sent to the receiving centre.



Causing children to beg.

30. (1) Any person who allows, causes, employs, or encourages a child under 16 years of age to beg, or profits by the begging of a child under 16 years of age, shall, on conviction before a Magistrate, be liable to imprisonment, with or without hard labour, for a term which may extend to six months, or to a fine not exceeding 500 rupees, or to both.

(2) Whoever abets or assists the commission of this offence shall also be liable to the same punishment.

Repatriation.

31. (1) If within a reasonable time, not exceeding three months from the date when he was admitted to any receiving centre or other institution for the detention and treatment of vagrants, no suitable employment is found for any able-bodied vagrant detained in such receiving centre or other institution, and such vagrant not being a British subject born within the Presidency of Bengal, the local Government may, on the application of the Board of Guardians, order him to be repatriated from Bengal; and he shall be repatriated accordingly.

(2) Any person returning to Calcutta after having been repatriated under this section shall be liable, on conviction thereof before a Magistrate, to imprisonment, with or without hard labour, for a term which may extend to six months.

(3) All the expenses of such repatriation shall be borne by the local Government.

## CHAPTER V.

### Miscellaneous.

Recovery of fines.

32. All fines imposed under this Act may be recovered in the manner prescribed by the Code of Criminal Procedure, 1898.

Fines how to be dealt with.

33. All fines recovered under this Act shall be credited to the funds of the Board of Guardians.

Institution and conduct of prosecutions. Proceedings not to be held invalid.

34. All prosecutions under this Act may be instituted and conducted by such officers as the local Government shall prescribe from time to time in this behalf.

35. No proceedings under this Act shall be deemed invalid by reason only that the Presidency Magistrate or the Magistrate of the first or second class, before whom a person, apparently a vagrant, was required to appear, or before whom a person was placed under this Act, was not the nearest.

Previous declaration as vagrant how proved.

36. In any proceedings under this Act a certified copy of the declaration recorded under section 18 or section 19 shall be *prima facie* evidence that the vagrant named therein has been, upon the summary enquiry mentioned in either of those sections, determined to be, and that he was at the date of declaration, a vagrant.

Power to make rules for guidance.

37. (1) In addition to the power conferred by sections 12 and 14, the Board of Guardians may make rules for all or any of the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, the Board may make rules—

- (i) regulating the conditions under which a building may be certified as a receiving centre under section 5 or an institution under the Act under section 6;
- (ii) regulating the appointment, leave and pension of officers and servants appointed under the Act; and
- (iii) for the general guidance of officers in connection with the enforcement of the Act.

Cost of the maintenance of receiving centre and other institutions how to be met.

38. The local Government may direct that the cost of the maintenance of any receiving centre or institutions for the treatment of vagrants, provided or certified under sections 5 and 6, and of the inmates in such receiving centres or institutions, and of the Medical Superintendent, Superintendents and other officers and servants appointed thereto, shall be defrayed from the funds of the Board of Guardians and the local Government may make rules providing amongst other things for—

- (i) the manner in which the cost is to be met;
- (ii) the supervision which may be exercised by the Commissioners of the Corporation of Calcutta over any expenditure in connection with the receiving centre or other institutions under the Act;
- (iii) the contributions to be paid to the funds of the Board of Guardians by other municipalities included in Calcutta by virtue of a notification published under clause (b) of section 2; and
- (iv) any other matters connected with the cost of maintenance of such receiving centres, institutions, inmates, Medical Superintendent, Superintendents or other officers or servants.

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