Inter-sectoral Analysis of the Migrant Backward Communities and Induction of their Children in Beggary in Mumbai & Navi Mumbai

AN EXPLORATORY CASE STUDY
Intersectoral Analysis of the Migrant Backward Communities and Induction of their Children in Beggary in Mumbai & Navi Mumbai

An Exploratory Case Study

REPORT OF A RESEARCH STUDY

by
SANMAAN
A Field Project of Prerana
Mumbai

Dr. Pravin Patkar
January 2020
Acknowledgements

Hello Readers,

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Dr. Pravin Patkar
Research Director
31st January 2020
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Abbreviations

- ACH  Additional Children’s Home
- APL  Above Poverty Line
- ASHA  Accredited Social Health Activist
- BMC  Brihanmumbai Municipal Corporation
- BPL  Below Poverty Line
- CCI  Child Care Institution
- CCL  Children in Conflict with Law
- CCTV  Closed Circuit Television
- CHETNA  Childhood Enhancement Through Training and Action
- CIF  Childline India Foundation
- CNCP  Children in Need of Care and Protection
- CPR  Common Property Resources
- CSO  Civil Society Organization
- CSS  Centrally Sponsored Scheme
- CTA  Criminal Tribes Act
- CT  Criminal Tribes
- CWC  Child Welfare Committee
- CWPO  Child Welfare Police Officer
- DCPO  District Child Protection Officer
- DCPU  District Child Protection Unit
- DNK/NS  Do Not Know/Not Sure
- DNSNT  Denotified, Nomadic, and Semi Nomadic Tribes
- DNT  Denotified Tribes
- DWCD  Department of Women and Child Development
- EBC  Economically Backward Classes
- GOI  Government of India
- GOM  Government of Maharashtra
- HRD  Human Resource Development
- ICDS  Integrated Child Development Services
- ICP  Individual Care Plan
- ICPS  Integrated Child Protection Scheme
- ILO  International Labour Organization
- INR  Indian National Rupee
- IPC  Indian Penal Code
- IPL  Indian Premier League
- IS  Interview Schedule
- JJ  Juvenile Justice
- JJB  Juvenile Justice Board
- JSS  Jan Shikshan Sansthan
- LPG  Liquefied Petroleum Gas
<table>
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<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>MCGM</td>
<td>Municipal Corporation of Greater Mumbai</td>
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<td>MPB</td>
<td>Maharashtra Prevention of Begging Act</td>
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<tr>
<td>NA</td>
<td>Not Applicable</td>
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<tr>
<td>NBCFDC</td>
<td>National Backward Classes Finance and Development Corporation</td>
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<td>NCDNSNT</td>
<td>National Commission for De-notified, Nomadic, and Semi Nomadic Tribes</td>
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<td>NCH</td>
<td>New Children’s Home</td>
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<td>NCPCR</td>
<td>National and State Commissions for Protection of Child Rights</td>
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<td>NCT</td>
<td>National Capital Territory</td>
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<td>NGO</td>
<td>Non Governmental Organization</td>
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<td>NHM</td>
<td>National Health Mission</td>
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<td>NIOS</td>
<td>National Institute of Open Schooling</td>
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<tr>
<td>NR</td>
<td>No Response</td>
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<tr>
<td>NT</td>
<td>Nomadic Tribes</td>
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<tr>
<td>OBC</td>
<td>Other Backward Class</td>
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<tr>
<td>PAN</td>
<td>Permanent Account Number</td>
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<tr>
<td>PAW</td>
<td>Prevention of Atrocities on Women</td>
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<td>PCVC</td>
<td>Pratham Council for Vulnerable Children</td>
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<tr>
<td>PDS</td>
<td>Public Distribution System</td>
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<tr>
<td>POCOSO</td>
<td>Prevention of Children from Sexual Offences</td>
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<tr>
<td>PSM</td>
<td>Preventative and Social Medicine</td>
</tr>
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<td>PUCL</td>
<td>People’s Union for Civil Liberties</td>
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<td>PWA</td>
<td>Protection of Wildlife Act</td>
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<td>RIMS</td>
<td>Repatriation Information Management System</td>
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<td>RNCT</td>
<td>Ratna Nidhi Charitable Trust</td>
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<td>RTE</td>
<td>Right to Education</td>
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<td>SBC</td>
<td>Special Backward Classes</td>
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<td>SBT</td>
<td>Salaam Baalak Trust</td>
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<td>SC</td>
<td>Scheduled Castes</td>
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<td>SCC</td>
<td>Supreme Court Cases</td>
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<td>S/CH</td>
<td>Shelter/Children’s Home</td>
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<tr>
<td>SJPO</td>
<td>Special Juvenile Police Officer</td>
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<td>SJPU</td>
<td>Special Juvenile Police Unit</td>
</tr>
<tr>
<td>SNT</td>
<td>Semi Nomadic Tribes</td>
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<tr>
<td>SOP</td>
<td>Standard Operating Procedure</td>
</tr>
<tr>
<td>ST</td>
<td>Scheduled Tribes</td>
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<tr>
<td>STOTFDA</td>
<td>Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act</td>
</tr>
<tr>
<td>UNCRC</td>
<td>United Nations Convention on the Rights of the Child</td>
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<td>UT</td>
<td>Union Territory</td>
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<td>VJNT</td>
<td>Vimukta Jati and Nomadic Tribes</td>
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<td>WP</td>
<td>Writ Petition</td>
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CHAPTER 1: INTRODUCTION
INTRODUCTION
1. Introducing Sanmaan

Project Sanmaan (which means honour) aims to enable the children found begging in the streets to enjoy their right to wellbeing and dignity and break the intergenerational cycle of backwardness and begging by children in Mumbai and Navi Mumbai. Through the main approaches of prevention, protection, and advocacy, Sanmaan intends to work with the right holders i.e. the children, adolescents, their families and other duty bearers with a rights-based development-oriented approach.

Children found begging are not safe and protected and instead are vulnerable to a variety of maltreatment and exploitation. Early in 2016, the police authorities in Mumbai started a drive wherein the roads of Mumbai were to be ‘cleansed’ of the children found begging. The children and their families/adult escorts who were found or suspected to be begging used to be taken into custody and mostly dropped far outside the city limits and away from civilization. A few children used to be dropped in some Child Care Institutions (CCIs) by using the Juvenile Justice (Care and Protection of Children) Act 2015. The children were not only being separated from their parents and institutionalized, but their fundamental rights to education and development were also routinely violated. Though socio-economically marginalised, what compounded their plight was the branding and treatment of stigma and discrimination meted out to them because of their special background of having historically belonged to the ex-Criminal Tribes, post 1951 called as the ‘Denotified Tribes’. Having been inducted into begging was violating the children’s right to dignity and well-being and their fundamental rights to survival, development, protection, and participation. The Sanmaan project is a field-based intervention initiated by Prerana against this background for the protection and dignity of these children.

Aim of the Project:
Sanmaan focuses on improving systemic response by sensitizing the duty bearers to the realities of children found begging by demonstrating and building capacities for rights-based development-oriented intervention with these children. The project strives to strengthen the families/communities to ensure that children receive appropriate care and protection from their families (for instance, they are sent to schools and not kept engaged in begging) and thereby prevent institutionalisation under the Juvenile Justice System. The project envisions strengthening the communities, where the children found in begging belong. The Sanmaan project attempts to enable the communities to develop safe spaces for children in the community, where they can develop their full potentialities. The project also intends to document the effective interventions and tools for other stakeholders to access systems, while working with children found in begging. It strives to represent the voice of the children found in begging to a larger audience for a better impact. The project aims to link the right-holders to the state provided services like protection, education, health, welfare etc.

Primary Beneficiaries:
The primary beneficiaries of the Sanmaan project are the right-holders i.e. the children engaged in begging in public places and their families including those rescued by the Mumbai and Navi Mumbai police, referred by the competent authorities of juvenile justice system as well as those
who have been contacted by Prerana through its outreach. Sanmaan works towards the prevention of induction and engagement of children in begging by strengthening community mechanisms and enabling the children to access their rights.

**Duty Bearers:**
The actors in the Juvenile Justice System often interpret the Juvenile Justice Act as requiring to “rescue” and “rehabilitate” the children found begging. They therefore are the duty-bearers within this project. These include the Mumbai Police, Child Welfare Committees, District Women and Child Development Department, Civil Society Organizations, Childline, and Child Care Institutions, etc. In addition to the Juvenile Justice System, the project collaborates with local self-government of Mumbai, Navi Mumbai and the state government of Maharashtra such as the Education Department, State Commission for the Protection of Child Rights, Civil Society Organizations providing a variety of shelter based and non-shelter-based services for children, as well as the Mumbai Working group on Child Protection ensuring that good practices are followed to ensure the safety and wellbeing of children.

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<thead>
<tr>
<th>Table 1.1: Project Sanmaan’s Accomplishments</th>
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<td><strong>Commencement of the project</strong></td>
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<tr>
<td>Total cases handled as of December 2019</td>
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<td>Cases referred to Prerana by the CWC</td>
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<td>Cases received through outreach</td>
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<td>Police Zones actively working with</td>
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<td>Children restored to their families</td>
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<tr>
<td>Children placed in Children’s Homes under the JJ Act</td>
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<td>Children enrolled in Ashram schools</td>
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<td>Children placed in Open Shelters</td>
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<td>Most children assisted by Sanmaan are concentrated in</td>
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<tr>
<td>Convergence and collaboration with govt. bodies and other stakeholders</td>
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<tr>
<td>Convergence and collaboration with CSOs</td>
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</table>
CHILDREN IN BEGGARY
2. Children in Beggary

Every ride on the metropolitan roads, every visit to a place of worship or pilgrim and other places of tourism including recreation parks and venues for weddings or other social programmes one common observation is the presence of numerous beggars of all ages. Their clothes are unwashed, dirty and stinking. Many women among them will be seen carrying a new born in their hands. There will be the aged who will also be ill or injured and handicapped. Among them will be seen children who are begging. At the traffic signals they run through heavy movement of cars and other big vehicles. They either plainly beg or sell some goods to the persons in the vehicles. On hot summer afternoons, heavy rains of monsoon or cold breezy winter evenings they run like this without any footwear, cap, raincoat or umbrella. They obviously look malnourished. While seeking alms they have been groomed to nag the patrons until they yield in disgust. Often their families or some adult relative or neighbour is seen supervising their movements and collection. They grow with the self image and identity of being unwanted, despised, the lowest among human beings, condemned, disrespected and insultingly ignored. Not just the traffic signals, they are seen begging at tourism places, places of worships, public parks, market places and at events like weddings, public celebrations, and poojas. In residential areas in Mumbai and Navi Mumbai they are seen moving as a family pretending to be hawkers selling balloons but actually begging.

They don’t seem to have a secured abode. No house, no access to basic amenities like water, toilets or electricity. The children seem far away from formal education, recreation, leisure, or childhood. Their families do not have a political clout. Together they don’t make a sizeable vote bank. The politicians, administrators and other metropolitan elites consider them as sheer nuisance and pressurise the police to cleanse their beautiful city of this human garbage. The police is apathetic to them. Incidentally, in Mumbai and Navi Mumbai these families belong to certain ethnic communities known since 1951 as the ‘Denotified Tribes’ and earlier as the ‘Criminal Tribes’ who were officially or ‘lawfully’ declared to be “addicted to the systematic commission of non-bailable offences.” This lawful unjust categorization was corrected by independent India in 1951 by the act of repealing the law. But the arbitrary powers of the police lost with the repeal were replaced with the promulgation of a new draconian law ‘The Habitual Offenders Act-1952’. With that the prejudice and injustice continue till date.

Ms. Kiran Bedi IPS a celebrity police officer, politician, Magsaysay Awardee, and currently the Governor of Puducherry publicly tweeted on 1st August 2016 -

“Ex-criminal tribes are known to be very cruel. They are hardcore professionals in committing crimes. Rarely caught and/or convicted.”

Condemning Bedi for her comments, Mr Balamurugan of PUCL(People’s Union for Civil Liberties) said, “She is the Lieutenant Governor of Puducherry, the custodian of the Constitution. Her words expose a colonial and feudal attitude. It is undemocratic and no one can be discriminated based on race, caste or religion.” Calling for sensitisation of the police
force, the human rights activist also said it was time for reforming the Police Act of 1861, which is also a colonial act.

The presence of beggars at the traffic signals is an eye sore for the governing elites. If the traffic signal is closer to the airport or located in any other high-profile location in the city then the pressure on the police to ‘cleanse the area of beggars’ is enormous. Although they cannot be driven out from the city permanently, they are repeatedly evicted from those areas and dropped far away from the city in some ill connected, ill served locations. Their households and possessions are destroyed so as to teach them a lesson. The city witnesses such cleansing drives by the police and the civic authorities against their own citizens who have been provided with no honourable livelihood options. Going by the definition of ‘children in need of care and protection’ given in the Juvenile Justice Act 2015 the children who are found in begging are the Children in Need of Care and Protection (CNCP) and hence it is the responsibility of the state to provide to them the required care and protection. In reality, these children are far from any such protection and care.

Sec 2-14(ii) of JJ Act 2015 states, “child in need of care and protection” means a child – Who is found working in contravention of labour laws for the time being in force or is found begging, or living on the street; or...
CHAPTER 2: THE STUDY
RATIONALE FOR THE RESEARCH STUDY
3. Rationale for the Research Study

The idea of conducting this research study came up when the Sanmaan team started working closely with the children rescued by the Mumbai Police as they were found begging in public places. Prerana’s contact with these children and their families was through referrals by the Mumbai CWCs and subsequently through its own extensive outreach. What was observed during the outreach and follow up visits was appalling.

Most of the children found begging in Mumbai are forced to live in abysmal, inhuman conditions on pavements and in unauthorized slums which are frequently demolished. These children and their families have apparently no access to safe drinking water, housing, latrines, urinals, bathing and washing places, electricity, or identity documents. Most of the children do not get enrolled or stay in formal schooling. Those who are enrolled often do not attend school. Those who do attend school get discriminated, bullied and end up dropping out.

During our further engagement with these children the striking phenomenon observed by us was the presence of children from the Pardhi community. Historically, under the Criminal Tribes Act 1864 the state had ascribed criminal propensities to the Pardhis. It, thus, intrigued Prerana to notice a substantial number of children and adults from this community begging in order to survive.

There was very insufficient information available in the public domain in this regard. There was little explanation on the connection between certain ethnic communities and their presence in begging in public places in Mumbai and Navi Mumbai. There was, thus, an acute need to contextualize the problem and especially the presence of children belonging to certain ethnic communities in begging and its interaction with the state and the civil society sector. The basic concern was to understand the phenomenon better so as to arrive at a better clarity about the problem and a better and workable practical recommendation for positive state and social intervention.
RESEARCH DESIGN
4. Research Design

Specific Objectives:

1. Understanding the prevalence of backward migrant community children in beggary in metropolises of Mumbai and surroundings

The study will establish the prevalence of backward migrant community children in beggary in the project area of Sanmaan in Mumbai and Navi Mumbai. The term ‘migrant’ here is a very broad term as actually most people in Mumbai are migrants. Here the term migrant has a reference to a variety of attributes such as the temporary nature of abode, living a marginalized life in a metropolis, not having been recognized as a resident of the metropolis, not having acquired any sustained abode or livelihood, being a seasonal migrant forced by circumstances and compulsions of survival or having a nomadic tradition.

2. Examining the response of the state in the situation of the above children in beggary

The study will examine a) the existing formal provisions by the state in terms of laws, policies and programmes; and b) provisions of welfare and developmental services in terms of their relevance and irrelevance, adequacy and inadequacy, match and mismatch vis-à-vis the needs of the children.

3. Examining the current role and gaps therein of the Juvenile Justice System in protecting the rights and interests of these children

The study will examine the interaction between the children, their families and the Juvenile Justice System particularly to identify the application of the JJ system and the gaps therein.

4. Understanding the factors affecting the role of the above communities in preventing or facilitating the induction of their children in beggary

The study shall try to identify the socio-economic, cultural, historical factors that are supportive of begging by children or normalize the practice and those which oppose it.

Geographic Area of the Study:
This study is conducted in certain identified locations and Child Care Institutions within the cities of Mumbai and Navi Mumbai in Maharashtra

Nature of the Study:
An exploratory case study method was adopted for this research study.

The study is exploratory on two grounds – (i) in absence of official statistics the researchers cannot state with certainty that the overall dimension, spread, and location of the case is known to them. It is being explored further though the field project and through certain exploratory
activities undertaken as part of the research, and (ii) the configuration, its constituent elements, functional relationships, dynamics; more specifically, the interface between their economic and socio-cultural characteristics and the act of begging are not known and hence, needed exploration.

Being exploratory in nature, the study had no hypotheses set in advance. However, the study was open to formulate and test any hypothesis/es that emerged during and subsequent to the data collection phase. As it tried to explore the configuration of the phenomenon, the study may appropriately be categorized as a ‘descriptive configurative exploratory case study’. The identified and pre-contacted children found begging in public places in Mumbai and Navi Mumbai and their interaction with their environment were treated as a single case.

**Nature of the Data:**
Primary data were gathered using a variety of methods and tool such as structured interviews with children and parents, unstructured interviews with stakeholders and key informants from the settlements which were part of the study and field observations including observations made by the Sanmaan team during the course of the project. Secondary data sources included other studies conducted with similar populations and print media articles on the issue.

**Units of Inquiry:**
Police, CWC, JJB, representatives of CCIs, Children, Children’s Parents/Guardians, School authorities, other residents in the sample communities, Service providers, etc.

**Units of Analysis:**
- Socio economic profile and situation, access to basic services and amenities, identity and entitlement documents
- Tradition/ customs, ethnicity, persistence and transitions therein
- Interface with the Criminal Justice System, interaction with the Juvenile Justice System – application and gaps
- Life in begging, life in the family and neighborhood, compatibility and/or incompatibility between life in begging and life in secular livelihoods
- Socio-cultural background of the children and families found in beggary
- Specific community related factors linked with the induction and existence of the children in beggary, trends, etc.
- Response of the police in rescue and post rescue phases
- Factors affecting prevention of the induction of these children in beggary
- Factors related with post-rescue operation

**Sample:**
A stratified non randomised quota sampling strategy was adopted in order to obtain as wide a representation of the communities being studied as possible; given the limited time and resources at hand. Children found in beggary in the cities of Mumbai and Navi Mumbai were divided into three sub-groups – (i) 23 children who have never been through the Juvenile Justice System (NJJ), (ii) 10 children who have passed through the Juvenile Justice System for
their engagement in seeking alms and are currently living in child care institutions (CI), and (iii) 15 children who have passed through the Juvenile Justice System for their engagement in seeking alms but have been restored to their families (CRB).

Further, parents of children found in begging were also divided into two sub-groups – (i) 11 parents of children who have never been through the Juvenile Justice System and (ii) 14 parents of children who have passed through the Juvenile Justice System. In all 73 respondents were covered in the sample.

**Techniques and Tools of Data Collection:**

The first phase involved developing structured Interview Schedules (IS) as a tool of primary data collection. This was followed by piloting the tools with the pre-contacted participants (child respondents and their parents) in order to identify gaps in the inquiry, feasibility of the line of inquiry with various participants, ease of administering the tools, and the time taken to administer each tool. Experience gathered from the pilot was then used for restructuring and finalising the first phase tools for data collection. Primary data collection using the first phase tools (ISs) was completed between April to June 2019. Seventy-three (73) pre-contacted children and their parents falling into the sub-groups mentioned above, were part of the first phase of data collection.

In the second phase of primary data collection, guidelines for unstructured interviews were prepared for various stakeholders including members of the CWC, Probation Officers and Superintendents of Civil Society Organizations and government run Child Care Institutions, Social Worker from the Juvenile Justice Board, Childline, Civil Society Organizations working on advocacy, members from the Department of Women and Child Development, and school teachers. Primary data using the second phase tools were gathered between the months of June and July 2019. The focus of each tool and sample size have been mentioned in the table below.

<table>
<thead>
<tr>
<th>Tool</th>
<th>Focus</th>
<th>Sample size</th>
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<tr>
<td>Structured Interview Schedule 1</td>
<td>Respondent profile, family profile, built environment, tenure security, access to basic services, social security, migration and relocation within the city, involvement of child in paid/unpaid work and/or begging, interaction with the system, education in residential and non-residential schools</td>
<td>23 NJJ children</td>
</tr>
<tr>
<td>Structured Interview Schedule 2</td>
<td>Respondent profile, family profile, social security, awareness and perceptions regarding protection systems and services, child’s past involvement in paid/unpaid work and/or begging, past interface with the system, present interface with the system, interface with the observation home and child care institutions</td>
<td>10 CI children</td>
</tr>
<tr>
<td>Structured Interview Schedule 3</td>
<td>Respondent profile, family profile, built environment, tenure security, access to basic services, awareness and perceptions regarding protection systems and</td>
<td>15 CRB children</td>
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</tbody>
</table>
services, child’s past involvement in paid/unpaid work and/or begging, past interface with the system, present interface with the system, interface with the observation home and child care institutions, life post restoration, current involvement of child in begging, perceptions regarding interface with the system

Structured Interview Schedule 4

<table>
<thead>
<tr>
<th>Respondent profile, family profile, built environment, tenure security, access to basic services, children’s education, migration, relocation within the city, work, social security, children’s involvement in begging, interface with the system, future plans</th>
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<td>25 parents (11 NJJ parents and 14 JJ parents)</td>
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Unstructured Interview Guides

<table>
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<tr>
<th>Organization of begging, organization of hawking, role of jaat panchayat in begging, transformation and persistence, trends in hawking and begging, nature of cases received, stakeholder’s role in rescue and rehabilitation of the child, constraints and challenges faced in role execution, points of convergence with stakeholders, services available for backward migrant children in begging, strategies to prevent the induction of backward migrant children in begging, schemes and programmes for backward migrant children in begging, gaps and challenges in service delivery</th>
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<td>Over 15 key respondents</td>
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</table>

**Ethical protocol:**
Prior to gathering any primary data, the research team ensured obtaining an informed consent from all research participants; including children, parents, and stakeholders from the civil society and juvenile justice system. In order to obtain the participants’ consent, a form was prepared listing down the details of the objectives of the study, the process of participating in the study, data recording procedures to be followed, process for voluntary withdrawal from participation in the study, and details of how the research team plans to use the data gathered from the participant. At the start of each interaction with the participant for gathering primary data, the researchers explained the contents of the consent form to the participant to obtain their approval for participating in the study. The consent form was prepared in spoken Hindi, so it is easy for the participants to understand what they are signing up for. Further, to ensure the protection of the identities of the child and parent participants, the researchers have anonymised all data presented in this study.

**Challenges & Limitations:**
- Limited time and resources.
- Challenges faced in data collection include;
  a. Inhibition among children as well as parents to answer certain questions; especially those pertaining to their involvement in begging.
  b. The physical and social setting of the interviews including the presence of family members, peers, and neighbours (for children living with family) and shelter staff.
(in case of children in Child Care Institutions) resulted in some child respondents altering their actual responses and/or holding back their original views.

c. The research team faced difficulties in gaining access to parent respondents given the work schedule of the parents. Further, parents of children who had had recent disagreeable dialogues with stakeholders such as members of the Child Welfare Committee, the probation officers, and other shelter staff refused to let their children interact with the researchers.

d. The research team also faced difficulties in accessing certain key informants especially from 3 organizations including one key staff of projects run by an academic institution due to the lack of permissions from their management for giving interviews or taking part in consultations.
CHAPTER 3: DESK REVIEW
INTRODUCTORY NOTE ON TRIBES
5. Introductory Note on Denotified Tribes

**Pardhi:**
‘Paradh’ means hunting and Pardhi is the hunter. Believed to have migrated from Rajasthan and now mostly scattered in the states of Andhra Pradesh, Madhya Pradesh, Gujarat, and Maharashtra; Pardhi is a nomadic tribe of wonderers and hunters. It is socio-culturally outside the periphery of any established religion. Prior to India’s colonization by the British the Pardhis were involved in the Indian economy through peripheral activity. A section of them called Phase paradhi (noose hunters) hunted and traded in birds and animals; another Chittar paradhi and Haran paradhi specialized in hunting deer or antelopes.

The Gay-Pardhis rode cows, Gaon-Pardhis lived on the periphery of the village, Bhil Pardhis or Shikaris dealt in firearms, and Adavichanchar wandered in the forest. Their language indicates that they were Bhils. History shows that in one night, the Holkars, the rulers of the princely state of Indore massacred 15000 Bhils. The Pal Pardhis live in tents (pals). The mainstream villagers sought birds and animals from the forest and expected the Pardhis to supply these birds and animals.

As the British categorised all of them as criminals the men came under severe repression by the police, village elites, and administrators and their household economy was crashed. The women became prime earners. It became a habit of the police to book the Pardhis for a crime in their jurisdiction. The British, administrators and village elites started engaging the Pardhi men for committing crime and used their women for immoral purposes.

The Pardhis were painted as horrible habitual criminals and were denied any legitimate jobs. The organized economic sanctions against them left them with no livelihood alternative and as the primary or supplementary income they started begging.

**Wadari:**
Wadari is a nomadic tribe mainly concentrated in Andhra Pradesh, Maharashtra, and Karnataka and is popular for its hard, laborious work habits. They are subdivided into sub groups like Mati Wadari (who do earth digging work), Gadi Wadari, Kala Wadari, Patharvat Wadari (who shape stones), Jati Wadari (who make and refurbish grinding stones) etc. Traditionally they are skilled in stone cutting, mine work, stone engraving, digging, housing construction, etc. Largely illiterate and economically backward, Wadaris have no agricultural assets. With the advent of new hard media and technology their, traditional skills are left with no demand and hence today they are not able to fulfil their basic needs such as food, clothing, and shelter. In urban areas and especially in metropolises, some Wadaris despite of being hard working have to send their children for begging to survive. As nomads they were perceived with dislike and suspicion by the British and the police. Today they are disliked and treated with suspicion by the urbanites.

**Masan Jogi:**
Masan means crematorium and *jogi* means mendicant or religious performer. They are nomads and in the list of SC in Karnataka and in OBC list in Maharashtra. They move from place to place in caravans in search of livelihood which makes it difficult to get data regarding their
population. They are known by different names like Telugu Jangams, Kilikets, Sudugadu Siddas, Kasuppas, etc. Masan Jogis are saints who reside in the Hindu graveyard. They follow Hinduism and worship Shiva. Earlier they would sit on the burial pits and obstruct burials until alms were paid. They perform black magic, spirit medication and exorcised evil spirits from haunted houses and persons. They also engage in folk arts during the harvest season from one village to the other. Masan Jogi women make Godhadis (quilts) from old used clothes. During the dry season, their men and women collect date leaves to prepare mats. Traditionally, women from this community do not practice black magic and nor beg at burial grounds. They also do not inherit parental property. In short, they are limited to household work and help their husbands in preparation of mats and godhadis (quilts) and collect alms during the harvesting season with their families.

**Waghri:**
The Waghris are historically a nomadic tribe and now legally a denotified tribe from the Kathiawad part of Gujarat. The tribe continues to be stigmatised and referred to as ‘thieves’. The name Waghri indicates the stigma. They became known in urban India as people who would sell stainless steel utensils at your doorstep in exchange of old clothes. They sell the used clothes in the old clothes’ markets preferably in villages where there is a good demand for old usable clothes. They would sell the not so usable clothes to rag buyers. In the face of discrimination and stigmatization some of them have modernised their business very well with a successful business model.

Now they provide old saris to the grape vineyard farmers, take the old clothes of retail chains and provide cloth wipes to industry workers, and buy old clothes from charities who get old clothes donations. Traditionally, however, it was believed by the mainstream residents that the Waghri women who go door-to-door buying and selling clothes actually conduct recce so that later their husbands could go back to that house for stealing or house breaking.
A REPORT OF THE NATIONAL COMMISSION FOR DENOTIFIED, NOMADIC AND SEMI NOMADIC TRIBES
6. Report of the National Commission for Denotified, Nomadic and Semi Nomadic Tribes

The denotified tribes of India have not attracted adequate attention of sociologists and social researchers. As a result, there is little empirically researched knowledge about most of them. The observation is valid for the state of Maharashtra too. There are a few exceptions like Dilip D'Souza’s journalistic account ‘Branded by Law: Looking at India’s Denotified Tribes’, a few autobiographic expressions in Marathi literature (in the category popularly called as ‘Dalit literature’) of some of the formally educated members of some of these communities, and the research note on Pardhis in Mumbai from the Tata Institute of Social Sciences, etc. In this background, the 2008 Report of the National Commission for Denotified, Nomadic, and Semi Nomadic tribes (DNSNT) stands out by a variety of its qualities. It is the first of its kind; authoritative, comprehensive, and practical. It is also utilitarian as it focuses on the important aspects of the existence of these tribes and the crisis thereof and offers many practical solutions to ameliorate the situation through positive action of the state. On this account, for the purpose of the current study we consider it only appropriate to rely upon and extensively cull out from this Report.


The Report reminds the nation of its Constitutional responsibility (Directive Principles and Article 14 and 16 (4) and Article 38) to strive to promote the welfare of the people by securing and protecting a social order in which justice – social, economic, and political will be the bedrock of the national policy framework. This very reminder in the foreword is an announcement of the abysmal socio-economic situation of the DNSNT.

The term ‘Denotified Tribes’ stands for all those communities which were notified under the several versions of Criminal Tribes Acts enforced during the British rule between 1871 and 1947 throughout the Indian territory and were ‘denotified’ by the repeal of these Acts in 1951 after India’s Independence. (P.10)

‘The denotified communities include ex-criminal, nomadic and wandering tribes, earth diggers, fishermen, boatmen and palanquin bearers, salt makers, washermen, shepherds, barbers, scavengers, basket makers, furriers and tanners, landless agricultural labourers, watermen, toddy tapers, camel-herdsmen, pig-keepers, pack bullock carriers, collectors of forest produce, hunters and fowlers, corn parchers, primitive tribes (not specified as Scheduled Tribes), exterior classes (not specified as Scheduled Castes), and begging communities etc. …These very names amply connote their social and educational backwardness...’ (P.6)

The total Nomadic (SC/ST) population works out to 4, 49, 59,058 approximately. =-The total

¹ All references of page numbers listed in the paragraphs below refer to the page numbers in the report by the Ministry of Social Justice and Empowerment
population of Nomadic communities (OBC) without extrapolation as in 1951 works out to 1, 71, 77,138. Information about 123 Nomadic communities (OBC) is not available.

**Historical perspective:**
The East India Company and subsequently the British rulers had faced a chronic challenge of recurrent rebellion and resistance from a number of freely moving ethnic communities in India. They also had a prejudiced dislike and intolerance for nomadic lifestyle. Hence, the British promulgated a draconian law, the Criminal Tribes Act 1871... “as a part of their misconceived strategy to control crime in British India by branding a large number of Indian castes and communities as criminal. This led to the creation of settlements of these tribes in various parts of the country to enable the police to exercise constant surveillance over the movement and behaviour of such tribes and thus prevent them from committing crime. This arrangement caused considerable harassment and hardships to these castes and communities and adversely affected their lifestyles and sustenance.” (P.21)

The report also states, there is historical evidence that a number of communities in the north of India were involved in the rebellion against the British in 1857. These communities were used by the rebel princes and *rajas* either directly to fight against the British or were indirectly involved in a variety of ways in assisting their armies. As a result, these communities were brutally suppressed during 1857, and later declared Criminal Tribes under the Criminal Tribes Act, (CTA) 1871. (P.23)

The CTA; originally for the Punjab and North West Frontier Provinces, was soon applied to the rest of India. It gave unlimited powers to the British administrators and local governments “to declare any tribe, section or class of people as a Criminal Tribe; to order registration of members of the Criminal Tribe and taking of their finger prints; to direct that every such registered member would report himself at fixed intervals to a police officer of the village; report to the police officer or the headman any change of residence; and to restrict the movements of Criminal Tribe members to a particular area.” (P.22) It took away the jurisdiction of the courts to question the validity of notifications issued under the most crucial sections of the CTA by the Government. The registration of an individual or a community could no longer be questioned under this section, nor could the restrictions on their movements. Under the CTA the local governments were authorized to establish industrial, agricultural, or reformatory schools and settlements for members of the Criminal Tribes where the members were forced to work often without payments. “The members were not allowed to go out without a pass, which was issued at the discretion of the manager of the settlement.” (P.22)

Taking recourse to section 16 of the Criminal Tribes Act 1924 the communities notified as criminal tribes were moved out of their original precincts and resettled in totally alien locations. These settlements were more like concentration camps. Their labour was exploited, and they were denied human rights, including right to livelihood, in the name of reformation. (P.68)

The British rulers in India plundered its natural wealth, especially the forests and enforced strict forest laws which created a monopoly ownership and “deprived a large number of communities
of their traditional rights of grazing, hunting and gathering, and shifting cultivation in specific areas. The affected communities were ignorant of the new laws, and frequently found themselves on the wrong side of the law because of the new legislation against their livelihoods. Moreover, throughout the nineteenth century, the British government cleared the forests for commercial use, and ordered the forest communities to provide the labour for the newly established plantations. The communities which resisted this move were declared criminal.” (P.22)

The process of declaring any community was arbitrary. The report states, “If ‘respectable’ people of the village (landlords, high castes or those who paid taxes to the British) testified that a community was criminal, it got notified. As mentioned earlier, a criminal could be anyone who resisted the British. A community could also be declared a criminal tribe if it resisted a local oppressive landlord or high caste member.” (P.24)

The report further states, “Indian society always had traditional groups which subsisted on alms and charity or paid in kind for ‘spiritual’ services. Such groups had a low but legitimate place in the social hierarchy of settled people. Many of them, sadhus, fakirs, religious mendicants, fortune-tellers, genealogists, traditional healers, etc., were accepted by the settled society for their services. There were groups that entertained the public through performing arts. There were nomadic musicians, dancers, storytellers, acrobats, gymnasts and tightrope walkers. The British declared a number of these nomadic communities, criminal tribes. Similarly, many nomadic groups, which entertained the public with the help of performing animals and birds (such as bears, monkeys, snakes, owls, birds) were also declared criminal tribes…A number of communities which used to work with iron, clay, bamboo, etc., made and repaired a variety of domestic articles, implements and artefacts were also notified as criminals.” (P.25)

**Hunting and food-gathering communities:**

The hunters used arrows, traps and nets or similar other strategies to catch animals. It was different from hunting for pleasure and sport and poaching and birds while food gatherers collected food like tubers, roots, shoots, berries, nuts, leaves, and fruit from plants for consumption…Hunters and food-gatherers have always been nomads…”. They have been described as small, autonomous, and highly mobile communal units spread over large territories (see Chan, 2007, *Survival in the Rainforest*, Research Series in Anthropology, Helsinki University Printing Press; Hattori, 2005, Nature conservation and hunter gatherers’ life in Cameroonian rainforest. *African Study Monographs*, Suppl. 29; Köhler, 2005, Of apes and men, *Conservation and Society*, Vol. 3, Series 2).” (P.26)

The colonial governments globally held that the hunting-gathering people did not belong to the civilized society. Foote notes that in one country colonized by the whites, living aboriginal hunter-gatherers until 1960 were counted in wildlife tallies for animals and not in the population census (Foote, 2003, cfcj-fcjc.org/clearinghouse/drpapers/2003-dra/foote.pdf). Often the hunter-gatherers were referred to as ‘primitive people’ or ‘primitive race’ belonging to the ‘past’ (Kelly, 1995, *Hunter and Gatherers and Anthropology in the Foraging Spectrum*, Smithsonian Press, Washington D.C.). Braidwood (1957, *Prehistoric Men*, Anthropology Number 37,
Chicago Natural History Museum Popular Series, Number 37) sums up the colonial view of the forest dwellers in the following words, ‘A man who spends his whole life following animals just to kill them to eat, or moving from one berry patch to another, is really living just like an animal.’ (P.26)

The report attributes the plight of the hunter gatherers to the following consequences of the forest laws,

a. Lack of access to small games, like fowl, rabbits, deer, monkeys, which used to be staple for a large number of hunting communities.

b. Lack of access to bark, roots, tubers, corns, leaves, flowers, seeds, fruits, sap, honey, toddy and other forest products, which were a regular source of nutrition for gathering communities.

c. Lack of access to fish in ponds and streams in the forest that used to be a traditional source of protein.

d. Lack of access to pastureland for grazing animals has led to a decline in the population of cattle which used to be the main source of milk and meat for some hunting-gathering communities. (P.28)

The report specifically comments on the Pardhis, “Beginning with the British rule, there has been a deterioration of forests and a ban on hunting. Under the circumstances of not getting enough food for their survival, at some point of time, the Pardhi perforce took crime as a way of life. Nagar (2008: 85) writes, ‘Like the other hunting-gathering communities given to crime, the Pardhis too probably took to crime as their forest habitat was destroyed and their hunting-gathering way of life became unviable.” (P.35)

The nomads who loved freedom of movement did not recognize international borders or national laws. The British move of curtailing the movement of the nomadic communities met with resentment from the leaders of these communities. Many nomadic and semi-nomadic groups participated in the freedom movement of 1857. They also carried sensitive information from one part to another, thereby linking different communities in the rebellion against the British. To suppress them, the British prepared a list of Criminal Tribes, in which nomads, shifting cultivators, and forest-dwellers were classified.

The development of the revenue system in India and the tenures under them recognized only proprietary rights and permanent settlements. It did not recognize the rights of the food gatherers and hunters on common property resources. There was a generalized movement of conversion of forest lands into agricultural lands. The commons were grabbed by the influential villagers. In independent India, “under the policy of ‘grow more food’, agriculture received the maximum attention to the neglect of pastoralism. Areas that were earlier used as grazing sites came to be developed for agricultural fields and were acquired by the peasant communities. For instance, the Rajasthan canal has brought vast tracts of land under cultivation, thus pushing the nomads out, who earlier used it for grazing purposes.” (P.36) This drastically impacted permanent pastures and the life of people dependent on them was seriously eroded.
Data & enumeration:
There have not been any authoritative data about the DNSNT. “The last decennial caste-wise census was undertaken in 1931 and it was possible to find the names of some Nomadic Communities in it. Also, a large number of Denotified & Nomadic Tribes have been included in the lists of Scheduled Castes, Scheduled Tribes & Other Backward Classes from time to time. However, some of the Denotified, Nomadic & Semi Nomadic Tribes are still neither in one list nor in the other.” (P.42) The serious fact is that “The Indian Constitution also does not mention the Denotified or Nomadic Tribes. It confines itself to the Scheduled Castes, the Scheduled Tribes and the Backward Classes.” (P.42)

- There are problems in the enumeration of these communities. Such factors seriously come in the way of obtaining caste and community certificates which determine their access to state benefits.
- Their names have not been recorded properly. Several synonyms exist and have been recorded in some places while in some other, they have not been recognized.
- Same groups have been mentioned with different names depending upon the language of the area.
- Some States/UTs have adhered to the suffix ‘Tribes’ vis-à-vis Denotified Tribes and Nomadic Tribes, while some have preferred to use ‘Communities’, i.e., as Denotified Communities and Nomadic Communities.
- Sometimes names have been recorded as singulars and sometimes as plurals e.g. Jogi and Jogis.
- Names of the same community are spelt differently in different states.
- In some cases, derogatory prefixes have been added unnecessarily such as ‘Donga’ (meaning thief in Telugu) in Andhra.
- Ethnicity is also dynamic phenomenon (e.g. fusion) and enumeration fails to take note of the same.
- No uniformity exists between the Hindi and English lists, in terms of their spellings and pronunciation.

Anomalies in listing of DNTs in categories of SC/ST and OBC:
There are a number of anomalies with respect to the inclusion of these communities in different well-established categories like SC/ST/OBC e.g. a single (Denotified or Nomadic) community living in contiguous States/UTs and homogenous in nature has been included in different categories.

Some examples of such cases are as follows. (P.50)
- The community of Banjara has been included as ST in Andhra Pradesh and Orissa; as OBC in Chhattisgarh, Gujarat, Haryana, Madhya Pradesh, Maharashtra, and Rajasthan; and as SC in Punjab, Delhi, and Karnataka.
- The Bediya/Bedia/Beria community has been included as SC in Chhattisgarh, Madhya Pradesh, Orissa, Rajasthan, Uttar Pradesh, and Uttarakhand; as ST in West Bengal; and as OBC in Karnataka.
- The Kanjar/Kanjari/Kanjarbhat/Chara/Kanjar/Nat community has been included as SC in Chhattisgarh, Madhya Pradesh, Delhi, Rajasthan, Uttar Pradesh, Uttarakhand, and West Bengal and as OBC in Karnataka and Maharashtra.
- The Nat (Rana, Badi)/Nut has been included as SC in Chhattisgarh, Delhi, Haryana, Madhya Pradesh, Rajasthan, and Punjab, whereas in Gujarat and Karnataka, they have been included in the OBC list.
- In some cases a single community is listed in different categories as DNT, SC, and ST with area restrictions within a same State e.g. in Madhya Pradesh, the Pardhi community has been listed as SC in certain districts, such as Bhind, Dhar, Dewas, Guna, and so on, as ST in certain other districts and tahsils along with synonyms like Bahelia, Chita Pardhi, etc. In the remaining districts of the State, they have not been given any constitutional status and treated as General Category. (P.52)

The population estimates of the Denotified tribes sent by some states to the Commission indicate as follows; Maharashtra – 65,73,112; Punjab – 2,62,469; Tamil Nadu – 21,46,755; and Karnataka – 25,58,589. As far as the lists of Denotified and Nomadic Tribes are concerned, only Chhattisgarh, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, and Uttar Pradesh have provided the lists of both Denotified and Nomadic communities, whereas Andhra Pradesh, Delhi, Punjab, Tamil Nadu, and West Bengal have provided only the lists of Denotified Communities in their respective states.

**Salient socio-economic features:**

- **Geographical Spread**
  The report states, “As a result of changes that have taken place in the country, due to various policies and programmes undertaken by the governments and having lost their means of livelihood, many of these communities have become ‘nowhere’ people. They have now become squatters, residents of urban slums and rural fringes living on public or private lands in makeshift homes, kutcha or semi-pucca houses. (P.70)

- **Social Structural Aspects**
  The Denotified and the Nomadic communities suffer the stigma of criminality and nomadism. The society at large views them with suspicion. The report laments, “The Denotified and the Nomadic communities are hounded or chased out not only by the ‘mainstream communities’, but also by the revenue, police and local self-government and Municipal administration or officials. They neither belong to the rural nor the urban areas. Rather, they are made out to be ‘nowhere people’ by all sections of the people and also by the government machinery.

  As a result, they do not possess ration cards, voting rights, caste and identity certificates, and residential address.” (P.72)
There is a decline in the joint family system. They are known by the very low age at marriage. Among the Denotified, the mean age at marriage for men is 10 years and for women is 8 years, and for the Nomadic communities it is 7 years for both men and women. (P.74)

- **Educational and occupational status:**
  Education eludes the Denotified and Nomadic communities. These communities are largely illiterate and those who are educated are educated mostly up to tenth class. Denotified and Nomadic communities have poor access to education due to the problem of livelihood security and sustenance. Children are initiated into income earning at a very young age.

“The plight of some of the peripatetic nomads is much worse due to loss of patronage, emergence of new communication and entertainment media, and the enactment of different laws by the State. Many of them have become ‘criminals’ in the eyes of law and wider society. They have now taken to begging, rag picking, prostitution and other immoral activities for their existence.”

The Commission further establishes that, “these communities have not received any benefits of government development programmes. The problem of the aged and that of destitute women is more alarming as they have not received the benefits of any governmental schemes like the old age pension. They also do not receive any financial assistance from any of the formal financial institutions. They continue to depend on moneylenders and from private sources and borrow almost on daily basis to meet their subsistence on exorbitant rates of interest (see Annexure 5, Pp. 43-46, 68-69).” (P.80)

“Nature of the communities have a bearing on the communities enrolling children in schools. In a sample of 122 communities surveyed, very negligible proportion of children are found in hostels.” (see Annexure 5, Pp.28-32 (P.82)

- **Housing:**
  The Commission considers that on the front of housing these communities face very serious problems. “They do not have any record of rights (patta) for their residential plots, though they have been living in those areas for generations, be they in public or private land or waste lands; or on the roadside or in the fringe of the villages...They face constant harassment of demolition of their settlements and eviction by the local revenue officials, municipal authorities, realtors, police and the politicians. They constantly live under these threats. Most of them live in small kutch houses (if we call them so) made of jute rags, polythene or tin sheets, etc., without any sort of public amenities like safe drinking water supply, drainage, internal roads, etc. Though these may be called as some kind of shelter, they do not protect them during rainy season.” (P.82)

**Human rights aspects:**
A study conducted by the Commission shows that community Panchayats are still active among both the Denotified and Nomadic Communities. They are called upon to resolve family
disputes, disputes between lineages, disputes over grazing and other economic rights, cases related to theft, assault, and conflicts relating to interaction with other communities. Many of the communities consider them as highly effective. However, women have no role in these traditional councils and face discrimination.

Describing the current situation, the Commission observes, “Most of the Denotified and Nomadic community members face abuse of human rights by the law enforcing authorities, realtors, politicians, landlords, and the village communities. They are exploited by every one of them. They are many a time, victims of the misuse of power by the police and the caste communities in the villages. They are arrested or illegally confined for any theft or burglary indulged in by others. Their women are not spared. They become easy victims of some of the lustful and corrupt personnel in the law enforcing machinery, and the landed in the villages. Even children are not spared. The Community Survey clearly reflects the human rights violations and abuse of power by the police and others.” (P.84)

**Reasons for decline in traditional occupations:**
The Commission Report forcefully states, “the Criminal Tribes Act of 1871, Forest Act of 1878, and revenue policies beginning with Permanent Settlement of 1793. In fact, these changes in the political fortunes as well as changes in policies and encroachments into their resources have converted these communities into criminals over time (P.87)

The report blames a variety of laws of the British and Independent India for the plight of these communities. It says, “…several laws enacted by the Government of India have affected the livelihoods of the Denotified, Nomadic and Semi-Nomadic communities. For instance, Criminal Tribes Act (subsequently repealed in 1952 but replaced by Habitual Offenders Act), Indian Forest Act (its subsequent versions), Wildlife Protection Act of 1972, Land Acquisition Act of 1984, Prevention of Beggary Acts, States adopting antiquated Bombay Prevention of Begging Act, 1959, The Drugs and Magic Remedies (Objectionable advertisements) Act 1954, Excise Act of 1944, Environment Protection and Biodiversity Conservation Act of 1999, Prevention of Cruelty to Animals Act, 1960, etc., have affected the Denotified, Nomadic and Semi-Nomadic communities by denying them access to the resources, to which they had traditional rights, and deprived them of their livelihoods. In fact, it made them criminals overnight without offering them any sustainable alternatives. The callousness of the State has only increased the misery of these communities and increased their vulnerability.” (P.91)

**Atrocities and Human Rights Violations:**
As regards atrocities and human rights violation of these communities is concerned, the report says, “If the State, which is supposed to look after the welfare of its citizens, becomes the tormentor, who can rescue its subjects and to whom can they look up to for help.”

Human rights situation of Denotified and Nomadic communities, more so in case of the former, is appalling and deplorable, to say the least. They are subjected to atrocities everyday by the police, civic and revenue administration, and the civil society. (P.95)
Elaborating their plight, the Commission states, “Denotified and Nomadic communities encounter many a humiliation, and both verbal and physical abuse for meeting their basic needs, like food and shelter, and in accessing amenities like drinking water, fuel, fodder, burial place for their dead, etc. They are constantly hounded out, living in grip of fear and threat for their existence. In light of this, one can easily understand the atrocities committed by the police, village communities, local power-holders, revenue and civic officials, who all form a cliché against these hapless Denotified and Nomadic communities. Commission has witnessed this in many places across the country that it had visited.” (P.96)

- **Gender issues:**
  The report writes, “Though women all over the world are victims of discrimination, their condition is immeasurably bad and pitiable in Denotified and Nomadic tribes. Their vulnerability to exploitation is particularly high because of the precarious condition of their communities, which are poor and socially excluded.” (P.98)

The Hindi newspaper, *Amar Ujala*, of 3 May 2008 carried a report about a petition that a nomadic community of Parisar Tehsil, Banda District (Uttar Pradesh), submitted to the administration. It said that criminals and anti-social elements of the area sexually assaulted their women, for, being homeless, they resided in open grounds, and were most irresistible to their prying eyes and attacks. The petition also alleged that the administration was totally indifferent to their problem. (P.99)

The Commission mentions a hearing from the city of Bhopal, “a number of women and children narrated their experiences of police atrocities on them. They said that they were invariably rounded up for petty thefts, confined to police stations, beaten and tortured, and released after their families succeeded in bribing the police. An absence of both policewomen and juvenile courts was noted for dealing with cases where the victims of oppression were women and children. (P.99) ….. “A report in The Tribune (2 September 2001) gave the case of such a community in Haryana which was rendered jobless as a consequence of this Act. As it was unable to locate an alternative pattern of economic livelihood, it became most susceptible to the anti-social elements, which started visiting their habitations luring males to crime and women to immoral activities. Put differently, the criminalization of the community began once its traditional life support system broke down.” (P. 100)
A REPORT ON THE STATUS OF PARDHIS IN MUMBAI CITY
7. A Report on the Status of Pardhis in Mumbai City

Although a number of ethnic communities are engaged in begging in Mumbai, the Pardhis undoubtedly dominate by their number. These communities have been little studied by social scientists. A 2011 report on the Status of Pardhis in Mumbai City released by the Tata Institute of Social Sciences, Mumbai is an exception. Although the report is limited to the Pardhis the situation of the other numerically weaker communities among the Vimukta Jati and Nomadic Tribes (VJNT) is not very different and possibly worse than that of the Pardhis. The findings of this report are summed up below.

- There study enumerated 5189 Pardhis across 1018 households in 34 Pardhi enclaves across the city. However, the population of Pardhis is higher than this number. 86% of them have migrated to Mumbai from the other districts of Maharashtra such as Solapur, Osmanabad, and Parbhani while 13.45% are from drought prone districts of Karnataka.
- Only 6 out of 31 Pardhi enclaves have a family size of 6 and above.
- Substantial Pardhi population is seasonal migrants to Mumbai who stay for 6 months or less. Being without any productive assets and located in the backward regions like Marathwada and Bjiapur they are uprooted from their native districts.
- Pardhis in 26% enclaves live in secured shelters either in regularised slums or low-income public housing.
- Hardly 26% Pardhi enclaves are located in regularised slum settlements while 74% are in non-notified slum settlements 16% of the houses are made merely of plastic sheets temporarily drawn over a couple of bamboos.
- The households living in non-notified settlements are deprived of basic public services.
- Residents in notified slums in Mumbai suburbs also purchase water from time to time.
- Like most other urban poor, the Pardhis acutely face the problem of poor sanitation. The use of public toilets is highly irregular owing to the cost of availing their services.
- Non-notified settlements do not enjoy legal supply of electricity.
- The homeless poor who are officially described as “encroachers”, experience demolition of their houses and eviction from occupied spaces of residence from time to time

**Work and employment:**

- 41% Pardhis are engaged in multiple livelihood activities. Their main income comes from casual labour and self-employment. Many Pardhi families also engage in begging to support their survival in the city.
- There has been little inter-generational occupational immobility among the various generations of Pardhis that have lived in Mumbai.
- However, there are also cases of many Pardhis who have tried to adapt to more innovative ways of earning a livelihood such as Pardhis who earlier worked as casual laborers now work as *Mukadams* owing to their knowledge of the labour market and organization of production, Pardhis who attached themselves to friends and acquaintances who could teach them how to drive and now work as drivers, and Pardhis who work as tourist guides at the Gateway of India who are fairly conversant in English and but cannot read or write in any
language. Some of the Pardhi youth have learnt to handle the camera and earn their livelihood by taking pictures of the visiting tourists.

- Besides various economic considerations, the Pardhis also weigh different work and employment options on basis of social factors with kinship being the most potent social institution.
- Those who are engaged in work such as gutter de-siltation, cleaning toilets, and sweeping streets, take up such work as a residual option in the face of want of better employment options and face ridicule and strictures within the community and in extreme cases may be considered as outcastes.
- Pardhis working in such “polluted” occupations experience a deterioration of relations and routine social interaction with their kinsmen. They are even barred from taking part in religious festivals such as joharna. Many complain that they are treated like untouchables whenever they visit their native village since their own relatives keep separate tumblers for their use.

a. **Casual labour:**
- The primary source of income for 57.5% Pardhi households, is the wages earned through casual labour.
- Most of the casual labourers are engaged in the construction industry as daily wage or piece wage workers. They find work on infrastructure project sites involving construction of buildings, roads, and laying down of underground water pipes or optical fibre cables.
- Pardhis working as casual laborers face problems such as irregular and untimely meagre wages, uncertainty and irregularity in the availability of work, absence of medical care for work related injuries, displacement by non-human technology, and informal working bands and middlemen.
- From end of January till the beginning of monsoon, the economic activity of the Pardhis is at its annual peak.

b. **Self-employment:**
- 40.5% Pardhi households are engaged in self-employment as their primary occupation while for 19% it is their secondary occupation.
- Their self-employment activities are mostly family businesses where the entire family carries out various activities like buying the raw material, making the final goods using no or simple hand tools and selling the final goods, for example, gajras, limbu-mirchi hangings, simple non-mechanical toys. Alternatively, they may be engaged in buying readymade goods from the wholesale market and selling them at higher rates, e.g. clips, flowers, cosmetics, toys etc.
- Selling joints such as local trains and traffic signals have developed as territories for certain set of families and they guard them vigilantly.
- Another form of self-employment among Pardhis is labour supervision. Some of the Pardhis, invariably men, are working as labour supervisors or Mukadams (Gangman).
- Self-employed Pardhis face problems such as fear of confiscation of wares.
c. **Begging:**

- Around 4% households are dependent, either partially or wholly, on begging for livelihood. However, informal interactions with respondents from the community indicate a much higher prevalence of this livelihood activity.
- Begging is more common among children and the aged than among the middle-aged adults.
- There is large scale presence of children in begging. They may either be initiated by their guardians in order to supplement the family income or the children may take up begging in order to fulfil some of their own wants without the cognisance of the parents and in collaboration with their siblings, cousins or friends.

d. **Salaried employment:**

- Less than 1% Pardhi households are engaged in salaried work either as a primary or secondary occupation. These members are mainly employed by private agencies as security guards on contract basis.

**Identity & Other Entitlement Documents**

The status of possession of individual identity and other entitlement documents given in the above report is attached in the Annexure. A cursory look at the same gives the following picture.

- **Birth Certificate** - In 6 out of 31 Pardhi enclaves, no households possess a birth certificate. 13 enclaves have less than 25% of households possessing birth certificates.
- **Caste Certificate** - In 15 out of 31 Pardhi enclaves, not a single household possesses the caste certificate. While in 10 enclaves it is possessed by less than 25% households. Surprisingly in an enclave near Royal Hotel Juhu 73% households have caste certificates. A regularized enclave in Juhu has 67% households possessing caste certificates.
- **PAN Card** - When it comes to PAN cards, in 14 out of 31 enclaves, no household possesses a PAN card while in 9 enclaves less than 25% households possess a PAN card. Ambjuwadi, Jai Ambe Nagar (93% households), and Khar slum, possess high number of households possessing PAN cards.
- **Bank Account** - In 8 out of 31 enclaves in Mumbai, not a single household has a bank account. In 17 out of 31 enclaves, less than 25% households possess a bank account.
- **Voter Card** - While in 6 enclaves no household has a Voter Identity card, in most enclaves the proportion of the households possessing a Voter Identity card is extremely impressive with 5 enclaves showing that percentage to 100.
- **Ration Card** - Most enclaves possess ration cards. In 5 enclaves, 100% households possess ration cards. In 8 enclaves, the proportion of households possessing ration cards is above 85%.
MAKING STREET CHILDREN MATTER - REPORT BY ACTION AID & TISS

There are several categories of apparently abandoned children who live on and off the streets of Indian metropolises. They are commonly identified by the nature of their economic survival strategies. Some are seen working in informal usually exploitative wage sectors and are called child labourers. Some of them work on the streets or at night sleep on the streets or do both. There are others who hawk at the crowded traffic signals selling toys, mirchi-limboo (a string of lemons and chillies meant to ward off the evil), flowers, fruit, magazines, etc. There are some who alternate between hawking and begging, and there are still some others who only beg. They appear to be belonging to a certain age group. Most of them are boys but there are girls too especially in hawking and begging. They have been a subject of interest to social workers, child welfare interventionists, and social researchers.

A 2013 study of street children in Mumbai by the Tata institute of Social Sciences, Mumbai presents to us the overall profile of these children. A gist of the major findings of the study are presented below.²

Besides doing the headcount and establishing the profile of the children, the study also tried to find out why children live on the streets, and what their current problems and future aspirations are. Although it was a study of street children, it covered the suburban railways and children attending day care and night care centres run by NGOs working with street children. Other than the streets, the study also documented case studies of urban poor settlements/areas which did not necessarily fit into the operational definition of street children but had children whose situation was very “vulnerable”.

Headcount:
- The study enumerated a total of 37059 street children – 36154 children living on the streets and 2.5% (905 children) on railway trains and platforms.
- Of the total children, 70% were boys and 30% were girls.

Age of children
- 20.80% children were in the age group of 16 to 18 years, 18.80% in the age group of 13 to 15 years, and 17.80% in the age group of 10 to 12 years.
- With advancing age, the number of boys increased while the number of girls decreased.
- Early marriage among girls due to protection concerns, threat of traffickers, and exploitative relationships.

Education:
- 24% children were illiterate.
- Rate of illiteracy slightly higher among girls.

Work:
- 11.50% children were found hawking (selling flowers, newspapers, fruits, and other items)
- 7.9% were found begging
- 2.5% into construction work
- 2.5% did whatever work was available

Location:
- 51.37% children were found on the street, 13.33% in hutments, 10.25% at construction sites, and 12.70% at market places. All these children were 10 years old or above.
- 0.53% children were found in drop-in centres
- Most of the children with some disability were engaged in begging on the streets.

Emerging trends (Sample survey):
- Majority of the children worked for money. Expenses were mostly on food, contribution to parents, and toilet and bath facilities.
- 25% children skipped meals due to lack of money and dependence on others for food.
- Most children used paid toilets and public toilets. For drinking water, most children used community taps and public wells. Sometimes, they borrowed, purchased, or stole water.
- Observations of verbal abuse were highest, followed by physical abuse. Children were mostly abused either by parents, guardians, other street children, relatives, police, travellers in cars, or several of these; or by others who have not been specified.
- Threats from police, displacement, were perceived mostly at nights, especially in sleeping places.
- Notes from the field frequently indicated concern over being displaced by the Brihanmumbai Municipal Corporation (BMC) and anxiety over the same. The BMC taking away goods and having to bribe BMC was also indicated.
- 65.2% children had attended government or municipality run schools, and informal centres for education at some point; and 31.2% had never attended school.
- 77.7% children were not aware of available sources of assistance.
- 53.3% children possessed one or more form of documentation such as education certificates, ration card, government recognized identity cards or Aadhar card, and other documents not specified.
- In the sample survey, 4.8% (35 of 728 children) belonged to notified and de-notified tribes.
- Majority of the children were either found hawking (18.7% or 136 of 728) or begging (13.3% or 97 of 728).
- Most of the male and female children (456 out of 515 as 213 were not reported as working) were engaged in 1 to 20 hours a week in the main activity (work) they cited. Researcher notes suggest that children wake up as early as 4 am to work.
CHAPTER 4: LEGAL SITUATION
LEGAL SITUATION OF BEGGARY
9. Legal Situation of Beggary

In India there is no union/federal law against begging. The first law in independent India was The Bombay Prevention of Begging Act 1959 which was promptly made applicable also in the Union territory of Delhi. Twenty other Indian states followed the same law. In the state of Maharashtra, it was amended as The Maharashtra Prevention of Begging Act, 1960 (Act No. 10 of 1960). This law penalises persons found begging in public places, persons found begging in private places if the occupier of such places complains against it, the adults depending on the earnings of begging of a person, and provides to put in indefinite detention in a Certified Institution those persons who are blind, crippled, or otherwise incurably helpless.

Sec 2 of the MPB Act 1960 defines begging as follows;

“Sec. 2. Definitions. - (1) In this Act, unless the context otherwise requires -

(i) "begging" means-

(a) soliciting or receiving alms in a public place, whether or not under any pretence such as singing, dancing, fortune-telling, performing or offering any article for sale;

(b) entering on any private premises for the purpose of soliciting or receiving alms;

(c) exposing or exhibiting, with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease whether of a human being or animal;

(d) having no visible means of subsistence and, wandering about or remaining in any public place in such condition or manner, as makes it likely that the person doing so exists by soliciting or receiving alms;

(e) allowing oneself to be used as an exhibit for the purpose of soliciting or receiving alms;

but does not include soliciting or receiving money or food or gifts for a purpose authorized by any law, or authorized in the manner prescribed in Greater Bombay by the Deputy Commissioner.

The MPB Act 1960 also provides for punishment to the person who causes or uses someone to beg. “Sec 11. Penalty for employing or causing persons to beg or using them for purposes of begging. - Whoever employs or causes, any person to solicit or receive alms, or whoever having the custody, charge or care of a child, convinces at or encourages the employment or the causing of a child to solicit, or receive alms or whoever uses another person as an exhibit for the purpose of begging shall on conviction be punished with imprisonment for a term which may extend to three years but which shall not be less than one year.”

In case of persons below the age of 18 years the above Act referred them to the Juvenile Court under Sec 40 of The Bombay Children’s Act 1948. Subsequently with the promulgation of the Juvenile Justice Act in 1986, the children were treated not as offenders but as children in need
of care and protection under Sec 2 (f) of the JJ Act. The JJ Act, which is largely a procedural law considers a child found in begging as a child in need of care and protection.

Sec 2(14) of the JJ Act defines a child in need of care and protection. Subsection (ii) specifically makes reference to child found in begging.

As per the Sec 2(8) of the JJ Act 2015 - “begging” means—
  i. soliciting or receiving alms in a public place or entering into any private premises for the purpose of soliciting or receiving alms, under any pretense;
  ii. exposing or exhibiting with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease, whether of himself or of any other person or of an animal;

There are thus two legal definitions of begging in India and going by the Sec 2(8) of J J Act the definition in JJ Act shall prevail. Interestingly the definition given in the JJ Act does not cover the wording “… whether or not under any pretence such as singing, dancing, fortune-telling, performing or offering any article for sale;”

The provision of J J Act Sec 1(4) states

(4) Notwithstanding anything contained in any other law for the time being in force, the provisions of this Act shall apply to all matters concerning children in need of care and protection and children in conflict with law, including —
(i) apprehension, detention, prosecution, penalty or imprisonment, rehabilitation and social re-integration of children in conflict with law;
(ii) procedures and decisions or orders relating to rehabilitation, adoption, re-integration, and restoration of children in need of care and protection

Which should mean using ‘under any pretence of offering any article for sale’ is not an offence unlike stated in the MPBA 1960

As an important departure from the Bombay Children’s Act 1948 the JJ Act 2015 considers a child found in begging as a child in need of care and protection and not as an offender to be produced before the Juvenile Court.

Despite the provisions of the JJ Act 2015 the penal provision against begging in the Maharashtra Prevention of Begging Act 1960 continued and the police kept enforcing it through their anti beggary drives so as to keep the city ‘clean’ and ‘beautiful’. Going strictly by the text of the law this was still valid in case of the adult. However, in a PIL by Harsh
Mandar and Karnika Sawhney, the Delhi High Court vide its Order dated 8 August 2018 decriminalised begging. It squarely blamed the government for failing to provide food and jobs to the people.

The petitioners had argued, “The State simply cannot fail to do its duty to provide a decent life to its citizens and add insult to injury by arresting, detaining and... imprisoning persons who beg, in search for essentials of bare survival,”,. Acting Chief Justice Gita Mittal and Justice Hari Shankar of the Delhi High Court observed, “People beg on the streets not because they wish to, but because they need to. Begging is their last resort to subsistence,”. “Criminalising begging is a wrong approach to deal with the underlying causes of the problem (and) violates the fundamental rights of some of the most vulnerable people.”
LAWS VIOLATED
THE RIGHT TO LIFE
10. Laws Violated the Right to Life

Various laws passed and enforced by the British rulers in their colonies had one clear intention namely bringing about uniformity in the administration throughout the colony that will facilitate the plundering of the wealth of the colonies by overcoming any obstacles in the way, literally. Cleansing of the trade routes in various parts of India by promulgating draconian laws using brutal coercive police force and at times annihilating certain ethnic communities who offered resistance along those routes was one such way.

The British land related laws supported the Zamindari system. In Independent India especially through the passage of the Tenancy Act of 1957 which made the tillers the owners of their land. Other egalitarian moves by the Government of India for the redistribution of lands to the landless mainly affected the fallow lands of the commons. Under the pressure of growing more food and becoming self sufficient on the food front large tracts of forest lands were converted into agricultural lands. While these moves gave fillip to food security, they had many adverse impacts on a number of invisible and marginalised communities such as the tribals and the denotified and nomadic communities (hunters, food gatherers, and foragers) who lived on these pastures, forests, and common lands. Their livelihood was taken away without compensation.

With the promulgation of the Protection of Wildlife Act 1972 (PWA) these communities were further stripped of their traditional rights to trap or hunt birds and animals. In the name of protecting the traditional livelihood of the fishermen communities the PWA did not forbid fisher communities from catching yet another wild life, the fish and other aquatic life from the sea and rivers. The DNTs, NTs, SNTs who depended upon wild life (animals and birds) for trapping, hunting or performances, meat. medicine or just keeping as pets were discriminated against. Their livelihood was taken away without compensation.

The acknowledgement of forest as wealth led both the governments the colonial and the post independence, to pass more and more laws under which in the name of protecting forests the nearby human societies especially the forest dwellers were alienated from the forests. The Forest Conservation Act of 1980 practically completed this process of alienation. Nonetheless, the politically relatively better organised forest dwelling tribals ensured that their access to the forests to collect minor forest produce were protected under the nistar rights (under which they could collect minor forest produce such as fruit, fibre, fuel, firewood, flowers, honey, gum, tuberous roots not only for their own consumption but also collect headloads which they could sell. In the process, the other ethnic nomadic, semi nomadic, and denotified communities who traditionally depended upon the forest were completely ignored. Subsequently in 2006 the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (STOTFDA) was passed to further strengthen the rights of the forest dwelling communities in forest. However, vide its Sec 2 (l) stating “any other traditional right customarily enjoyed by the forest dwelling Scheduled Tribes or other traditional forest dwellers, as the case may be, which are not mentioned in clauses (a) to (k) but excluding the traditional right of hunting or trapping or extracting a part of the body of any species of wild animal ensured that the DNTs, NTs, SNTs were once again severely discriminated against”
The STOTFDA made an exception and took away the traditional source of livelihood and as a consequence the Right to Life, from the DNTs, NTs, SNTs. The laws on land acquisition and project displacement made provisions to compensate to some degree the losses of the land holders but the right to livelihood of the landless agricultural labour and a host of food gatherers, foragers, DNTs, NTs, SNTs was flatly ignored.

The Government of India (GOI) policies on forest, sea, rivers, wild life, and other natural resources were not guided by the State’s mandate under the Directive Principles of State Policy but by other political calculations namely the vote banks. The erosion of their traditional livelihood thus also variously violated Article 14 of the Indian Constitution; the promise of the right to equality.
THE ORDER OF DELHI HIGH COURT SCRAPPING MOST OF THE ANTI-BEGGARY LAW
11. The Order of Delhi High Court scrapping most of the Anti-Beggary Law

IN THE HIGH COURT OF DELHI AT NEW DELHI
Reserved on: 7th August 2018, Date of decision: 8th August 2018
+ W.P.(C) 10498/2009 & CM APPL. 1837/2010
HARSH MANDER & ANR. ..... Petitioner Vs. Union of India & Ors
+ W.P.(C) 1630/2015 KARNIKA SAWHNEY...Petitioner Vs. Union of India & Ors

These writ petitions challenged the constitutionality and validity of all sections, except Section 11, of the Bombay Prevention of Begging Act, 1959 (hereafter referred to as the ‘Act’), as extended to the Union Territory of Delhi (now the NCT of Delhi) vide G.S.R. No. 638 dated 2nd June, 1960, published in the Gazette of India, pt. II, Section 3(i), dated 11th June, 1960 on the ground that it violates the Fundamental Rights guaranteed under Articles 14, 19, 20, 21 and 22 of the Constitution of India.

Section 2(1)(i)(a) violates Article 14 in as much as it does not make any distinction between persons who solicit or receive money for authorized purposes and those who are singing, dancing, or engaged in similar activities. Further, pretense is a very vague term for the police to take action on begging.

Criminalisation of begging by the Act deprives a person of the right to obtain basic necessities of life. The Act further requires people to make an unreasonable choice between committing a crime to be rehabilitated or not commit the crime and starve which goes against the spirit of the Constitution and violates Article 21.

The Supreme Court has emphasised that food, clothing and shelter constitute the essential needs of every human being in (1990) 1 SCC 520 Shantistar Builders v. Narayan Khimalal Totame the Supreme Court held thus

9. Basic needs of man have traditionally been accepted to be three — food, clothing and shelter. The right to life is guaranteed in any civilized society. That would take within its sweep the right to food, the right to clothing, the right to decent environment and a reasonable accommodation to live in. The difference between the need of an animal and a human being for shelter has to be kept in view. For the animal it is the bare protection of the body; for a human being it has to be a suitable accommodation which would allow him to grow in every aspect — physical, mental and intellectual. The Constitution aims at ensuring fuller development of every child. That would be possible only if the child is in a proper home. It is not necessary that every citizen must be ensured of living in a well-built comfortable house but a reasonable home particularly for people in India can even be mud-built thatched house or a mud-built fire-proof accommodation.”

Conclusions :
40. When, in the backdrop of the above discussion, we examine, holistically, the provisions of the Act, we find that, while most of the provisions contained therein directly deal with begging, treating it as an offence, or other provisions ancillary thereto, there are certain provisions which
do not treat beggary per se as an offence and which therefore, may not be hit by the vice of unconstitutionality.

41. We are, therefore, spared the necessity of striking down the entire Act, wholesale. The provisions which treat beggary/ begging, as an offence, committed by the beggar, or are ancillary thereto, would be Sections 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29. W.P.(C)Nos.10498/2009 & 1630/2015 Page 22 of 23

42. These provisions either treat begging as an offence committed by the beggar, or deal with ancillary issues such as powers of officers to deal with the said offence, the nature of enquiry to be conducted therein, punishments and penalties to be awarded for the offence, the institutions to which such “offenders” could be committed and procedures following the awarding of sentence for committing the said offence. These provisions, in our view, cannot sustain constitutional scrutiny and deserve, therefore, to be struck down.

Result

44. In the result, we declare Section Sections 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 of the Bombay Prevention of Begging Act, 1959, as extended to Delhi, as unconstitutional and strike down the said provisions.

45. The inevitable sequitur to our decision would be that all prosecutions, under the Act against persons alleged to have committed the offence of begging, would be liable to be struck down. The power to do so would, however, appropriately vest in the Courts seized of such prosecutions, and we, therefore, limit ourselves to observing that the fate of such prosecutions, if any, would have to abide by the present judgment, and our observations and findings contained herein.

As stated earlier the anti-beggary law is a state law and over 20 states in India have promulgated it in their states. The above Order of the Delhi High Court delimited the scope of the said law its scope remained limited to the state of Delhi. Although the Order was issued in August 2018 till date there is no information if any other high courts of any other states have been moved by any child rights organization or an alert individual seeking a similar Order for their respective state.
CHAPTER 5: PRIMARY DATA
FINDINGS FROM THE PRIMARY DATA
12. Findings from the Primary Data

This chapter presents an integrative analysis of the quantitative research findings across the settlements and individual households which were part of the survey. The chapter covers findings against research indicators such as education, contacts with village, work profile for adults and children, social security, housing, basic services, protection concerns for children, and their awareness, perceptions, and interface with various stakeholders in the Juvenile Justice System.

12.1. Basic profile of the respondents

12.1.1. Age and sex

Table 12.1: Gender distribution across age groups for child respondents; N=48

<table>
<thead>
<tr>
<th>Age-group Yrs</th>
<th>Total Girls</th>
<th>%</th>
<th>Total Boys</th>
<th>%</th>
<th>Total Children</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 to 9</td>
<td>6</td>
<td>13%</td>
<td>6</td>
<td>13%</td>
<td>12</td>
<td>25%</td>
</tr>
<tr>
<td>10 to 14</td>
<td>12</td>
<td>25%</td>
<td>21</td>
<td>44%</td>
<td>33</td>
<td>69%</td>
</tr>
<tr>
<td>15 to 18(^3)</td>
<td>2</td>
<td>4%</td>
<td>1</td>
<td>2%</td>
<td>3</td>
<td>6%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>20</td>
<td>42%</td>
<td>28</td>
<td>58%</td>
<td>48</td>
<td>100%</td>
</tr>
</tbody>
</table>

Of the total child sample population (48 children), 58% were boys and 42% were girls. The lower representations of girls could be because of adverse sex ratio, early marriages or a higher incidence of missing. This needs further probe.

The average age of children found in beggary is 12 years.

Table 12.2: Respondent age (Parents); N=25

<table>
<thead>
<tr>
<th>Age (in years)</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 to 30 years</td>
<td>10</td>
<td>40%</td>
</tr>
<tr>
<td>31 to 40 years</td>
<td>9</td>
<td>36%</td>
</tr>
<tr>
<td>41 years and above</td>
<td>3</td>
<td>12%</td>
</tr>
<tr>
<td>DNK/NS</td>
<td>3</td>
<td>12%</td>
</tr>
<tr>
<td>Grand total</td>
<td>25</td>
<td>100%</td>
</tr>
</tbody>
</table>

Of the total adult sample population (25 parents), 84% were females and 16% were males. A majority (76 %) of parents is in the age group between 20 and 40 years. As during the day time when interviews were conducted there were more women available to represent the households.

\(^3\)The 15 to 18 years age category does not comprise of any individual who is 18 years old.
12.1.2. **Marital status**

Of the total adult respondents, 72% were reported married, 24% widowed and 4% separated. For the given age group widowhood is significant at 24%.

12.1.3. **Religion**

Of the total respondents of 73 (parents and children), 88% followed Hinduism while 1% adhered to Christianity.
12.1.4. Tribe

Of the total 73 respondents (parents and children), a majority (approximately 62%) belongs to the Pardhi community; of which 11% were Gav Pardhis, 3% Gai Pardhis, 7% Phase Pardhis, and 1% each of Mati and Mahadeo Pardhis. A dominant majority (84%) of the children and their parents found in begging in Mumbai and Navi Mumbai belongs to the Pardhi and Wadari communities.

12.1.5. Native state and village

A majority (82%) of the respondents was from within the state of Maharashtra – 30% from Solapur, 15% from Osmanabad, 12% from Parbhani, 7% each from Nanded and Akola, and the remaining from Mumbai, Jalna, Nashik, Pune, Thane, and Washim districts. The remaining respondents belonged to the states of Karnataka (mainly from Bidar and Gulbarga), Gujarat (Mehsana and Banaskantha) and Telangana (Hyderabad and Medak). All Pardhis in the sample were from Maharashtra while the Wadaris were migrants from within Maharashtra and Dadra and Nagar Haveli Union Territories.
12.2. Education
While the Right to Education Act 2009, the Sarva Shiksha Abhiyan, as well as the National Plan of Action for Children 2016, mandate the provision of equitable access to education for children, mere access and enrolment in schools does not ensure that all children are in school and learning as is seen in the case of children from the backward migrant communities in Mumbai and Navi Mumbai.

12.2.1. Current school enrolment status

Of the total child sample population (48 children), 75% were enrolled in formal schools. Across the three categories of children, 61% NJJ children, 93% CRB children, and 80% CI children were enrolled in formal schools. Overall, of the 25% who were not enrolled in formal schools, 39% were NJJ children and 7% were CRB children. The 20% CI children not attending formal schools were enrolled for informal study classes to prepare them for formal schooling. More girls as compared to boys in the age group of 5 to 14 years were ‘out of school’. Overall, more girls than boys were not enrolled in school. This echoes the findings of the earlier studies reviewed above. There doesn’t seem to be any change in the situation.

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4 At the time of conducting the survey.
In the sample households with parents as respondents, there were 56 children (24 girls and 32 boys) in the school-going age of 6 to 14 years. Of these children, 18% had never been enrolled in school. Constant relocation which causes a disruption in daily lives and children having to spend school hours in seeking alms were cited as the main reasons for children being out-of-school. Among the 22 children who were enrolled in school, children spending school hours in seeking alms was cited as the main reason for irregular school attendance.

12.2.2. Type of school

Out of the 24 boys enrolled in school at the time of the study, 38% were enrolled in tribal Ashram schools (residential school) while 62% were enrolled in non-residential schools. All the 38% boys in Ashram schools belonged to the Pardhi community. Not one of the 12 girls enrolled in school at the time of the study, was in Ashram schools; indicating among other things a preference for sending girls to non-residential schools for girls.

“The parents should be willing to place the child in an Ashram school. The CWC also suggests the child to be enrolled in an Ashram school. If the parents don’t want to place the child in Ashram school, the child would be pushed back into vulnerable situation the child came from. There is no Pardhi child who has been in an institution for more than
2-3 years. The situation is changing. Now, the Pardhi community parents on their own, approach the CWC to place the child in an institution. They are witnessing that children from other families who stayed in streets, are now educating (their children) and doing well. In comparison to 2006, in year 2019, the situation is different. They are understanding the importance of education.” – Milind Bidwai, Asst. Director, Salaam Baalak Trust

**Ashram schools versus non-residential schools**

![Figure 12.7: Who enrolled child in school; N = 6 non-residential and 8 Ashram school children](image)

Around 88% boys in Ashram schools and 67% boys and girls in non-residential schools had been enrolled by their parents. 50% of those studying in Ashram schools had spent at least 5 years or more indicating a long-term association.

Further, 75% children in Ashram schools wanted to continue staying there for various reasons such as their parents’ choice, availability of meals on time, freedom from having to seek alms, getting to learn new things and a general liking for the school [also discussed in the sub-sections below].

**Table 12.4: Basic supplies received at ashram school**

<table>
<thead>
<tr>
<th>Basic supplies received at ashram school</th>
<th>No. of responses</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mattress</td>
<td>8</td>
<td>100%</td>
</tr>
<tr>
<td>Blankets</td>
<td>8</td>
<td>100%</td>
</tr>
<tr>
<td>Clothes</td>
<td>8</td>
<td>100%</td>
</tr>
<tr>
<td>Undergarments</td>
<td>7</td>
<td>88%</td>
</tr>
<tr>
<td>Footwear</td>
<td>8</td>
<td>100%</td>
</tr>
<tr>
<td>Toiletries</td>
<td>8</td>
<td>100%</td>
</tr>
<tr>
<td>Towels</td>
<td>6</td>
<td>75%</td>
</tr>
<tr>
<td>Scholastic materials</td>
<td>5</td>
<td>63%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>58</strong></td>
<td><strong>725%</strong></td>
</tr>
</tbody>
</table>
Though none of the children living in Ashram schools reported receiving any monetary assistance from the government, other than residential services they are also provided with a host of basic supplies [see table 12.4 above] for meeting their daily needs and educational requirements. Overall, though Ashram schools appear as an appealing option for children from backward migrant communities given the hardships they must face in rural as well as urban living, they are not as popular as compared to non-residential schools.

12.2.3. Children “in” and “out of school”

![Figure 12.8: Children “in” and “out” of school: current status](image)

(highly irregular is a substitute term for ‘dropped out’)

Merely enrolling children in school does not indicate that the children are in school and learning. Only 52% of the children enrolled in school were attending school regularly; of which 76% were boys and 24% were girls. Of the 48% who were “out of school”, 65% were girls and 35% were boys – 13% children had never been enrolled in school, another 13% had dropped out, and 23% were enrolled but had extremely irregular attendance. Thus, overall, more boys than girls were “in” school and attending regularly.

The following sections look at children who are “in” and “out” of school based on the three categories of child respondents -

**Children who never came in contact with the Juvenile Justice System**

<table>
<thead>
<tr>
<th>Table 12.5: Children who are “in” school and “out-of-school” among children never passed through JJ System</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJJ Children “in” school and “out-of-school”; N=23</td>
</tr>
<tr>
<td>G= girls &amp; B= boys</td>
</tr>
</tbody>
</table>

PRERANA
In the NJJ category, 13% had never been enrolled in any formal school, 35% though enrolled had irregular school attendance and 26% had dropped out. Only 26% children were “in” school and attending regularly. All these children were boys belonging to the Pardhi community and were attending ashram schools. Overall, 9% children of the Masan Jogi community, 35% children of the Pardhi community and 30% children of the Wadari community were “out of school”.

**Children who have come in contact with the Juvenile Justice System and were placed in Child Care Institutions**

<table>
<thead>
<tr>
<th>Category wise tribe</th>
<th>Never enrolled</th>
<th>Enrolled but irregular</th>
<th>Dropped out</th>
<th>In school and attending regularly</th>
<th>Grand total</th>
<th>Grand total %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Masan Jogi</td>
<td>1G 4%</td>
<td>1G 4%</td>
<td>0 0%</td>
<td>0 0%</td>
<td>2</td>
<td>9%</td>
</tr>
<tr>
<td>Pardhi</td>
<td>1G &amp; 1B 9%</td>
<td>1G &amp; 2B 13%</td>
<td>1G &amp; 2B 13%</td>
<td>6B 26%</td>
<td>14</td>
<td>61%</td>
</tr>
<tr>
<td>Wadari</td>
<td>0 0%</td>
<td>3G &amp; 1B 17%</td>
<td>3G 13%</td>
<td>0 0%</td>
<td>7</td>
<td>30%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>3 13%</td>
<td>8 35%</td>
<td>6 26%</td>
<td>6 26%</td>
<td>23</td>
<td>100%</td>
</tr>
</tbody>
</table>

In the CI category, prior to coming in contact with the Juvenile Justice System, only 50% children were enrolled in formal schools. However, all these children had irregular school attendance. In comparison, at the time of conducting the survey, 80% CI children were enrolled in school and attending regularly; given the supervision of the shelter staff. For 63% of these...
children, the school was within the shelter premise easing their physical access to school. The remaining 37% whose school was outside the shelter premise, travel to school was managed and supervised by the shelter staff. Further, as discussed earlier in this chapter, the 20% children who were not enrolled in formal schooling were attending non-formal study classes at the shelter. Besides studies, they were engaged in learning English, watching television, playing, and learning dance and drawing.

**Children who have come in contact with the Juvenile Justice System and were restored to their families**

| Table 12.7: Children who were “in” school and “out-of-school” (pre-recuse) among children who have been restored to their family |
|---|---|---|---|---|---|---|---|---|
| Category wise tribe | Never enrolled | Enrolled but irregular | Enrolled but never attended | Dropped out | In school and attending regularly | Grand total |
| | Percentage | Percentage | Percentage | Percentage | Percentage | Percentage |
| Pardhi | 1B | 7% | 40% | 0 | 2B | 13% |
| Wadari | 1G & 1B | 13% | 0 | 0 | 1G | 7% |
| Waghri | 0 | 0% | 7% | 0 | 0 | 7% |
| Ganam | 0 | 0% | 7% | 0 | 0 | 7% |
| Grand Total | 3 | 20% | 53% | 1 | 3 | 20% |

In the CRB category, prior to coming in contact with the Juvenile Justice system, 80% children had been enrolled in formal schools. However, 53% of those enrolled had irregular school attendance. In comparison, post-restoration 93% children had been enrolled in formal school mostly by their parents and in a few cases, by an NGO following up on their cases under orders from the Child Welfare Committee. Of these, 20% had irregular school attendance and 73% were “in” school and attending regularly. Among those who were regular with school, 1 child attended an Ashram school, 3 were residing in NGO run shelters from where they attended school, and 1 attended an NGO run day care centre; which indicates that regular school attendance in these cases, among other factors, can be directly linked to supervision and follow up. Overall, 20% children belonging to the Pardhi community and 7% children belonging to the Wadari community were out of school. Further, 73% CRB children (including the 1 child who was not enrolled in formal school) did not attend any informal classes at CSO run centres while 27% attended such classes after school hours. Those who perceived these classes to be beneficial mainly spoke about getting to learn new things, getting food at these centres and enjoying themselves while attending these classes.
12.2.4. Factors influencing school enrolment and attendance

Data show that, 71% NJJ children and 93% CRB children enrolled in formal schools shared that they liked to attend school. When asked what is it that they like about school, 33% NJJ children in non-residential schools, 38% NJJ children in Ashram schools, and 64% CRB children in both residential and non-residential schools shared that they liked certain subjects taught at school [see figure 12.9 below].

opportunities for engaging in structured and unstructured play, platforms for engaging in co-curricular activities, a child friendly staff, getting to spend time with friends, and meals at school are some of the factors that make school attractive for children. Children also shared about availability of basic amenities (unlike at home) such as fans, television, and a bathing space with water supply which draws them to school. However, for these children from backward migrant communities, there are several other ‘push and pull’ factors which adversely influence school enrolment and attendance; some of which have been discussed in the sub-sections below.

Engagement in seeking alms and / or paid and unpaid work

<table>
<thead>
<tr>
<th>Reason for being “out” of school (pre-rescue)</th>
<th>No. of children</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child got rescued before she</td>
<td>1</td>
<td>4.5%</td>
</tr>
</tbody>
</table>

Figure 12.9: What do children like about their school; N= 6 NJJ (non-residential schools), 8 NJJ (ashram schools), and 14 CRB (residential and non-residential schools)

Note: The cumulative percentages for each category exceed 100% and few children gave multiple responses.
could start attending school

<table>
<thead>
<tr>
<th>Difficulty</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Go to beg / work instead</td>
<td>14</td>
<td>64%</td>
</tr>
<tr>
<td>Parents did not consider enrolling</td>
<td>2</td>
<td>9%</td>
</tr>
<tr>
<td>School authorities asked not to attend</td>
<td>1</td>
<td>4.5%</td>
</tr>
<tr>
<td>Unable to wake up early for school</td>
<td>1</td>
<td>4.5%</td>
</tr>
<tr>
<td>NR</td>
<td>2</td>
<td>9%</td>
</tr>
<tr>
<td>DNK/NS</td>
<td>1</td>
<td>4.5%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>22</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Low rates of school enrolment and high rates of irregular schooling among children of backward migrant communities bear a direct link to the engagement of children in seeking alms and / or paid and unpaid work. Spending school hours in seeking alms and or paid work instead was cited as the main reason for being “out” of school by 64% children (before they came into contact with the Juvenile Justice system), 88% NJJ children, and 21% CRB children (post restoration).

All children reported seeking alms and / or working for up to 5 hours or more in a day with around 50% children working for 6 to 10 hours a day (also discussed in the section on involvement of children in seeking alms). Such long hours at work often result in children missing school in the morning as they are unable to wake up for school. Further, due to the unavailability of child-minding services for these communities, children often accompany their parents to work which adversely impacts school attendance and retention.

Children also miss school as in the absence of parents, they are required to take on the role of primary care givers to their younger siblings as well as take care of household chores.

**Access to school**

*Figure 12.10: Difficulties child encounter in attending non-residential school; N= 6 NJJ and 13 CRB children*

Note: The cumulative percentages for each category exceed 100% and few children gave multiple responses
Physical access to school also determines whether children are “in” and attending school regularly. When asked about the difficulties that they faced in attending school, children indicated physical factors such as having to walk long distances to school (in some cases for up to 3 kilometres one way) and encountering heavy traffic on the way to school which made access to school difficult and at times undesirable [see figure 12.10].

Further, access to school becomes difficult for some, given the daily cost incurred for travel to school. While majority of the children reported walking to school, those using public transport spent around 20 rupees to 40 rupees per day per child on school travel from their meagre household incomes. All these children had irregular school attendance.

![How does enrolled child travel to school](image)

*Figure 12.11: How does enrolled child travel to school; N= 6 NJJ and 13 CRB children
Note: The cumulative percentages for each category exceed 100% and few children gave multiple responses*

**Case Study:**
Rajesh is 14 years old. He has moved back to the city a year back and lives with his mother in a basti in Navi Mumbai. Rajesh has passed his seventh grade from a boarding school in Pune post which he moved back to the city to be with his mother. Rajesh is an excellent student and loves to read and write. Once back in the city, he was enrolled in the eighth grade by his mother with the help of a local CSO in a private school in the area. However, it was expensive to travel to school every day. As his school was very far away from his basti, Rajesh would have to take an autorickshaw to school and back which cost him around 100 rupees a day. Rajesh would thus, attend school in the morning and then later during the day accompany his mother for selling fridge covers in the local trains to earn some extra income. Slowly, irrespective of his interest in school, Rajesh started to miss school often. He complained of not being able to wake up in the morning for school given the late hours he spent at work post school. This further resulted in Rajesh missing out on his daily lessons until a point where he was unable to understand what is being taught in class. “I started to hate Math... I could not understand what was happening”, expressed Rajesh with a hint of sadness. Unable to cope up with these pressures, Rajesh stopped attending school altogether after 6 months of joining and eventually dropped out of school. Though Rajesh yearns for school as he got to learn as well as spend time with friends, he exclaims that school is not for him as the family of two cannot afford it. Today, Rajesh spends his mornings taking care of household chores while his mother is away at work. Post noon, he joins his mother selling fridge covers in the local trains until late at night.
Violence at school

Violence faced at school in the form of bullying, physical beatings, labelling, and taunting by peers, older children, and in some cases by the teachers themselves are the major reasons that made school unattractive for children [see figure 12.12]. Children further indicated that the use of profanity by their schoolmates and corporal punishment meted out by their teachers also made the school environment unpleasant resulting in poor attendance and their lack of interest in continuing with schooling.

“There are two other children in my class who were also picked up by the police and were sent to the shelter home along with me. My teacher keeps calling us the ‘Mankhurd group’ and everyone laughs.” – 10-year-old boy from Jai Ambe Nagar

Further, 43% children (of those currently enrolled in school) who had passed through the Juvenile Justice system and restored to their families reported that they faced bullying at school for having passed through the system. Children indicated that they were labelled and referred to as “bhikari” (beggar), “ganda” (dirty), and “chor” (thief) for being “picked up” by the
police for begging and/or working and putting them through the Juvenile Justice system. They reported feeling humiliated when their classmates talked about them being “picked up” by the police and having to stay at a “chillar home” which is perceived as a prison by the children. One child in particular shared that his classmates taunted him saying that it was good that he was “picked up” by the police and was taught a lesson; which made him want to not attend school ever. Another boy from the Pardhi community shared that he was asked by the school authorities to not attend school as he was allegedly involved in an episode of petty theft at school. Thus, experiencing violence in various form bears a direct link to children being “out” of school.

“In school the children are discriminated, the children are blamed to be a bad influence on other children. This leads to children dropping out of the school. The Education Department should accept the children, which can positively affect the retention of the children in school.” – Milind Bidwai, Asst. Director, Salaam Baalak Trust, Mumbai

**Housing insecurity**

A majority of the backward migrant communities live in houses with insecure tenure (and in many cases a complete lack of structure), which is prone to frequent demolitions and evictions. Such unpredictable demolitions and evictions are often followed by a complete and prolonged breakdown in the lives of these communities including a disruption in the children’s schooling. During demolitions, families always end up losing household items including school supplies such as school bags, books, and uniforms which results in children absenting themselves from school. Further, in the process of rebuilding their homes and/or relocating homes, children’s education takes a backseat (also discussed in the section on Housing, Migration, and Relocation).

**Lack of parental supervision**

Given that adults from backward migrant communities have only basic levels of literacy coupled with the daily life pressures of making ends meet, parents are unable to directly supervise schooling and learning for their children. This is evident from the trend that all children who were enrolled in residential schools or were enrolled in non-residential schools but were in contact with local NGO run centres post school hours, had regular school attendance as opposed to all other NJJ children who were enrolled in non-residential schools and had irregular school attendance [see section 12.2.3 above].

**Lack of engagement by teachers**

When asked about the difficulties they faced in attending school and what made school unattractive for them, children spoke about having a general lack of interest in studies, not liking certain subjects or activities at school, and their inability to understand what is being taught [see figure 12.12 above]. These factors, however, are rarely intrinsic to the child and
bare direct relation to a lack of sustained and proactive engagement of teachers in ensuring that their students are in school and learning. Especially in the case of backward migrant communities; given the negligible parental involvement in children’s learning, children’s inability to cope with studies due their involvement in seeking alms and/or paid work, and the mental and physical distress and aftermath that demolitions bring; the teacher’s role becomes imperative in not only creating an environment conducive to learning but also ensuring that all children are in school.

**Key trends: Education**

Not all children of school going age are enrolled in formal schools. More boys are enrolled in schools than girls.

Only about a half of the children enrolled in school are attending school regularly. Overall, more boys than girls are “in” school and attending regularly.

Regular school attendance in a majority of children is directly linked to the availability of supervision and follow-up as only those enrolled in ashram schools, living in CClIs, or those under the follow up of local CSOs have regular school attendance.

Low rates of school enrolment and high rates of irregular schooling among children of backward migrant communities are directly linked to the engagement of children in seeking alms and/or paid and unpaid work. Other factors responsible for children being “out of school” include poor physical access to school, violence at school, housing insecurity, lack of parental supervision, and a lack of sustained engagement by the teachers.

Though ashram schools appear as an appealing option for children from backward migrant communities given the hardships they must face in rural as well as urban living, there is a preference for non-residential schools with only 38% boys being enrolled in ashram schools.

Opportunities for engaging in structured and unstructured play, platforms for engaging in co-curricular activities, a child friendly staff, getting to spend time with friends, and meals at school are some of the factors that make school attractive for children.
12.3. Contact with village

12.3.1. Ownership of property and assets back in the village

![Ownership of property/assets at native village](image)

*Figure 12.14: Ownership of property/assets at native village as reported by adult respondents*

More than half the adult respondents reported having property or assets back in their native villages with 44% owning a house while 12% owning a house as well as non-agricultural land back in their village. Those who migrate temporarily to the city mostly belong to this subgroup. 44% respondents do not have any assets back in the village and are completely dependent on their earnings and temporary housing in the city.

12.3.2. Contact with family back in the village

![Whether respondent has family back in village](image)

*Figure 12.15: Whether respondent has family back in the village*

54% adult respondents did not have any family back in their native village indicating a gradual shift from rural to urban. 42% continued to be in contact with their native village through their immediate and extended family members who continue to live in the village. 88% adult respondents and 100% children indicated visiting their village from time to time mostly along with their family members.
Table 12.9: Reason for visiting native village as per children never passed through the JJ System

<table>
<thead>
<tr>
<th>Reason for Visiting Village (N=23 NJJ children)</th>
<th>No of Responses</th>
<th>% of Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>For paid work</td>
<td>3</td>
<td>13%</td>
</tr>
<tr>
<td>To meet family/relatives</td>
<td>4</td>
<td>17%</td>
</tr>
<tr>
<td>For religious purpose</td>
<td>12</td>
<td>52%</td>
</tr>
<tr>
<td>For marriages</td>
<td>10</td>
<td>43%</td>
</tr>
<tr>
<td>Family functions and festivals</td>
<td>9</td>
<td>39%</td>
</tr>
<tr>
<td>To maintain house in the village</td>
<td>4</td>
<td>17%</td>
</tr>
<tr>
<td>To fetch ration</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>During school vacation</td>
<td>3</td>
<td>13%</td>
</tr>
<tr>
<td><strong>Total no of children</strong></td>
<td><strong>46</strong></td>
<td><strong>200%</strong></td>
</tr>
</tbody>
</table>

*Note: n=23, the cumulative percentage exceeds 100% as few respondents gave multiple answers*

The frequency of visiting the village in relation to duration of time spent at the village per visit indicates that 14% adult respondents (parents) spend a considerable amount of time in the village with at least 2 of these families spending almost half the year in their native village. Further, all these respondents reported owning a house back in the village where they stayed when visiting their village. A similar analysis of the children’s data set also shows that 13% children and their parents spend almost half the year or more in their native villages. While these communities visit their native villages for various reasons such as attending family functions including marriages, festivals, religious purposes, or maintaining their property back home, families also spend most part of the year in the village for paid work starting from commencement of the agricultural season [also discussed in the section on work profile of adult respondents]. This indicates a trend among the backward migrant communities where families live in the city as temporary residents who migrate every year for a short duration only for finding paid work when there is no work back in the village.
Case Study 1:
Reema belongs to the Masan Jogi community and lives in Jai Ambe Nagar with her husband and mother-in-law. The family however, lives in Mumbai for only 1.5 months every year during the gutter cleaning season (pre-monsoon) and spend the rest of the year back in the village in Bidar, Karnataka where they are engaged in paid work. The family have been living with this arrangement for the past 6 years and every time they come back to the city, they set up a tent at the rear end of the settlement like several other families living in this settlement. Reema has never been to school. When back in the city, she takes care of her mother-in-law and all the household chores during the day. In her free time, she seeks alms with some other women and children from the basti at the traffic signal.

Case Study 2:
10-year-old Rakesh belongs to the Gai Pardhi community and lives in a basti in Ghansoli, Navi Mumbai along with his parents. The family lives in Navi Mumbai for only 6 months a year and spend the remaining 6 months back in their village in Osmanabad, Maharashtra where the parents as well as the child work in a sugarcane factory. They have been following this arrangement for the past 15 years. When in Mumbai, the family mainly stays at Ghansoli but also relocate to Khar Road for paid work. Though Rakesh is enrolled in an ashram school in Solapur (since the past 5 years) and is in middle school (std. 5), he is irregular to school (attends for only 2 months) as he spends 6 months back home working in the sugarcane factory. When back in Mumbai during school vacation, he sells gajra and seeks alms.

Case Study 3:
9-year-old Suraj belong to the Pardhi community. He lives in a basti in Ghansoli along with his parents. Suraj and his parents live in Mumbai for 3 to 4 months during the summer and spend the remaining months back in their village in Solapur, Maharashtra where the parents work as agricultural labourers. It’s been 8 years since the family has been balancing their lives between Solapur and Navi Mumbai. They have been following this arrangement for the past 8 years and always stay at the same place. When they return to the city every year, they set up home in the same basti. Suraj is enrolled in an ashram school in Yevli (Gadchiroli, Maharashtra) and reads in standard 3. He is regular to school. He lives in the city when he is back home for vacations and spends this time seeking alms along with his parents.
12.3.3. Future plans: life in the city

Every year, the city sees seasonal migrants as well as migrants who move their base to the city in search of better and consistent opportunities for paid work. While some have continued to stay in the city, over the years identifying themselves as natives, others have managed to balance their lives between both, the city and the village. When asked for their future plans of living in the city, 88% adult respondents shared that they plan to live in the city for the rest of their lives indicating their preference for urban living despite the many hardships they and their families face in the city. Of these, around 41% do not have any property or assets back in their native village while 55% want to continue staying in the city despite having a house back in their native villages as they had migrated to the city in search of better and consistent work opportunities. Of the 3 families who either did not want to continue living in the city or were unsure of the same, shared that they will migrate to wherever they find paid work. Families also shared that they may consider moving back to their native village as they did not have a proper place to live in the city and also because the earning prospects for construction labour work have improved in the native village.

Key findings: Contact with village

Around a half of the respondent households do not have any family back in their village indicating a gradual shift from rural to urban. There is a preference for urban living despite the hardship families face in the city.

Families continue to stay in contact with their village making periodic visits for celebration of festivals, attending religious rituals and family functions.

Around a half of the respondent households do not have any assets back in the village indicating a complete dependence on their earnings and temporary housing in the city.

Although many families are long term migrants to the city, there is a trend where families live as temporary residents migrating to the city every year for a short duration only to find paid work when there is no work back in the village.
12.4. Work profile
Opportunities for income generating activities for the backward migrant communities bear a direct linkage to their level of educational attainment, acquiring urban marketable skills, and the presence of a market system.

12.4.1. Nature of work

A majority of the adult respondents (84%) earns a living through both paid work and seeking alms. Paid work mostly comprises of casual work in the informal sector. Major occupations include hawking, autorickshaw driving and working as domestic helps (mainly for women). Other than these occupations, seasonal jobs such as drain and sewer desilting (gutter cleaning), construction and catering labour work are common occupations for men, women, and older adolescents.

Work opportunities available round the year
Work opportunities available throughout the year mainly comprise hawking, autorickshaw driving, and working as domestic helps. Work as domestic helps in high-rises around the bastis where backward migrant communities live, is a relatively new occupation for the community with very few cases being reported, mainly among women respondents. Though this work offers a steady source of income, there is no scope for fixed minimum wages as the sector is primarily unorganized. None of the men working as autorickshaw drivers reported owning the vehicle. Wages differ depending on daily business, earning a driver around Rs. 9000/- to Rs. 15000/- a month.

Self-employment in the form of hawking is the most common source of income for majority of the households; with mostly all members of the family, including children engaging in this activity. Men, women, and children alike sell a variety of articles such as flowers, garlands and gajras, nimbu-mirchi hangings, toys, balloons, accessories (such as combs, hair clips, trinkets, etc.), garbage disposal bags, tissue paper boxes, etc. which the families procure from wholesale markets at reasonable prices. The types of articles sold change from season to season [see case study]. Hawking mainly takes place at traffic signals, outside railway stations, bus depots,
market places, inside local trains and at busy commercial and tourist spots. Children from the same bastis (or footpaths in case of families living on the streets) and families tend to group together while frequenting areas where they sell their wares. Sometimes, when the entire family is engaged in hawking, different members of the family divide a small area among themselves. On an average, a single member makes anywhere between rupees 200 to 400 a day through hawking.

Case Study:
Sudha lives on a footpath in the city of Mumbai along with her husband and three sons, aged 14, 11, and 7 years. Sudha’s husband works as a driver and earns an income of 10,000 rupees a month. However, his salary does not suffice for a family of five. Thus, Sudha and her three boys work the evenings selling toys and balloons at a nearby beach, outside eateries, and other tourist spots in the city. When Sudha first started hawking to supplement her family income, the two older boys would accompany her. Gradually, as the boys grew older, they started hawking along with their friends and children in the extended family who live along the same footpath.

Sudha and the boys sell a range of products; mostly toys, balloons, flowers, and gajras. However, they stay abreast with changing trends; selling tiaras and caps around New Year’s Eve, lamps and other decorative items around festivals such as Diwali, and colourful Malinga wigs and team jerseys around the IPL (cricket) season. On national holidays such as Independence Day and Republic Day, Sudha and the boys travel ticketless in the local trains till Thane selling small flags to passengers. Sudha makes around 200 rupees a day through hawking. Weekends make for good earning opportunity, when she is able to make 500 rupees or more if she is lucky.

Seasonal work
Casual work such as drain and sewer desilting, construction labour, and catering labour are the main seasonal occupations available to the backward migrant communities in Mumbai and Navi Mumbai. Such seasonal jobs are a common source of income for men, women, as well as older adolescents and youth. Catering labour work is common among male youth and is at its peak during the wedding season. Boys take up work such as carrying heavy loads at functions, washing utensils, and waiting for catering units. Work usually takes place in shifts where the worker gets paid around 600 rupees for one shift. For sewer desilting and construction labour work, every settlement usually has a muqaddam who acts as a facilitator between the contractors and the laborers. Several families who spend most part of the year in their native village, migrate to the city for work just before the monsoon which is the peak season for earning through these jobs. They either stay with relatives who are long term migrants to the city or set up temporary housing for the duration of their stay in the city. Drain and sewer desilting work is available for 45 days in a year while construction labour work which mainly involves digging of drains, roads, laying down of water pipes and cables, etc. is available for around 15 days to 4 months at a stretch. Both these jobs help fetch around 300 to 400 rupees for a day’s work which is a better deal in comparison to 100 to 150 rupees a day for such work back in the villages.
12.4.2. Unavailability of paid work

Though paid work such as hawking is available to the backward migrant communities throughout the year, there are times when business is slow and inconsistent. While 56% adult respondents indicated the availability of paid work for 20 to 30 days a month, 32% also shared that paid work is not always available, with most of them being engaged for only up to 15 days a month. It is at times like these when families take to seeking alms for making ends meet. As the gutter cleaning season comes to an end, the family returns to their native village to resume work in the sugarcane factory.

12.4.3. Begging as a source of income

<table>
<thead>
<tr>
<th>Table 12.10: Family members engaged in seeking alms (Parent); N= 25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note: n=25, the cumulative percentage exceeds 100% as few respondents gave multiple answers</td>
</tr>
<tr>
<td>Family members engaged in seeking alms</td>
</tr>
<tr>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Children</td>
</tr>
<tr>
<td>Grandchildren</td>
</tr>
<tr>
<td>Siblings</td>
</tr>
<tr>
<td>Spouse</td>
</tr>
<tr>
<td>Self</td>
</tr>
</tbody>
</table>
The lack of availability of paid work (other than hawking) round the year, the low levels of income that paid work brings, and the high cost of daily living (also discussed in the section on access to basic services); the backward migrant communities living in the city resort to seeking alms to make ends meet. 80% respondents (mostly women) shared that they are engaged in seeking alms. Field observations and interactions suggest that while men mostly take up seasonal jobs and other paid work, begging is common among women and children, with 76% respondents reporting their children to be engaged in begging. Further, in 55% households, children who had passed through the Juvenile Justice system for their engagement in begging, continued to seek alms post their restoration. Senior citizens too are engaged in begging as they are unable to find work which requires strenuous manual labour.

**Place of begging:**
Places of worship, markets, and traffic signals are the most common places where the backward migrant communities seek alms. Field observations suggest that women and children often use hawking as a camouflage to seek alms. They can be seen at traffic signals and market places selling wares as well as seeking alms. Begging is also common at railway stations and inside local trains with women and children entering the railway premises without a proper ticket, thus, putting them at risk of being caught traveling ticketless and/or trespassing railway premises. Further, field observations and informal interactions with the respondents suggest that seeking alms outside temples is very common during festivals and other religious occasions when religion-based acts of charity see a surge and there is high demand for those who will readily accept offerings. Several women from the community who are otherwise not engaged in seeking alms travel to locations farther off than their homes in order to benefit from this practice of religion-based acts of charity. That a ‘give and take’ principle is also the driving factor for seeking alms is substantiated further by a child respondent who shared that even when their family does not sit outside the temple, people visit their home and give them the offerings at any time of the day.

“Poverty is one of the reasons for children to beg. But one sees a community, e.g., Pardhi community, it is seen that the male section of the community does not beg. The male gamble, drink alcohol and don’t do any other kind of work. In Kalva, Mumba their communities have been located. These families leave their home 6.00 am and then scatter to signals, communities or other places in Mumbai or Navi Mumbai to beg or work. It has also been seen that especially children sell objects and asks for alms.” – Navnath Kamble, Head of Rescue Program, Pratham Council for Vulnerable Children

**Reason for begging:**

<table>
<thead>
<tr>
<th>Reason</th>
<th>N</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>poo</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>4%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Total</td>
<td>45</td>
<td>180%</td>
</tr>
</tbody>
</table>

Table 12.11: Reason for begging (Parents); N=24

Note: n=24, the cumulative percentage exceeds 100% as few respondents gave multiple answers


<table>
<thead>
<tr>
<th>Reason for begging</th>
<th>No. of frequencies generated</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accompanies family for such activity</td>
<td>6</td>
<td>25%</td>
</tr>
<tr>
<td>Common practice in the basti</td>
<td>15</td>
<td>62%</td>
</tr>
<tr>
<td>Supplementing family income</td>
<td>8</td>
<td>33%</td>
</tr>
<tr>
<td>Only source of family income</td>
<td>3</td>
<td>12%</td>
</tr>
<tr>
<td>Tradition</td>
<td>9</td>
<td>37%</td>
</tr>
<tr>
<td>Told by family</td>
<td>4</td>
<td>17%</td>
</tr>
<tr>
<td>Too old for other work</td>
<td>2</td>
<td>8%</td>
</tr>
<tr>
<td>Peer influence</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>NR</td>
<td>3</td>
<td>12%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>51</strong></td>
<td><strong>210%</strong></td>
</tr>
</tbody>
</table>

The most cited reason for engagement in begging was that it is a common practice in the *bastis* in which the backward migrant communities live. However, there is more to this activity than merely being a trend. For 56% households, begging is the primary source of income irrespective of whether the family has access to paid work opportunities; with 63% respondents spending over 5 hours a day in seeking alms. Neighbours, relatives, and extended family who are also engaged in the activity are the main source of information on begging for the newly initiated members. Though initiation into begging maybe a result of it being a common practice in the *basti* or accompanying elders in the family for seeking alms, begging is an important source of income; whether primary or supplementary, for majority of the families.

**Begging as a source of income in the native village:**
For certain tribes belonging to the backward migrant communities, begging has been a way of life. Data show that among first generation migrants, around 46% engaged in both paid work and begging to earn subsistence while back in their native village. Further, respondents in 40% households reported begging as a source of income for their ancestors.

![Source of income for family living in village](chart1.png)

![Does respondent seek alms when visiting native village](chart2.png)

*Figure 12.19: Source of income for respondent’s family back in the village and whether respondent seeks alms when visiting their native village*
However, one can see a shift in this trend with more families migrating to the city in search of better work opportunities. 90% respondents (who reported having a family back in the village) shared that their families earn subsistence through daily wage work such as agricultural and construction labour; irrespective of the meagre incomes. Further, though once begging might have been seen and accepted as a tradition among communities is now looked down upon by the very same population. 95% adult respondents shared that they do not seek alms when they visit their native village. Those who are temporary migrants to the city earn through paid work when back in the village while the long-term migrants make use of their earnings from work and/or begging in the city to fend for themselves and their families when visiting the native village for festivals and other family occasions. All these respondents shared that they do not seek alms when visiting their native village as they are either looked down upon by their immediate as well as extended family and acquaintances or as family members are not aware that the respondents seek alms for a living in the city.

**Case Study:**

Ratna lives in a basti in the suburbs of Mumbai along with her husband and children. The couple have 6 children; of which 3 are enrolled in ashram schools and while 3 live with the couple in the city – 2 married daughters who have been abandoned by their husbands and a 3-year-old son. Ratna laments over not being able to enrol her two elder daughters in school as they would constantly keep moving residence. For 7 of the past 17 years the family has spent in the city, they have moved several locations to be able to find paid work. They moved to the current basti 10 years back and have been residents ever since. A stable; even though not secure, residence has ensured that the 4 younger children are enrolled in formal schooling.

Though both Ratna and her husband work as casual labourers (gutter cleaning and digging) earning around 600 rupees a day as a couple, the entire family takes to begging when there is no paid work. Ratna recalls how several years back, she and her two daughters were “picked up” by the police for seeking alms outside a temple. “They made us sit in the police van after we were picked up in the morning and then we travelled across the city with them for the rest of the day enjoying tea and vada pav which they were kind enough to offer to me and the children”, she chuckles. Ratna shares that on festivals, she and her daughters wake up as early as 3 am and take the 4 am local to the western suburbs where they sit outside temples in Bandra and Vakola for receiving alms. “We do not have to ask, people give on their own...we get food, grains, and sometimes even clothes” asserts Ratna. Ratna’s next door neighbour, a young woman in her twenties joins in the conversation intrigued. She is relatively new to the basti but has managed to build a rapport with Ratna and her family as they belong to the same tribe. The young woman contributes to the conversation by sharing that though she does not seek alms on a regular basis, she accompanies Ratna and her daughters; to temples during festivals as she does not want to miss out on the opportunity of receiving food grains and clothes.”But my mother-in-law does not know about this”, she is quick to add. Ratna nods her head in agreement. She shares that she and her children do not engage in seeking alms whenever the family visits their native village near Parbhani. “Our relatives do not know how we earn in the city and in my family, women are not allowed to step out of the house and roam around freely in the village”, she concludes.


12.4.4. Educational attainment and source of income

Table 12.12: Gender-wise Education of the Spouse (Parents); N = 25

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Spouse’s Education</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DNK/NS</td>
<td>% of DNK/NS</td>
<td>NA No Spouse</td>
<td>% of NA (No Spouse)</td>
<td>Never attended school</td>
<td>% of Never attended school</td>
<td>Std. V to Std. VIII</td>
<td>% of Std. V to Std. VIII</td>
<td>Up to standard IV</td>
<td>% of Up to standard IV</td>
<td>Total</td>
<td>% of Total</td>
</tr>
<tr>
<td>Female respondents</td>
<td>1</td>
<td>4%</td>
<td>8</td>
<td>32%</td>
<td>9</td>
<td>36%</td>
<td>1</td>
<td>4%</td>
<td>2</td>
<td>8%</td>
<td>21</td>
<td>84%</td>
</tr>
<tr>
<td>Male respondents</td>
<td>0</td>
<td>0%</td>
<td>4</td>
<td>16%</td>
<td>0</td>
<td>0%</td>
<td>0</td>
<td>0%</td>
<td>0</td>
<td>0%</td>
<td>4</td>
<td>16%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>1</td>
<td>4%</td>
<td>12</td>
<td>48%</td>
<td>9</td>
<td>36%</td>
<td>1</td>
<td>4%</td>
<td>2</td>
<td>8%</td>
<td>25</td>
<td>100%</td>
</tr>
</tbody>
</table>

Data\(^5\) for spouses shared by the 21 female respondents (mothers) show that 36% husbands have never attended school, only 8% have an education up to standard IV, and only 4% have an education between standard V to standard VIII (1 female respondent did not know her spouse’s educational qualification and there are 8 female respondents who are either separated, widowed, or abandoned). Similarly, data of spouses for the 4 male respondents (fathers) show, all wives have never attended school.

Table 12.13: Status of education for adults (male)

<table>
<thead>
<tr>
<th>Status of Education (adult males) N = 45</th>
<th>Count of Males</th>
<th>% of Males</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never Attended School</td>
<td>6</td>
<td>13%</td>
</tr>
<tr>
<td>Up to Std. IV</td>
<td>16</td>
<td>36%</td>
</tr>
<tr>
<td>Std. V to VIII</td>
<td>10</td>
<td>22%</td>
</tr>
<tr>
<td>DNK/NS</td>
<td>13</td>
<td>29%</td>
</tr>
<tr>
<td>NR</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>45</td>
<td>100%</td>
</tr>
</tbody>
</table>

Further, data for adults living in households where children were the respondents show that for adult males whose educational qualification is known, 13% adult males in sample household population have never attended school while 36% have studied only up to primary school (i.e. up to 4\(^{th}\) std.). 22% have an education up to middle school (5\(^{th}\) Std to 8\(^{th}\) Std.).

Table 12.14: Status of education for adults (female)

<table>
<thead>
<tr>
<th>Status of Education (adult females) N = 61</th>
<th>Count of Females</th>
<th>% of Females</th>
</tr>
</thead>
<tbody>
<tr>
<td>Never Attended School</td>
<td>7</td>
<td>11%</td>
</tr>
</tbody>
</table>

\(^{5}\) Please note that schooling data does not include the respondent’s self-details.
<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to Std. IV</td>
<td>36</td>
<td>59%</td>
</tr>
<tr>
<td>Std. V to VIII</td>
<td>4</td>
<td>7%</td>
</tr>
<tr>
<td>DNK/NS</td>
<td>13</td>
<td>21%</td>
</tr>
<tr>
<td>NR</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>61</td>
<td>100%</td>
</tr>
</tbody>
</table>

Similarly, for adult females whose educational qualification is known, 11% adult females in sample household population have never attended school while 59% have studied only up to primary school (i.e. 4th Std.), 7% have an education up to middle school (5th Std to 8th Std). Thus, due to low levels of education, employment in the informal sector is the main source of income for both men and women or being self employed like hawking. This in turn results in low subsistence income generation subsequently resulting in the respondents and/or their family members also seeking alms to make ends meet.

12.4.5. Income

Majority of the respondents (parents) earn an average income of up to INR 10,000 per month. As discussed earlier in this section, in the absence of completion of formal education, employment in the informal sector is the only work available to the respondents. Major occupations include hawking, domestic labour, autorickshaw driving, drain and sewer desilting (gutter cleaning), and construction labour.
12.5. Social security

Article 26 of the UNCRC states that children have the right to benefit from social security on the basis of the circumstances they are living in and holds the state responsible for ensuring the same. Access to social security, however, is hinged not only on possessing important documents to prove eligibility and the ease of accessing such schemes but also in the first place, the awareness of their existence.

12.5.1. Social security and identity documents

**Birth certificate:** A majority of the adults (96%) as well as children (72%) does not have birth certificates. While the lack of birth certificates among parents, to some extent can be attributed to non-institutional deliveries, there continues to be a major gap with only 28% parents sharing that all their children have birth certificates.

**Caste and community certificate:** A majority of the adults and their children does not possess caste and community certificates which inevitably eliminates their chances of accessing welfare schemes specific to the backward migrant communities.
**Aadhaar card:** As opposed to other documents, 88% adults possess an Aadhaar card. Further, parents in 52% households shared that all their children possess an Aadhaar card.

**PAN card:** A PAN card is a relatively easier document to access either on the basis of a ration card or an Aadhaar card in comparison to other identity documents which require several other documents for the verification of application. Data show that 88% adult respondents possess PAN cards.

**Ration card:** The ration card is an important document to be able to purchase subsidized food grains from the Public Distribution System. Moreover, especially for urban poor settlements where access to other identity and social security documents is a challenge, the ration card also serves as a common form of identification. 44% households do not have any type of ration card. Only 16% households possess the Antyodaya or Homeless ration cards even though in Maharashtra, certain tribes such as the Pardhis have been identified as a primitive tribal group and are entitled to Antyodaya cards. However, these cards are issued for a temporary six-month period. Of the 52% who possess ration cards, 24% households possess

| Table 12.15: Availability of ration card (Parents) |
|---------------------------------|------|----------------|---------------|
| Ration card category and address | No. of respondents | Category-wise percentage | Overall percentages |
| Yes, Homeless & local           | 4    | 16%            | 16%           |
| Yes, Orange & local            | 5    | 20%            | 24%           |
| Yes, Orange & native           | 1    | 4%             | 4%            |
| Yes, White & native            | 1    | 4%             | 4%            |
| Yes, Yellow & local            | 1    | 4%             | 8%            |
| Yes, Yellow & native           | 1    | 4%             |               |
| No                              | 11   | 44%            | 44%           |
| NR                              | 1    | 4%             |               |
| Grand Total                     | N=25 | 100%           | 100%          |
orange/saffron or APL ration cards while only 8% households possess yellow or BPL ration cards. However, possession of a ration card does not necessarily guarantee access to related benefits. Families reporting access to an Antyodaya ration card reported not cooking their meals. Further, other families possessing ration cards also shared that they are often turned away at the PDS shops due to non-availability of ration.

However, possession of a ration card does not necessarily guarantee access to related benefits. Families reporting access to an Antyodaya ration card reported not cooking their meals. Further, other families possessing ration cards also shared that they are often turned away at the PDS shops due to non-availability of ration.

**Voter identity card:**

The voter identity card serves as an identity proof for Indian citizens for participating in the country’s electoral processes. It also serves as a general identity card, address and age proof for accessing public goods and services. 48% adults are enrolled in the city’s electoral rolls yet lack access to basic utilities and services such as legal piped water connections, sanitation, and electricity [also discussed in the section 12.7].

**Bank account passbook:**

52% households have access to bank accounts. However, having a bank account does not necessarily mean active inclusion in the formal banking system. Several parent respondents shared that though they had a bank account, they did not use the same. Some even shared that their bank accounts may not be functional anymore.

---

6 Families having total annual income of more than INR 15,000 and less than 1 lakh.

7 Families having annual income up to INR 15,000.
Further, 40% adults do not have bank accounts resulting in reduced chances of access to credit through formal financial institutions such as banks.

**Census coverage receipt:**

Enumeration in the Census; especially for the urban poor, is crucial to claiming their housing rights. However, 84% households, irrespective of being old residents of their settlements, do not have a census coverage receipt. This indicates that they have not been identified as households by the government and are living in the city as invisible citizens irrespective of contributing to the local economy.

![Figure 12.24: Availability of census coverage receipts as reported by adult respondents](image)

“Social Justice and Empowerment Dept. should ensure that the caste certificate or documents are provided to people. There are so many people who don’t have documents. As the elder generation does not have document the younger generation does not get the documents…There are some families who have attended higher education, they do have documents, but others don’t. A drive should be conducted so that the people who don’t have documents can get them through these drives. We have children who have completed 10th or 12th standard and don’t have documents and are not able to benefit from various schemes meant for them. The caste certificate is an important document and must be given.” – Milind Bidwai, Asst. Director, Salaam Baalak Trust

12.5.2. **Difficulties faced in accessing documents**

For a majority of the families (60%), acquiring social security and identity documents has not been a challenge. They have managed to procure these documents either through the Panchayat, the community leaders, or with the help of civil society organizations. However, a large population continues to live without accessing these documents and related benefits. 12% adults shared that they have never tried to acquire any social security or identity documents on their own as they never felt the need to. For the 28% who perceived facing difficulties in acquiring these documents, mainly spoke about having to miss their day’s work to make multiple rounds of offices which in turn deprives them of daily wages. Adults also shared about having to spend from their meagre earnings to pay bribes to officials and for hiring of agents to procure these documents.
12.5.3. Awareness and access to social welfare schemes

Adults in 72% households shared that they are aware about various government welfare schemes. When asked to name the schemes they were aware of, respondents shared about housing schemes such as the Pradhan Mantri Awas Yojana and Gharkul Yojana; schemes guaranteeing access to toilets such as the Swachh Bharat Abhiyan; schemes related to healthcare such as the Rajiv Gandhi Jeevandayee Arogya Yojana and free vaccinations for children; schemes focussed on education such as the Right to Education, Mid-Day Meal, and the 27 articles children receive in govt. schools under the Sarva Shiksha Abhiyan; schemes guaranteeing access to cooking gas such as Ujjwala; schemes for the handicapped; pensions...
for senior citizens; access to subsidized ration; and schemes guaranteeing financial inclusion such as the Jan Dhan Yojana. When asked about the source of information on schemes, adults mainly shared about hearing of housing, cooking gas subsidy, sanitation, and financial inclusion schemes from the village panchayat, visual media, or from relatives and acquaintances who have availed of these schemes back in the village. Awareness and access to schemes for healthcare and education of children was mainly attributed to schools, ICDS centres, and government hospitals.

Childline is a critical mechanism, first point of contact and state’s outreach for children in distress.

A majority of the parents (i.e. 96%) stated that they were unaware of Childline.

When those who claimed awareness of schemes were asked of their accessing these schemes, though 72% reported access to schemes, their responses suggest a lack of active attempts to avail the various social welfare schemes. Adults mainly spoke about smooth access to schemes by their children such as the Mid-Day Meal, free and compulsory education up to age 14, access to basic school supplies under the Sarva Shiksha Abhiyan, and access to Anganwadis and free vaccinations through the ICDS and perceived that their children have benefitted from these schemes. Only two families shared that adults in their family had undergone free surgeries through the Rajiv Gandhi Jeevandayee Arogya Yojana.

Not one parent reported any awareness about ASHA workers or any ASHA worker approaching them or visiting their homes.

While 28% of the total adult respondents were not aware of government welfare schemes and therefore have no access to these, 17% of those aware have not accessed any such schemes whereas 11% were not sure of whether or not they have accessed such schemes. This is despite majority of adult respondents reporting the possession of important documents such as Aadhar Cards (88%), PAN cards (80%) and voter identity cards (52%) as discussed earlier in this section. Further, the lack of ethnic identity documents such as caste and community certificates deprive backward migrant communities and their children of basic entitlements and services meant specifically for them.
Key trends: Social Security

44% households do not have any type of ration card. For the remaining 52%, possession of a ration card does not necessarily guarantee access to related benefits.

Not all children have birth certificates, caste and community certificates and Aadhaar cards; thus, limiting their chances of access to social security schemes.

Despite 60% households perceiving no challenges in acquiring social security and identity documents, a large population of backward migrant communities continues to live without accessing these documents and related benefits.

Despite a large number of adult respondents reporting the possession of important documents such as Aadhar Cards (88%), PAN cards (80%) and voter identity cards (52%); a majority of the households are neither aware nor have accessed social security schemes.

12.6. Housing, migration, and relocation

12.6.1. Location

40% do not have a structure for a house and live either on footpaths across the city or next to the railway lines.

Of the sample, 40% do not have a structure for a house and live either on footpaths across the city or next to the railway lines. 32% households are located in a settlement that has come up over the years next to a major highway road located on the fringes of the city of Mumbai while 12% live in a settlement which has come up on a vacant plot in an industrial area as a result of a mass forced eviction drive by the civic authorities with the help of...
the police. These settlements are located on the fringes of the city. The location of a settlement serves as a crucial indicator to understanding the level of deprivation experienced by the urban poor. Two of the settlements from where a major section of the sample is drawn, are located on the city’s fringes and are thus, cut off from basic services such as water, sanitation infrastructure, garbage disposal, etc. [discussed in detail in the section on ‘Basic Services’].

12.6.2. Legal status of settlements

40% of the total respondents live as individual family units on footpaths and railway foot-over bridges across different locations in the city of Mumbai. Of the remaining 15 households who live in settlements, 80% live in non-notified settlements while 20 % live in partly authorized settlements. None of the respondents live in notified settlements.

80% live in non-notified settlements while 20 % live in partly authorized settlements.

12.6.3. Migration profile

Refer to the diagrams for the native state, reasons for migration, and region from which the respondents reported migrating to the city.
Of the total 25 households, 12% shared that they as well as their parents have always been living in the city of Mumbai and did not consider themselves as migrants to the city. From the remaining 22 households, approximately 77% are intra-state migrants, i.e. they have migrated within the state of Maharashtra and 22% are inter-state migrants from the states of Gujarat, Karnataka, and Telangana.

Of those who identified themselves as migrants to the city, 86% migrated in search of better work opportunities or as there was no paid work available back in their villages. Another 27% shared that they migrated to the city due a lack of resources such as food and water back in their village while 18% migrated to the city as they had no productive assets back home. A majority of the respondent households (84%) is old settlers in the city, having migrated to the city over 15 years back. However, settlements see a constant seasonal inflow of migrants who turn to the city during months when there is no wage work available back in the village.

12.6.4. Relocation within the city: housing stability and security

Of the total respondents, 76% have relocated their residence within the city at some point. Among the top reasons for relocation, is forced evictions (as per 74% households) by the municipal corporation. Families shared that they have also moved their residence within the city for paid work (16%), or as members of their tribe were moving base (5%).

![Figure 12.28: Duration of stay in the current area of residence of the respondents](image)

Of the total respondents, 76% have relocated their residence within the city at some point. Among the top reasons for relocation, is forced evictions (as per 74% households) by the municipal corporation.

Although almost half the sample population are old settlers in their slum settlements, more than half (76%) have arrived after the cut-off date for slum notification (January 1, 2000) and thus, stand vulnerable with reduce chances of access to secure and adequate housing. Further, the impact of evictions due to insecure housing are manifold. Of the 74% respondents who believed that relocation adversely impacted and disrupted their daily routines, 58% perceived being forcibly evicted from their homes.
Further, 52% of those who live in settlements have had their houses demolished time and again by the municipal corporation, bringing about a great deal of distress for the entire family. Parents also shared, that when the municipal corporation officials come for demolishing their houses, none of the officials interact with the residents leaving no room for a plea, discussion or negotiation.

Parents also shared, that when the municipal corporation officials come for demolishing their houses, none of the officials interact with the residents leaving no room for a plea, discussion or negotiation.

Housing insecurity has immediate as well as long-term impacts on families and in turn on their children’s development. 50% parents reported facing problems related to earning wages such as absence from work/begging, losing work, and in turn, not being able to find new work. Another 50% reported about the adverse impact relocation and demolitions bring about on children’s education as children drop out of school, miss school while the family is trying to get their life back on track, or have to travel long distances for to get to school which demotivates children from attending. 71% parents also shared that forced evictions and demolitions are always sudden and leave little to no time for the families to prepare. This results in families losing essential household items such as utensils, food grains, clothes including school uniforms, books and school bags as well as important social security and identity documents. In addition, 14% parents shared that relocating to another place meant rebuilding their home or having to pay rent which resulted in them incurring unplanned expenses while 21% shared about resulting stress and mental trauma among other health issues.

Another 50% reported about the adverse impact relocation and demolitions bring about on children’s education as children drop out of school, miss school while the family is trying to get their life back on track, or have to travel long distances for to get to school which demotivates children from attending. 71% parents also shared that forced evictions and demolitions are always sudden and leave little to no time for the families to prepare. This results in

<table>
<thead>
<tr>
<th>How did the relocation disrupt your life</th>
<th>No. of frequencies generated</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problems relating to continuing work/earning wages</td>
<td>7</td>
<td>50%</td>
</tr>
<tr>
<td>Problems relating to children’s education</td>
<td>7</td>
<td>50%</td>
</tr>
<tr>
<td>Losing household items/documents</td>
<td>10</td>
<td>71%</td>
</tr>
<tr>
<td>Health problems including mental trauma and distress</td>
<td>3</td>
<td>21%</td>
</tr>
<tr>
<td>Increase in expenses for rebuilding home/rent</td>
<td>2</td>
<td>14%</td>
</tr>
<tr>
<td>Difficulty in access to basic services</td>
<td>1</td>
<td>7%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>30</strong></td>
<td><strong>214%</strong></td>
</tr>
</tbody>
</table>

Table 12.16: Impact of relocation on respondent’s life (Parents); N= 14
Note: n=14, the cumulative percentage exceeds 100% as few respondents gave multiple answers.
families losing essential household items such as utensils, food grains, clothes including school uniforms, books and school bags as well as important social security and identity documents.

Case Study:
Ajay, aged 11 years, lives on a footpath in the city of Mumbai along with his extended family. His father passed away just after he was born and his mother, who is mentally unstable, lives in another part of the city. Ajay has an elder brother who works as a catering labourer and is away for most part of the year. Ever since, Ajay has been living with his maternal aunt along with her three children.

Ajay enjoys going to school and has always been regular with his school attendance other than the two times he was "picked up" by the police for hawking and seeking alms and subsequently placed in an observation home. Eventually, on the request of his school teacher, he was restored to his maternal aunt on the condition that she would send the boy to school and not make him seek alms. Post restoration, Ajay’s aunt made provisions for enrolling both him and her youngest son in a boarding school in another district of Maharashtra. Ajay likes it at the boarding school. He is happy about the fact that he gets to study, take a bath daily, and gets his meals on time.

Ajay visits his extended family along with his cousin during the summer break and during his Diwali vacation. Once home, he and his cousin take to their old routine – of selling balloons, toys, and tissue paper boxes at traffic signals, tourist spots, and outside restaurants along with their friends. They work from 4 in the evening until 12 at night. Weekends are especially busy when they work till 1 in the night. Even though it is tiring, Ajay likes to take to his old routine when back home as he gets to spend time with his friends. “My aunt will beat me up and scold me if I do not work and seek alms”, he says with a hint of sadness. There seems to be an unspoken arrangement between the boy and his relatives – he works to supplement the family income and they in turn offer him their guardianship. He is quick to add though, that if they do not work, the family will not be able to fend for themselves.

Ajay’s mother and aunt were born in Mumbai itself. Their ancestors had migrated to Mumbai from Solapur many years ago in search of work. The family has been living in this area ever since. Prior to the current location, they lived on an adjacent footpath from which they were evicted by the local police on a complaint made by one of the residents living in the surrounding high-rise buildings. Ajay’s aunt complains that the family was forced to move even though they had important identity documents for the said footpath. Life post this eviction has not been any easier for the family. Every day, they stay on this footpath till about 12 in the afternoon. Once the shops opposite this footpath open for the day, the family moves to another footpath on the perpendicular road as the shop owners do not like them sitting in front of their shops. They stay there till 8 pm and then return to the same footpath to eat and sleep. The family has been forced to move from their new location as well many a times. In subsequent evictions, the police took away their utensils and stove and now the family has to spend around 300 rupees daily for purchasing meals from a local food stall. On one occasion, the entire family was picked up at night and put into a police van. They were then taken away and left in the jungles of Navi Mumbai by the police. Ajay recalls with fear how the family made their way back home travelling ticketless in the local train. Ajay is quick to add, “this happened to us for the first time...but this is routine for other families living on the footpath”. Ajay, though, is happy about being at the boarding home, this incident has left him traumatized. While at the boarding, he often worries that he will come back someday only to find his family gone.
12.6.5. Housing status: tenure security

Of the 25 adult respondents; 20% shared staying on rent, 12% shared living in self-owned houses while 68% are living as illegal squatters. Those living in self-owned houses have a census coverage receipt as proof of stay. However, a proof of stay document does not necessarily qualify for an ownership document. Further, none of the houses staying on rent reported having a formal rent/tenancy agreement. Overall, adults in 80% households reported not having any proof of stay for the houses they were living in, despite the fact that 56% are old settlers having lived at their current locations for over 5 years. Those having some sort of proof of stay document mainly have census coverage receipts or LPG connection passbooks. Thus, in the absence of any proper documents to prove ownership or residence, all 25 respondents and their families are at risk of being evicted by the government. Further, with a majority of the old settlers sharing that they had migrated to the city as children with their parents (including those living on the streets and next to railway lines), homelessness and housing insecurity is a persistent issue among the migrant backward communities cutting across generations, in this case, with those adults whose children are found begging.

**Overall, adults in 80% households reported not having any proof of stay for the houses they were living in, despite the fact that 56% are old settlers having lived at their current locations for over 5 years.**

12.6.6. Habitability of homes

<table>
<thead>
<tr>
<th>Table 12.17: Habitability of homes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>N=15 parents</strong></td>
</tr>
<tr>
<td>Housing materials (roofs and walls)</td>
</tr>
<tr>
<td>Floor material</td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td>Dwelling unit</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Number of spaces inside the house</td>
</tr>
</tbody>
</table>

A majority of the respondents residing in settlements live in semi-\textit{pucca} houses made of masonry floors, asbestos sheet walls and roofs made using plastic sheets or other \textit{kutcha} materials. 34\% child respondents and 27\% adults live in \textit{kutcha} housing with walls, floors, and roof made using temporary materials such as plastic sheets, cloth, bamboo sticks, over pressed soil. Those living in \textit{pucca} housing have masonry floors and walls and roofs made of asbestos sheets.

\begin{center}
\begin{tabular}{|l|l|l|}
\hline
A majority of the respondents residing in settlements live in semi-\textit{pucca} houses made of masonry floors, asbestos sheet walls and roofs made using plastic sheets or other \textit{kutcha} materials. 34\% child respondents and 27\% adults live in \textit{kutcha} housing with walls, floors, and roof made using temporary materials such as plastic sheets, cloth, bamboo sticks, over pressed soil. \\
\hline
\end{tabular}
\end{center}

All houses have insufficient living space. There is usually a single space which is used interchangeably for various functions such as cooking, eating, sleeping, bathing, washing, etc. With an average floor area of 124 to 150 square feet and 5 to 7 members per family, overcrowding is inevitable with little to no room for privacy for family members.
Key trends: Housing, migration and relocation

Two of the settlements from where a major section of the sample is drawn, are located on the city’s fringes and are thus, cut off from basic services such as water, sanitation infrastructure, garbage disposal, etc.

The city sees high rates of migration among the backward migrant communities with 77% being intra-state migrants and 22% being inter-state migrants from Gujarat, Karnataka, and Telangana. While a majority of the respondents are old settlers in the city, the settlements see a constant seasonal inflow of migrants who turn to the city during months when there is no wage work available back in the village.

Relocation due to forced eviction by the municipal corporation is prevalent among the backward migrant communities. Across the sample settlements, persons living in houses without proper proof of stay are at risk of being evicted by the government.

For the migrant backward communities whose children are found in begging, homelessness and housing insecurity is a persistent issue cutting across generations.

For the migrant backward communities whose children are found in begging, homelessness and housing insecurity is a persistent issue cutting across generations.

Losing out on wage work, children being “out of school”, and loss of essential household items are the top three adverse impacts of housing insecurity among the backward migrant communities.

A majority of the families resides in inadequate housing built using non-durable materials.

All houses have insufficient living space where overcrowding is inevitable with little to no room for privacy for family members.
12.7. Basic services
The legal status of a slum settlement is crucial not just to access housing security but also bears an impact on access to essential amenities such as water, sanitation, and electricity.

12.7.1. Water supply

Families living in both non-notified as well as partly authorised settlements do not have proper legal access to water even though a 2014 judgement of the Bombay High Court orders the city government to provide access to Mumbai’s water supply to non-notified urban poor settlements; delinking tenure security from the right to water. A majority of the households suffer from water insecurity with just 8% households having access to piped water connections inside their homes. However, most of these households are located in non-notified settlements indicating illegal sourcing of water.

Given the lack of access to legal piped water connections, households mostly rely on borrowing water from others (28% for drinking water and 12% for other household use) – those living in non-notified and partly authorised settlements shared procuring water for free from other households both within and outside their own settlements while those living on footpaths and railway tracks borrow it from local tea shops and small hotels from where they purchase their tea and meals. Another 16% shared that they purchase their daily...
drinking water – those living in non-notified settlements purchase it from other households while those living on footpaths and railway tracks purchase it from the local shops and food stalls. Other than borrowing and purchasing water, families living in non-notified and partly authorised settlements also access water through paid and unpaid illegal shared pipe connections. Those living as squatters on footpaths and railway tracks, other than borrowing and purchasing water, mostly access water for drinking and other use through paid and unpaid public stand-posts (mainly taps at paid and unpaid public toilets, taps at bus stops, and railway stations).

The lack of access to legally piped water across settlements has given rise to a parallel illegal system with agents and middlemen monopolizing water prices. Families living in non-notified and partly authorised settlements spend anywhere between Rs. 200/- to 300/- a month on water for both drinking and household purpose which they source from pail illegal connections. On the other hand, families living on the streets spend around Rs. 200/- to 1800/- on accessing water every month. Under the pressure to cut down their monthly expenses on water, these families can manage to bathe or wash their clothes only once in three days.

Case study:
Vijay Kale (name changed) lives in a rented house in a partly authorized settlement in suburban Mumbai along with his wife and children. The family accesses their daily supply of drinking and household purpose water through a piped water connection inside their house. Their situation today, is unlike other houses in the settlement, who source their daily water either through paid and unpaid illegal connections or have to borrow water from the neighbourhood. Two years back, however, Vijay’s case was no different. When unable to pay for water, the family would fetch water from the gutter flowing at the rear end of their basti. While Vijay has managed to access a piped water connection through extra-legal ways by paying a lot of money to agents and middlemen, several other families in the basti continue to use water from the gutter for bathing and washing. For some extremely poor families, dirty water from the gutter is their only source of water supply.
12.7.2. Sanitation

Access to toilets:
None of the households living in settlements reported access to a toilet inside their houses. Further, given the lack of sanitation infrastructure (including public/community toilets) in these settlements, half the sample households reported the prevalence of open defecation. Further, in non-notified and partly authorised settlements which have paid public toilets in their vicinity, very young children continue to defecate in the open to avoid paying for toilet usage. Families living on the streets in public places on the other hand, mostly use paid public toilets as they are not able to defecate in the open. On an average, families spend anything between Rs. 60/- (for those having a family pass) to Rs.1800/- per month on toilet usage; considering that each family member uses the toilet twice per day.

Further women respondents across the sample population shared that women, adolescent girls and girl children face several problems due to a lack of access to personal and free toilets. Women and adolescent girls are unable to change sanitary napkins as often as they would want to when on their period so as to avoid paying up charges levied by paid toilets. Lack of access to either free or paid public toilets coupled with the lack of proper closed bathrooms (discussed in section the section below) women and adolescent girls are not able to maintain menstrual hygiene (as they cannot ask all family members to leave the house every time they want to change). In addition, women and girls face public sexual harassment and maltreatment by men and male youth in their communities both while defecating in the open and also while accessing the spots where they go to relieve themselves. Women shared episodes of men purposely blocking their way, standing in between the narrow by-lanes of the basti. Women also complained of men watching them defecate...
in the open; often passing sexually explicit comments. As a result, several women respondents shared that they go to relieve themselves before sun rise and after sunset and often try to go in groups to avoid such episodes of maltreatment.

**Access to bathrooms:**

52% households shared that their bathroom is located inside the house. However, for all these households, this is not a proper bathroom but a mori (a small partitioned area inside the house with multiple uses such as bathing, washing clothes and dishes, and for urination – especially for younger children in households which do not have access to toilets). As discussed earlier, with an average floor area of 151 sq. ft. and an average family size of 5 members, overcrowding is inevitable in these houses with little to no room for privacy which in turn causes protection concerns for women and children. **12% reported that they and their family members have to bathe in the open which indicates a total lack of privacy as well as creates a situation of vulnerability; especially for women and girl children.** With very few free public facilities for bathing available, families living on footpaths and next to railway tracks mostly use paid facilities for bathing spending anywhere between rupees Rs. 500/- and Rs.1800/- a month. To cut down on their expenses, these families are able to bathe only once in every three days.

**Case Study:**

Murali stays on a footpath with his family in Mumbai city. Murali’s mother and sister make gajras for a living while the three boys sell toys, tissue paper boxes, balloons, and flowers, at traffic signals, tourist places, and outside eating joints. A year back, after being “picked up” by the police for hawking and seeking alms, Murali was restored to his family on the condition that he will attend school regularly instead of hawking and seeking alms. To ensure that the boy does not get “picked up” again, his mother enrolled him in an ashram school in another district of Maharashtra. Murali however, returns to his family every summer and Diwali vacations when he once again engages in hawking and seeking alms to fend for himself and his family. The mother scolds Murali and his cousin if they do not go to work during holidays. Her income of 8000 rupees a month is not enough to fend for a family of five. Murali’s mother gets upset as her adolescent daughter likes to take a bath every day. “There are days when my daughter wants to bathe twice a day!”, she says with disdain. The family spends about 5 rupees per toilet use and 15 rupees for using public bathing facilities on a daily basis. At this, Murali shares that one of the things he likes about being in a hostel is that he gets to take a bath every day. However, when back at the hostel, he often worries for his family being unable to meet their basic needs.
12.7.3. Electricity supply

None of the households have access to a legal metered electricity connection (other than one household living in a rental premise in a partly authorised part of a settlement). These households access electricity through either paid or free of cost illegal connections made by tapping the main lines. 80% of such households are located in non-notified settlements while 13% are located in partly authorised settlements. Given the lack of a formal legal system, those paying for illegal paid connections are at the receiving end of the monopoly of agents who charge anything between Rs. 200/- to Rs. 400/- a month for such connections.

12.7.4. Garbage disposal

Households located across settlements do not have a formal garbage collection and disposal mechanism. Only 28% households shared disposing of their daily garbage at formal garbage collection points allocated by the municipal corporation. Ironically, majority of these households have access to municipal dustbins as they live on footpaths in public places. Households dispose of their daily garbage in open spaces, gutters and sewers, and in empty spaces in and around their settlements which have over a period of time transformed into informal dumping grounds. Majority of these households live in non-notified settlements. Open dumping of garbage (as reported by 72% respondents) coupled with uncollected garbage implies unhygienic and disease prone living conditions in these settlements.

Table 12.18: Daily Garbage Disposal (Parents)

<table>
<thead>
<tr>
<th>Daily Garbage Disposal</th>
<th>No. of frequencies generated</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anywhere in the open</td>
<td>5</td>
<td>20%</td>
</tr>
<tr>
<td>Burn</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>Formal garbage collection point</td>
<td>7</td>
<td>28%</td>
</tr>
<tr>
<td>In gutters/sewers/water bodies</td>
<td>7</td>
<td>28%</td>
</tr>
<tr>
<td>Informal garbage collection point</td>
<td>4</td>
<td>16%</td>
</tr>
<tr>
<td>Next to railway track</td>
<td>2</td>
<td>8%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>26</td>
<td>104%</td>
</tr>
</tbody>
</table>

Note: n=25, the cumulative percentage exceeds 100% as few respondents gave multiple answers.
12.7.5. Cooking fuel used/cooking arrangement

<table>
<thead>
<tr>
<th>Cooking fuel used / cooking arrangement</th>
<th>No. of frequencies generated</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collected firewood</td>
<td>14</td>
<td>56%</td>
</tr>
<tr>
<td>Purchased firewood</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>Kerosene</td>
<td>4</td>
<td>16%</td>
</tr>
<tr>
<td>Legal LPG cylinder</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>LPG purchased in black</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>Electricity (hotplate/induction)</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>Plastic and paper</td>
<td>2</td>
<td>8%</td>
</tr>
<tr>
<td>No cooking</td>
<td>7</td>
<td>28%</td>
</tr>
<tr>
<td><strong>Grand total</strong></td>
<td><strong>31</strong></td>
<td><strong>124%</strong></td>
</tr>
</tbody>
</table>

Table 12.19: Cooking fuel used / cooking arrangement (Parents)

Note: n=25, the cumulative percentage exceeds 100% as few respondents gave multiple answers

A majority of the respondents (56%) cooks its meals using collected firewood while 16% use kerosene. Households which use purchased firewood, kerosene, and LPG cylinders reported a spending of Rs. 300/- to 1300/- per month on cooking fuel. **Around 28% shared that no cooking takes place in their households; they either purchase their meals or rely on receiving food as alms to feed themselves and their families. These families on an average spend around Rs. 3000/- to 6000/- per month on purchasing meals for themselves and their families.**

12.7.6. Expenditure on basic services

A majority of the households spend up to Rs. 5000/- or more per month on basic services such as water, sanitation, electricity, housing rent, and purchasing meals or cooking fuel. These expenses do not include the amount families spend on arranging for self-employment activities such as hawking and expenses on purchase of food grains. As a majority of the households earns a consolidated household income of up to Rs. 20,000/- per month, irrespective of their engagement in multiple income generating activities including begging;

the backward migrant communities lead a hand to mouth existence in the city.
Key trends: Basic Services

A majority of the households suffers from water insecurity with no legal provisions for piped water supply.

Given the lack of access to legal piped water across settlements, households have to rely on borrowing water from others, purchasing water, or accessing water through paid and unpaid illegal shared pipe connections. Those living on the streets access water mainly through paid and unpaid public standposts other than purchasing or begging for water.

Given the lack of in-house toilets and sanitation infrastructure (including public/community toilets), open defecation is a problem across settlements.

Women and girls across settlements face several problems due to the lack of access to personal and free toilets and bathrooms. They are unable to change sanitary napkins as often as they would want to so as to avoid paying up charges levied by paid toilets. Women and girls also face public sexual harassment and maltreatment in the communities both while defecating in the open as well as while accessing the spots where they must go to relieve themselves.

Under the pressure to cut down their monthly expenses on water, toilet, and bathroom usage, families living on the streets can manage to bathe or wash their clothes only once in three days.

None of the households have access to a legal metered electricity connection and access electricity through paid or free of cost illegal connections made by tapping the main lines.

Households located across settlements do not have a formal garbage collection and disposal mechanism with a majority of the households throwing the daily garbage anywhere in open spaces.

Families living on the streets are unable to cook their meals and rely on either purchasing their meals or receiving food as alms to feed themselves and their families.

Irrespective of their engagement in multiple income generating activities including begging; given their meager incomes and the high expenses of urban living, the backward migrant communities lead a hand to mouth existence in the city.
12.8. Engagement of children in income generating activities including begging

12.8.1. Occupation types and children’s engagement in income generating activities

Hawking, catering labour, construction labour, drain and sewer desiltation, and begging are the main income generating activities for children from the migrant backward communities living in Mumbai and Navi Mumbai (also discussed in the section titled ‘work profile for adults’). Among these activities, while casual labour work is common only among older adolescents; hawking and begging are the primary activities for children of all ages and gender.

A majority of the children engages in both hawking and begging in order to support their families in earning subsistence. 80% parents reported that children from their bastis are engaged in seeking alms. Further, 80% parents also shared that their own children are engaged in seeking alms.

A majority of the children engages in both hawking and begging in order to support their families in earning subsistence. 80% parents reported that children from their bastis are engaged in seeking alms. Further, 80% parents also shared that their own children are engaged in seeking alms.

<table>
<thead>
<tr>
<th>Parent category</th>
<th>N</th>
<th>Percentage</th>
<th>Yes</th>
<th>Percentage</th>
<th>Grand Total</th>
<th>Percentage total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parent of child been through JJ system</td>
<td>3</td>
<td>60%</td>
<td>11</td>
<td>55%</td>
<td>14</td>
<td>56%</td>
</tr>
<tr>
<td>Parent of child not been through JJ system</td>
<td>2</td>
<td>40%</td>
<td>9</td>
<td>45%</td>
<td>11</td>
<td>44%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>5</td>
<td>100%</td>
<td>20</td>
<td>100%</td>
<td>25</td>
<td>100%</td>
</tr>
</tbody>
</table>

*Table 12.20: Engagement of respondent’s children in seeking alms (Parents); N=25*

Data and field observations suggest that children continue to seek alms and / or hawk even after having passed through the Juvenile Justice system for being “rescued” from
situations of beggary (see table 12.20 above). Among the child respondents (children who have never passed through the Juvenile Justice system and children who have been restored to their families) 79% shared that they are currently\(^8\) engaged in seeking alms and/or paid work. Of these, 30% are those who have been restored to their family post being “rescued” from situations of beggary. This constitutes about 60% of the total children “rescued” and restored. This indicates that irrespective of coming into contact with the JJ system, children from these backward migrant communities continue to work and / or seek alms as a basic requirement for survival.

“Some children who have been rescued; they have been linked to different services. E.g. Salaam Balaak has residential school in Solapur, so many children from Pardhi community have been linked to Salaam Balaak and they study there. Some children attend day care centre of different organizations. We can’t say the children don’t beg, the children are not seen begging on the streets like signals or tourist places but begging at community level has increased. Children go to communities to beg. Community is safe, they would go from lane to Lane, house to house to beg.” – Navnath Kamble, Head of Rescue Program, Pratham Council for Vulnerable Children

12.8.2. Reason for induction into begging and/or paid work

Children get initiated into the workforce by their family members in order to contribute to the meagre family incomes. Induction starts at an early age as children start accompanying their parents to work, which includes begging. Of the child respondents 85% reported that they started working/seeking alms as they were told by their families to do so. Further, 48% children started working/seeking alms as a result of accompanying their family members for such activity. It is a common practice in the bastis occupied by the backward migrant communities for children to start engaging in activities that will help earn for the family; as reported by 38% children. The youngest child found in the sample is 7 years old while the average age of children engaged in paid work/beggary is 12 years. Field observations, however, indicate that the age of induction is much lower than 7 years. Interestingly, 19% children (between the ages of 9 to 15 years) also shared that they started to engage in paid work/seeking alms as a result of observing their peers who were already engaged in such activity, which made them want to “handle money” just like their peers and get a taste of the associated “freedom” that comes with earning.

\(^8\) At the time when the survey was conducted.
“These families are nomadic in nature. Their children do not get any care or education. Their mothers go for begging and the children are with them. There should be at least day care centres where the women can keep their children when they go out. I have not yet seen an ICDS Aanganwadi for these children. Mobile creches, have built Anganwadis at construction sites. DoorStep have it at Colaba, wherever there is slum area, there it can be. But not for street living children. I have never seen one.” – Milind Bidwai, Asst. Director, Salaam Baalak Trust

12.8.3. Information source on where to go for work / seeking alms

As discussed in the previous sub-section, children get inducted into the workforce mainly by their parents. 77% children reported that their parents, grandparents, and older siblings are their one-stop information source on arranging and organizing their earning activities. Children also reported learning about where to go work / seek alms and what to sell from their neighbours, extended family, friends, and other people in their bastis who also engage in similar activities.

<table>
<thead>
<tr>
<th>How did you learn where to go for begging</th>
<th>No. of Responses</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>From neighbours</td>
<td>8</td>
<td>17%</td>
</tr>
<tr>
<td>From friends</td>
<td>11</td>
<td>23%</td>
</tr>
<tr>
<td>From observing others do so</td>
<td>7</td>
<td>15%</td>
</tr>
<tr>
<td>From parent/grandparent/sibling</td>
<td>37</td>
<td>77%</td>
</tr>
<tr>
<td>From relatives</td>
<td>6</td>
<td>13%</td>
</tr>
<tr>
<td>NR</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>70</td>
<td>146%</td>
</tr>
</tbody>
</table>

“Pardhi community or communities from Andhra or Karnataka beg and at the same time they sell things. They earn money through both; from selling things and if there’s time, the children beg. However, the primary income is through begging. On daily basis they earn from 200 – 1000 rupees. If there are huge functions like religious functions, where the families get 100 rupees from people visiting, one can find these families easily. The families know that these are the places and functions where they can get money. It is observed, that on Tuesdays a lot of child beggars are seen at Siddhi Vinayak temple, on Thursdays a lot of children are seen at Mahim Dargah or Church. So, they know when and where they can get money.” – Navnath Kamble, Head of Rescue Program, Pratham Council for Vulnerable Children
12.8.4. Place of work/begging

Children hawk and seek alms around a host of settings including commercial areas, public transport hubs, tourist spots, roadways, and other public places. Approximately 50% children reported hawking / seeking alms at traffic signals. Children move around busy traffic signals in groups either with their parents, siblings, or friends selling a variety of articles such as nimbu mirch hangings, garbage disposal bags, toys, stationery, flowers, dusting cloths, etc. or simply seeking alms. As reported by 38% children, public transport hubs such as local train stations and bus depots are also common places where children hawk and seek alms. Children also engage in such activity inside local trains traveling from one location to another without ticket. Children reported hawking and / or seeking alms at market places and tourist spots such as beaches and sea facing promenades where “business is good especially on weekends”. Children also reported seeking alms, especially outside places of worship and at food stalls as they often receive food grains, cooked meals, and money outside such spots.

Table 12.23: Place of work/begging for children

<table>
<thead>
<tr>
<th>Place of work/begging</th>
<th>No. of Responses</th>
<th>% of Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Busy commercial areas</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>Local Trains</td>
<td>7</td>
<td>15%</td>
</tr>
<tr>
<td>Market place</td>
<td>8</td>
<td>17%</td>
</tr>
<tr>
<td>On footpath</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>Places of Worship</td>
<td>16</td>
<td>33%</td>
</tr>
<tr>
<td>Railway stations/Bus stand</td>
<td>18</td>
<td>38%</td>
</tr>
<tr>
<td>Near food stalls</td>
<td>8</td>
<td>17%</td>
</tr>
<tr>
<td>Tourist spots</td>
<td>9</td>
<td>19%</td>
</tr>
<tr>
<td>Traffic signal</td>
<td>24</td>
<td>50%</td>
</tr>
<tr>
<td>Residential areas</td>
<td>2</td>
<td>4%</td>
</tr>
<tr>
<td>Toll naka</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Public gardens</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>NR</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>99</strong></td>
<td><strong>206%</strong></td>
</tr>
</tbody>
</table>

N = 48; the cumulative percentage exceeds 100% as a few respondents gave multiple answers.

12.8.5. Work timings

![Number of hours per day child engages in paid work: current status](image1)

![Number of hours per day child engages in begging: current status](image2)

Figure 12.35: Number of hours per day for which child respondents engaged in wage work and / or begging
Children spend long hours engaging in paid work as well as seeking alms.

50% children reported working for 6 to 10 hours a day while 30% children reported seeking alms for 6 to 10 hours a day. Some children also engage in income generating activities for even longer periods, with 27% children reporting seeking alms for 11 hours or more. Further, children also reported starting work very early in the morning and continuing until late night. Data show that 50% children work till late at night while 42% children seek alms until past midnight.

Among children who engage in seeking alms, 27% start their day before 9 in the morning. Children also reported working/seeking alms for the entire day starting early in the morning and continuing until late night. Children who sell flowers and gajras start their day as early as 5 am to buy flowers and make the gajras before they can step out to sell them. Children who sell various articles on footpaths outside eateries in the Mumbai city area shared that they seek alms and work as late as 1 in the night on most days; especially weekends when “earnings are good”.

12.8.6. Travel for work

Children mostly engage in hawking and / or seeking alms in the company of their family members such as their parents, grand parents or siblings. 54% children respondents reported that they work / beg along with their parents or grandparents while 52% reported working / seeking alms along with their siblings. Slightly older children (12 years and above) reported working / seeking alms along with their friends from the basti. While only 13% children reported seeking alms on their own, 10% also reported seeking alms along with other families from their bastis. Interactions with the parent reveal similar trends, with a majority of the parents reporting that older family members accompany the children for hawking and / or seeking alms.

<p>| Table 12.24: Person accompanying child for work/begging; N=48 children |</p>
<table>
<thead>
<tr>
<th>Who accompanies child for work/begging</th>
<th>No. of Responses</th>
<th>% of Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Begs alone</td>
<td>6</td>
<td>13%</td>
</tr>
<tr>
<td>Friends</td>
<td>22</td>
<td>46%</td>
</tr>
<tr>
<td>Other families in the basti</td>
<td>5</td>
<td>10%</td>
</tr>
<tr>
<td>Parent/ grand parent</td>
<td>26</td>
<td>54%</td>
</tr>
<tr>
<td>Siblings</td>
<td>25</td>
<td>52%</td>
</tr>
<tr>
<td>NR</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>85</td>
<td>177%</td>
</tr>
</tbody>
</table>

<p>| Table 12.25: Travel for work/begging; N=48 children |</p>
<table>
<thead>
<tr>
<th>How do you travel for work and/or seeking alms</th>
<th>No. of Responses</th>
<th>%</th>
</tr>
</thead>
</table>
Further, children mostly walk; either in groups or alone, to the places they go for work and / or seeking alms. 25% children reported traveling ticketless in local trains for hawking and / or seeking alms. Especially on festivals and national holidays, children travel as far as 30 to 40 kilometres away from their bastis in local trains for selling their wares. 31% children also reported traveling in autorickshaws and buses to access places where they hawk and / or seek alms. Traveling in such public transport costs them around Rs.30/- to Rs.60/- rupees per day on travel for a single person.

12.8.7. Problems related to work

Children while at work (which includes begging) face multiple problems and difficulties either due to the nature of their work setting or as a direct consequence of being engaged in work. Approximately 88% children shared that they face problems and difficulties due to their engagement in income generating activities. Some of these have been discussed in the section below.

Long work hours:
As discussed in the section above, a majority of the children works and / or seeks alms for up to 10 hours or longer. Such daily schedules are not only physically demanding for children but also deprive them of their basic rights; including their right to an education and the right to play. 19% children perceived that being “out of school” is a problem they face due to their engagement in paid work and / or begging. Long hours at work also result in children having late meals at night as reported by 31% children. While at work, children either eat unhealthy snacks which they purchase using their small savings or

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<table>
<thead>
<tr>
<th>Without ticket in local trains</th>
<th>12</th>
<th>25%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Autorickshaw/bus</td>
<td>15</td>
<td>31%</td>
</tr>
<tr>
<td>Walking alone</td>
<td>11</td>
<td>23%</td>
</tr>
<tr>
<td>Walking in groups</td>
<td>28</td>
<td>58%</td>
</tr>
<tr>
<td>NR</td>
<td>1</td>
<td>2%</td>
</tr>
<tr>
<td>Grand Total</td>
<td>67</td>
<td>140%</td>
</tr>
</tbody>
</table>
have to rely on the local public giving or buying them food as alms. Children who especially work until late at night shared about being unable to fulfil their sleep requirement (21% children). This in turn has an adverse impact on children’s physical and mental health. Further, several children reported missing school frequently as they are unable to wake up in the morning for school.

**Violence at work:**
35% parents reported that their children face violence and abuse at places where they seek alms. Further, 31% children reported facing violence and discriminatory behaviour from the police while 21% reported facing such behaviour from the public while at work and / or seeking alms. Children and parents alike reported case of mostly emotional abuse where children face verbal assault and humiliation both at the hands of the police and the public. Children are taunted, labelled as orphans, addressed using expletives, have doors shut on their faces and are often turned away by the public. One parent, whose family lives on a footpath in Mumbai city shared that at times, girl children face public sexual harassment at the hands of drunk men. Parents further shared that children also face physical abuse; both by the police and the public. Children face beatings from the police and their belongings (wares that they are selling) are taken away. There have also been cases of the public hitting them and pushing them away. One parent also shared that children are not vocal about the problems they face while seeking alms.

**Physical conditions at work:**
Children face tough physical conditions at work / while seeking alms. 57% children reported that they have to walk long distances to work / seek alms which results in aching limbs and sores on their feet as most of them do not have basic footwear. Children who walk to work and those working at traffic signals and busy roads have to wade through heavy traffic which also puts them at risk of physical injury due to accidents. Children also recounted several accounts of them fainting while at work due to the lack of food and water and as a result of working in harsh sunlight. During the monsoon, children can also be / seeking alms at traffic signals in their raincoats and other protective gear. Children seen working as hawkers are required to carry heavy loads for long periods of time while at work. Those working inside local trains also shared that they find it difficult to get in and out of moving trains.

**Resolution mechanisms:**
Children mostly rely on their family members such as parents, older siblings, and grandparents to resolve the problems they face at work / begging. However, few children also shared that they do not approach anyone and try and ignore the problem as “such things are bound to happen”, indicating a process of normalization. Children also shared that when they are in need of food and water, they often get the same from the public. When the public taunts and troubles them, they cope by back answering the public. Children unanimously shared that whenever they see the police approaching, they try to run away so as to avoid the police. Despite the many difficulties they face at work / and or while seeking alms,
44% children shared that they enjoy themselves while seeking alms as they get to spend time with their friends, siblings, and parents while for older children, such activity gives them access to money. Overall, 32% children do not like seeking alms.

12.8.8. Income and expenditure patterns

Current source of income

Of the 30 children who were engaged in some sort of an income generating activity at the time of data collection; 67% reported earning only through begging, 13% reported earning only through paid work, while 20% reported earnings through a combination of paid work and begging.

Monthly incomes

A majority of the children earns an income of Rs. 10,000/- or less per month; with very young children earning as low as Rs. 200/- a month through hawking and / or seeking alms. Older children who engage in a combination of hawking and seeking alms reported earning up to Rs. 15,000/- a month. Children who have passed through the Juvenile Justice system (25 children) reported earning similar incomes “pre-rescue” with majority of the children earning up to Rs. 10,000/- a month. Further, of the 3 children who reported earning more than Rs.15,000/- a month; one is a 15-year-old girl who makes around Rs.13,000/- a month through drain and sewer desiltation work which is available for only 45 days in a year. However, informal interactions with parents reveal that children; especially younger children lack a proper understanding of money and that their perceived monthly incomes are much lower than their actual monthly incomes from paid work and / or begging.

Table 12.26: Monthly income from begging/work for children

<table>
<thead>
<tr>
<th>Monthly income from work/begging (current)</th>
<th>No of Children</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 5000 (as low as 200)</td>
<td>9</td>
<td>30%</td>
</tr>
<tr>
<td>5001 to 10,000</td>
<td>8</td>
<td>26.67%</td>
</tr>
<tr>
<td>10,001 to 15,000</td>
<td>6</td>
<td>20%</td>
</tr>
<tr>
<td>15,001 to 20,000</td>
<td>2</td>
<td>6.67%</td>
</tr>
<tr>
<td>20,001 to 24,000</td>
<td>1</td>
<td>3.33%</td>
</tr>
<tr>
<td>NA (receive food as alms)</td>
<td>2</td>
<td>6.67%</td>
</tr>
<tr>
<td>NR</td>
<td>2</td>
<td>6.67%</td>
</tr>
<tr>
<td>Grand total</td>
<td>N = 30</td>
<td>100%</td>
</tr>
</tbody>
</table>
With regular paid work (other than hawking) not available through the year, in nuclear families where more than one child is engaged in paid work and/or seeking alms, the income earned by children contributes to a major portion of the total household income. Data show that income from paid work and/or begging was perceived to be the primary household income for 54% children while for 42% children where the parents were engaged in some sort of regular paid work, children’s earning were viewed as supplementary to the total household income.

As most of the children engage in income generating activities in order to help their families earn subsistence, children (across ages and genders) mainly hand over their day’s earning to their parents, grandparents, or older siblings. 60% children who have passed through the Juvenile Justice system reported handing over all their earning to the elders in their families. Children at times also keep a small portion of their incomes for self-use, mainly to purchase snacks while at work.
Key trends: Engagement of children in income generating activities including begging

Hawking, catering labour, construction labour, drain and sewer desiltation, and begging are the main income generating activities for children from the migrant backward communities living in Mumbai and Navi Mumbai engage. Among these activities, while casual labour work is common only among older adolescents; hawking and begging are the primary activities for children of all ages and gender.

60% of the total children “rescued” and restored continue to seek alms and / or hawk even after having passed through the Juvenile Justice system for being “rescued” from situations of beggary, as a basic requirement for survival.

Children get initiated into the workforce by their family members in order to contribute to the meager family incomes. Induction starts at an early age as children start accompanying their parents to work, which includes begging.

Parents, grandparents, and older siblings are the one-stop information source on arranging and organizing earning activities for children. Children also learn about where to go work / seek alms and what to sell from their neighbours, extended family, friends, and other people in their bastis who also engage in similar activities.

Children hawk and seek alms around a host of settings including commercial areas, public transport hubs, tourist spots, roadways, and other public places.

Children spend long hours engaging in paid work as well as seeking alms. A majority of the children spends more than 6 hours daily engaging in such income generating activities.

Children mostly engage in hawking and / or seeking alms in the company of their family members such as their parents, grand parents or siblings.

Children mostly walk; either in groups or alone, to the places they go for work and / or seeking alms. Especially on festivals and national holidays, children travel as far as 30 to 40 kilometres away from their bastis in local trains for selling their wares.

Children while at work (which includes begging) face multiple problems and difficulties either due to the nature of their work setting or as a direct consequence of being engaged in work. These include long working hours, facing verbal and physical violence at work, and tough physical conditions such as walking long distances wading through heavy traffic and having to carry heavy loads.

Children mostly rely on their family members such as parents, older siblings, and grandparents to resolve the problems they face at work / begging or simply ignore their problems, indicating a process of normalization.

As most of the children engage in income generating activities in order to help their families earn subsistence, children (across ages and genders) mainly hand over their day’s earning to their parents, grandparents, or older siblings.
12.9. Protection concerns for women and children

12.9.1. Children in labour sector

All children in the sample were engaged in various income generating activities (including begging) in order to help their families, earn subsistence. Data on work status of other children (5 to 18 years\(^9\)) living in the same household as the respondent children show that among children in the age group of 5 to 13 years, 30% girls are working and/or seeking alms. In the same age group, 13% boys are working and/or seeking alms. Similarly, data on work status for children in the age group of 14 to 18 years show that 40% girls and 30% boys are engaged in paid work and/or seeking alms. Thus, children from backward migrant communities continue to engage in wage work (including begging) which is against the provisions in the Child Labour (Prohibition & Regulation) Amendment Act, 2016 which practically completely prohibits the employment of children below the age of 14 years and prohibits the employment of adolescents in the age group of 14 to 18 years in hazardous occupations and processes and regulates their working conditions where they are not prohibited.

Other than beggary, children are engaged in various types of wage work. Girl and boy children in the age group of 5 to 13 years are engaged mainly in hawking. Further, girl children in the age group of 14 to 18 years are engaged in hawking, domestic work, and construction labour while boys in this age group are engaged in hawking, construction labour, catering labour, and auto-rickshaw driving. Other than this, 6 children (5 girls and 1 boy) in the sample household population were reported engaging in drain and sewer desiltation work (cleaning gutters) which is hazardous in nature and prohibited for children of all ages under the current child labour laws in the country. It may be noted that there are routine reports of deaths of workers engaged in cleaning of gutters and sewers.

12.9.2. Early marriages

A major problem of children in most of these DNNSNTs is the tradition of getting the children married at a very young age. As the National Commission states, “They are known by the very low age at marriage. Among the Denotified, the mean age at marriage for men is 10 years and for women is 8 years, and for the Nomadic communities it is 7 years for both men and women.” (P.74).

A few persons knowledgeable about the community observed that the age at marriage is 9 or 10 years for girls and 12 to 13 years for boys. As per the established custom the engagement

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\(^9\) Does not include person whose age has been quoted as 18 years. 5 years was the lowest age when a child was reported to be working/seeking alms.
of a girl is done as soon as she reaches menarche. With engagement, she starts staying at the groom’s family home. The actual marriage may get solemnized a few years later when the girl reaches 16 or 17 years of age depending upon the financial situation and convenience. The members also stated that they wait for the girl to turn 18 years as it is illegal to get girls married before the age of 18 years. During this period of cohabitation, it was observed that the girls may get pregnant and deliver a child even before getting married. This is a dangerous practice for both the boys and the girls and needs to be ascertained with further probe.

“It would be an exception that a girl would be in prostitution by choice or due to the crisis she faced. But one can’t deny that a girl would not be trafficked and sent to some other city as the children stay on the streets. Today, the Pardhi community are protective about the girl like their previous generation. Once the girl turns 12 years or gets her first period, she is married. Then the girls are sent to village. There is a possibility for a girl child to be trafficked. They are staying on streets; anyone can come at night and traffic them to other state. No one can deny the possibility.” – Milind Bidwai, Asst. Director, Salaam Baalak Trust

Across these communities menstruating girls are considered as ‘unsafe’ and marriage is seen as a ‘safe’ way out to retain her social acceptability in situations of sexual intercourse and pregnancy.

The study came across some cases of early marriages in these communities. It tried to understand the cases of a few such girls. All the cases mentioned below, belong to the Pardhi community. It was also seen that the girls’ parents take away their daughters from the family of their would-be husbands when they migrate to beg elsewhere.
Cases

**Case 1:**
Reema belongs to the Masan Jogi community and lives in Jai Ambe Nagar with her husband and mother-in-law. She was married at an early age. She says she was young when she was married. She does not know her date of birth. The family however, lives in Mumbai for only 1.5 months every year during the gutter cleaning season (pre-monsoon) and spends the rest of the year back in the village in Bidar, Karnataka where they are engaged in paid work. The family has been living with this arrangement for the past 6 years and every time they come back to the city, they set up a tent at the rear end of the settlement like several other families living in this settlement. Reema has never been to school. When back in the city, she takes care of her mother-in-law and all the household chores during the day. In her free time, she seeks alms with some other women and children from the basti at a nearby traffic signal.

**Case 2:**
Swati currently lives in a settlement in Navi Mumbai along with her family. Swati is a young homemaker and abides by the rules laid down for her by her husband. When asked if she was younger than 18 years, she said she did not know her exact age. She said she was married at a young age. There are restrictions on her mobility as she is not allowed to step outside the house by her husband who works as a daily wage labourer. When her husband is home, she is not “given” permission to even interact with her neighbours. Swati has been married for nearly a year now. She spends her entire day looking after the household and taking care of household chores. Swati has never been to school and does not know how to read or write. She has no record of her age. She wishes to learn someday but is extremely scared of her husband.

**Case 3:**
Anita is 12 years old and has been “rescued” from begging by the Mumbai police. She currently resides in a Child Care Institution under the orders of the Child Welfare Committee. Prior to her “rescue,” Anita has never been to school. Anita often talks about not wanting to return home as she would be physically assaulted by her parents; especially by her father who is an alcoholic. Anita’s parents separated months back post which her mother started to live with an unknown man who works as a waiter in a local small eatery. Anita recalls how after she attained menarche, her mother (who is a jogti) started to plan arrangements for her marriage and pressurized her to get married to an unknown older man she (mother) was living with.
12.9.3. Violence

28% parents shared that their children have faced verbal, physical, and sexual assault in the settlements they live in. However, even though 68% parents shared that their children had faced no such violence, **they also shared that children living in their bastis are at risk of violence and abuse.**

![Pie chart showing the distribution of responses to the question: Has child faced verbal, physical, sexual assault in the basti / neighbourhood: parent respondents.](image)

*Figure 12.39: Violence experience by children in their settlements as reported by the adult respondents*

**Physical fights, beatings, and use of profanity:**
Parents living in settlements shared that fights between children are very common, which often turn into physical fights with the older children beating up the younger ones. Fights between children often escalate into fights between their parents, eventually resulting in physical beatings and use of profanity. Respondents from Jai Ambe Nagar shared that fights are common in their basti with neighbours getting into a fight and argument for any reason. Use of weapons during such fights was also reported. Also, respondents living on footpaths shared that their families face verbal abuse from passers-by and shopkeepers on the footpaths where they live.

**Domestic violence:**
Informal interactions with women from the Wadari community living in Jai Ambe Nagar revealed that men; especially from the Wadari community abuse alcohol. Women complained that men hardly bring back any money home and they need to rely on other families in the basti to give them grains to feed their children. Women further shared that for families from their tribe living in the basti domestic violence is a daily routine.

**Sexual maltreatment and violence:**
Families living on footpaths in Mumbai city shared that their girls have faced public sexual harassment by drunk men. Two sets of parents from Jai Ambe Nagar shared that their basti is not safe for women and children. Not only do people use profanity and beat up children, women and girl children are also at risk of sexual assault and public sexual harassment. **Mothers shared that public sexual harassment is a common problem in Jai Ambe Nagar.** Men and male youth purposely block their way when they have to pass through the narrow by-lanes to go for open defecation. Male youth stalk women and girls, whistle at them, pass sexually explicit comments, try to make physical contact with them and purposely watch women and girls defecate in the open. For this reason, women and girls in the basti often go to relieve themselves between 8 to 9 pm (when it is dark) in a group. One parent living...
in a settlement in Ghansoli shared that though her children had never faced any form of assault in the basti, the basti overall is not safe for girls as they are at risk of sexual harassment and assault.

“When we would talk to parents, ‘Why don’t you send your children to school?’, the women would respond ‘You know what our husbands do. We can’t keep our daughters here and go for work, as it is unsafe for them. The community or the people as you can see gamble, drink alcohol; leaving our daughter here is not safe for the daughters. So, we keep them with us, we beg, and they beg. We sell toys to survive.’” – Navnath Kamble, Head of Rescue Program, Pratham Council for Vulnerable Children

Key trends: Protection concerns for women and children

All children from the backward migrant communities are engaged in wage work (including begging, hawking, construction labour, catering labour, domestic work, and auto-rickshaw driving). Other than this, children across age groups and gender are also engaged in hazardous jobs such as drain and sewer desiltation labour.

Child marriage is a persistent problem among the backward migrant communities with several cases of underage marriage being reported for girl children.

Children from backward migrant communities live at risk of facing violence and abuse in their neighbourhoods. Physical fights, beatings, and use of profanity are common occurrences in the sample settlements. Women and children are at risk of sexual maltreatment and violence while defecating in the open or accessing these spaces. Domestic violence is common among the Wadari community in Jai Ambe Nagar.

12.10. Protection systems and services: awareness, perceptions, and interface

Every child, irrespective of caste, ethnicity, gender, nationality, religion, and socio-economic background, must enjoy the right to protection. While international conventions as well as national plans, policies, legislations, and programmes aim to ensure the right to protection for all children, there is a need for protection mechanisms to understand “protection” in the context of various groups of children as their need for protection may differ given their socio-economic realities.
12.10.1. Awareness and perceptions regarding formal protection systems

Of the total child sample, 96% children were aware of some formal protection system of the other. Of all the formal systems, the police were the most identified formal protection system. However, a majority of the children does not perceive these as systems meant to protect them given their lack of interface with these systems or “unpleasant” experiences with these systems. Interactions with parents reveal similar trends. Of the total adult respondents, 64% parents were aware of the presence of the CWC. However, though 94% of these parents have had an interface with the CWC, 67% were not aware of the CWC’s role in the rescue and rehabilitation of their children. A majority of the parents (96%) was not aware of the presence of Childline. Further, while 52% reported awareness of the presence of child care institutions and probation officers, 62% of these parents were not aware of their roles and responsibilities in the rehabilitation of their children. Interestingly, children of 88% of these parents have passed through the JJ system and thus, have had an interface with these systems.

When asked who would the child approach if faced with any threats or problems in the future, 44% children shared that they would approach their parent / family while 32% indicated approaching specific CSOs they are associated with, indicating more trust on family and CSOs as compared to stakeholders from the JJ system. Around 28% also shared that they would approach the police, 24% shared that they would approach their teachers or principals, and 12% shared that they would approach the superintendent of the shelter home they were placed in.

| Table 12.27: Children’s perceptions on approach and access to resolution mechanisms |
|-----------------------------------------------|--------|------------------|
| Who would child approach if faced with threats/problems in the future | No. of Responses | % of Responses |
| CWC                                           | 2      | 8%               |
| Childline                                     | 1      | 4%               |
| Parent/Family                                 | 11     | 44%              |
When asked for reasons as to why would the children approach a particular person, data show that children indicated approaching those persons whose interactions with them have been child friendly, who are trusted adults and come across as approachable. A couple of children who have had experiences of the police helping them out in the past shared that they would approach the police. Those who spoke about approaching their teachers did so as the teacher had helped the family while trying to get the custody of the child post rescue. When asked for reasons as to why would the child not approach a particular person, children indicated occurrences of bitter past experiences with the said persons which had left them scared and/or unhappy.

12.10.2. Rescue operations and processes followed post “rescue”

Being “rescued” versus being “picked up” by the police:

Children from the backward migrant communities who are engaged in begging routinely have an interface with the police under the provisions of the JJ Act for their rehabilitation. Of the total sample of children who have passed through the JJ system, 92% reported being “picked up” by the police. A majority of them further shared that their family members were also “picked up” along with them. It is interesting to note that while children found in situations of beggary are rescued under the JJ Act, the children themselves and their families perceive this act as forcibly “picking up” the child. Though initially reluctant, while children readily agreed to their engagement in begging, a majority of the “rescued” children indicated that they were “picked up” by the police even though they were not begging. 28% children shared that they were rescued by the police when they were neither begging nor hawking. These children further shared that they were playing or roaming around with their friends/siblings/alone in public places while they were “picked up” by the police. One child who stays on a footpath outside a temple specifically shared that he and his family were sleeping at night when a police van came and rounded up their entire family. Field interactions reveal that such occurrences are common especially for families living on the streets with children across locations recounting their experiences.
**Processes followed post “rescue”:**

Table 12.28 below showcases the processes and good practices followed post “rescuing” children from migrant backward communities who were found begging in the cities of Mumbai and Navi Mumbai.

<table>
<thead>
<tr>
<th>Processes and good practices</th>
<th>Details of what was followed</th>
</tr>
</thead>
</table>
| Place where child was taken post “rescue” | To the police station – 80% children  
Additional/New Children’s Home – 16% children  
Shelter/Children’s Home – 4% children |
| Child was offered a place to sit at the police station | Yes – 95% children  
No – 5% children |
| Child was offered food and water by the police | Yes – 75% children  
No – 25% children |
| Child was explained reason for their “rescue” | Yes – 8% children  
No – 92% children |
| Family was informed about child getting “rescued” | Yes – 33%, No – 44%, Not sure – 23% (child respondents)  
Yes – 60%, No – 40% (parent respondents) |
| Family was informed about the processes that will follow | Yes – 39%, No – 61% (child respondents)  
Yes – 25%, No – 75% (parent respondents) |
| Child was taken to a hospital | Yes – 84%, No – 16% (child respondents) |
| Child was explained reason for visiting hospital and procedures to be followed | Yes – 5% children  
No – 95% children |
| Presentation before the CWC | Within 1 to 3 days of the “rescue” – 71% children  
Within a week to 10 days of the “rescue” – 21% children |
| Child was informed by the CWC about the processes that will follow | Yes – 24% children  
No – 72% children  
Not sure – 4% children |

Data from the above table show that while all processes were followed by the police post “rescuing” the children, the police as well as the CWC do not necessarily keep the child and the parents informed about the processes to be followed as under the JJ Act, thus creating a sense of ambiguity and uncertainty in the minds of the children as well as the parents. Children who were taken to a hospital post rescue were asked about their experience at the hospital in terms of what happened there and their thoughts and feelings about the same. Around 33% children shared that they were scared and confused while at the hospital and were crying. They shared that they felt bad as nothing was explained to them and the medical staff mechanically went about the various processes. The remaining 67% children felt neutral about the entire experience. Children shared that they were asked if they had any injuries, whether their hands and legs were fine, for some fingerprints were taken and some children shared that they were given an injection without being told what was being injected.

Further, 64% parents and 72% also shared that given the lack of information, they were not aware of whether they will be punished in the process. Parents also shared that when they visited the police station to enquire about their children, they were made to wait at the police station for long hours and yet no information was furnished post which, they were turned away and were asked to directly contact the Child Welfare Committee. One
parent, in particular, shared that the police threatened them that their children will not be released as the parents were making them seek alms.

When asked about their experience of being “picked up” and time spent at the police station, 88% shared that they were scared, confused, and crying. These children further shared that they did not know what was happening with them, they were scared that they will be imprisoned and punished and would be separated from their parents. A couple of children shared that they were hit by the police either during the rescue or at the police station. One boy child shared that he was especially upset and embarrassed as he was beaten up in front of his mother and that he was also threatened by the police. Another child shared that the police were rude with his parents. Children also shared that the police addressed them making use of profanity and yelled at them when they were crying. A few children also shared that they were kept separately from their parents which increased their anxiety. Further, as the police did not interact with them at all, they felt anxious and uncomfortable. However, a few children and 50% parents also shared that the police were polite with the parents as well as the children and helped calm the children down when they were crying.

Interface with the Additional/New Children’s Home and Shelter/Children’s Home: Provisions and Gaps

Arrival at the Additional Children’s Home (ACH) and New Children’s Home (NCH):

Children who have passed through the system were asked about details of what happened with them when they first arrived at the ACH/NCH. Children who arrived during office hours mostly shared that they were asked their names and the circumstances which had led them to be brought to the shelter. Basic details about their family members were asked and their belonging were taken into safe custody. Those who arrived at night-time mainly shared that they were given a pair of clothes to change into and were shown where to go sleep. One child shared that when they reached the ACH/NCH late at night, the staff was not ready to take the children in as their photographs were not available. The police accompanying the children tried to reason out with the staff, but the staff refused to let the children in. The children were finally taken in after a lot of convincing by the police.

Basic services, facilities, and supplies received by children:

While 100% restored children shared that they were provided with clothes upon their arrival at the ACH/NCH, children shared that all of them did not receive the other basic supplies. 20% children did not receive underclothes, 20% children did not receive bedding, 28% children did not receive a mattress or its equivalent, 92% did not receive towels, 52% did not receive footwear, and 16% did not receive toiletries. These numbers are indicative of a gap in basic services at these shelters. In comparison, all children placed in Shelter/Children’s Homes (S/CHs) shared that upon arrival at the S/CH, they were given basics such as clothes, underclothes, bedding, footwear, toiletries, and sanitary napkins to those who required the same. However, a few children shared that they have to share some basics such as soap, toothpaste, and comb with the other resident children. 20% children shared that they did not receive any scholastic supplies at the S/CH.
Table 12.29: Basic services/facilities available at shelter/children’s homes (S/CH)

<table>
<thead>
<tr>
<th>Basic services/facilities available at the shelter/children’s home (S/CH)</th>
<th>No. of “yes” responses</th>
<th>% of children</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tap water</td>
<td>10</td>
<td>100%</td>
</tr>
<tr>
<td>Toilet with functional water source</td>
<td>8</td>
<td>80%</td>
</tr>
<tr>
<td>Hot water for bathing in winters</td>
<td>5</td>
<td>50%</td>
</tr>
<tr>
<td>Medical care when unwell</td>
<td>10</td>
<td>100%</td>
</tr>
<tr>
<td>Care giver staff when unwell</td>
<td>10</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>43</strong></td>
<td><strong>430%</strong></td>
</tr>
</tbody>
</table>

Further, 100% children in S/CHs shared that they receive basic services such as tap water and medical care along with care giver staff (when they are unwell) at the S/CHs they are placed in. However, 20% children shared that they do not have access to toilets with a functional water source while 50% shared that they do not get hot water for bathing in the winters.

**Induction orientation at the ACH/NCH and Shelter/Children’s Home:**

![Figure 12.42: Whether child received induction orientation at the ACH/NCH and Shelter/Children’s Home as reported by child respondents](image)

Around 20% each shared that they did not receive any induction orientation at their respective shelters. Further, 76% restored children and 80% children in S/CHs shared that they received an induction orientation within the first few days of their arrival at the shelter. However, the actual number of children who had received an induction orientation is much less as compared to the numbers indicated by the children. Data show that for 53% restored children and 25% children in S/CHs, the induction orientation they received was given to them by the other resident children. This orientation mainly revolved around following what the older resident children say, taking care of their chores for them in return for protection, and their opinions related to efficiency and approachability of the various staff members.
However, 58% restored children shared that this orientation helped them. Interestingly, several of these children had been given the orientation by the other resident children and they mainly spoke about being aware of who to approach or not approach when talking of how useful they found this orientation. Further three children who had also been oriented by the resident children shared that the orientation did not help them as they were anyway beaten up by the other children as well as the shelter staff. In comparison, 62.5% of those children in S/CHs who had received the orientation found it useful as they were made aware of who do they have to approach for what and it made them feel welcome at the S/CH. One child who had been oriented by the other resident children shared that the orientation did not help him as these children beat him up anyway.

Regular meetings with parents:
100% restored children and 80% children in S/CHs indicated that they were allowed to meet their parents once in every two weeks on an average for a duration of 30 minutes to an hour. There were only two children in S/CHs who were not allowed to meet their parents as per the orders of the Child Welfare Committee.

Child centric communication and case planning:
Keeping the child informed at all stages and ensuring that the child is at the centre and an active participant in all case planning is crucial to not only to the rehabilitation but also to the growth and development of children who have come into contact with the system. 20% restored children shared that they did not receive any updates on the progress of their case. From the remaining children, 52% shared that they received updates from either the PO or other shelter staff, 20% shared receiving updates from the concerned CSO working with the child, 4% shared receiving updates from the parent and 20% shared receiving updates from other resident children. Further, 13% restored children shared that they were not aware that they are going to be restored to their families. For the remaining children, 60% were informed of their restoration by their POs, the concerned police officials, or the CWC. 33% also shared that they were informed by the concerned CSO working with them while 20% shared that they were informed by their parents. 13% of these children also shared that their parents too were not informed about their restoration process.
For children placed in S/CHs, 30% children shared that they were not informed when they were being transferred from the ACH/NCH to the S/CH. Of the 70% who were aware of their transfer, indicated being duly informed by the shelter staff and concerned NGO. Further, the same 70% shared that their parents too were informed about the transfer while 30% shared that their parents were not kept informed about these processes. Prior to being placed in the S/CH, 40% children did not receive any orientation with regards to the shelter. When asked about individual care plans, a majority of the children in S/CHs indicated having no such interactions with the S/CH staff. Detailed interactions reveal that even those 20% children who shared having a dialogue with the staff regarding their care plan had actually not participated in any such activity. Around 20% shared feeling a sense of uncertainty where they did not know what was going to happen to them which made them feel unhappy; which highlights the importance of keeping the child informed and actively engaged at all stages of the progress of their cases.

“Every day I was told that I would be handed over to my parents the next day. However, it took 1 ½ months for me to get back to my family. This created a lot of stress for me as I was unsure of what would happen next. I was very confused, and it became difficult for me to live at the shelter.” – A 12-year-old restored boy

12.10.3. Interface with various protection systems: perceptions and experiences

Interface with the police

65% children who have never passed through the JJ system and 28% “rescued” children shared about their interactions with the police while engaging in seeking alms. 40% NJJ and 57% JJ children shared that the police make use of physical violence while engaging with children in beggary. Children shared about receiving beatings from the police using a stick. They further shared that the police officers on ground threaten to take away all their belongings (wares which the children are hawking) and threaten to take them to the police station to put them behind bars. A few children who sell balloons shared that the police would use profanity and burst the balloons they would be selling or would take away all their wares. Two children who had been picked up by the police shared that
their parents were asked to pay up to let the children go with the parents. The remaining 60% shared that the police scolded them if they were seen seeking alms. They further shared that they are often turned away by the police and are warned against seeking alms. Several children shared that they run away from the spot when they see the police approaching. Those who had been “picked up” and taken to the police station on previous occasions shared that they were made to sit at the police station for long hours post which their parents were called and the children were then let off with a warning and/or a fine.

“I was picked up by the police even though I was taking vada pav from a person known to me. They forcibly grabbed me by my t-shirt and pulled me towards them in order to make me sit on their motorcycle. I was taken away to the police station. I felt very bad for how the police treated and behaved with me.”

– A 13-year-old Pardhi boy living on a footpath in the city of Mumbai

Further, 20% ‘rescued & restored’ children also shared that the police trouble them and their families from time to time. All these children and their families live on footpaths across the city. They mainly spoke about how the police does not allow them to live on footpaths and how they are forcibly picked up and removed from these footpaths. Children shared about how they and their families are “picked up” at night and left somewhere very far off in the jungles from where they return back to the footpaths and start afresh. These children also shared that they are beaten up by the police if seen hawking.

“They once picked up me and my parents and dropped us in the jungles of Vashi. We had to come back by local train. Though this happened to us for the first time, this has happened several times with other families living on the footpath.”

– A 14-year-old boy living on a footpath in the city of Mumbai

“When I am back home for vacation, the police visit and tell my mother to not make me stay on the footpath.” – A 12-year-old restored boy enrolled in an Ashram school

Interface with the Child Welfare Committee

All 25 children in the sample who had passed through the JJ system were asked to describe their first meeting with the CWC. 92% children shared that the CWC members were nice to them and enquired about some basic details such as their name, information on parents and where they stayed, whether or not the child was enrolled and attending school, and the circumstances under which the child was rescued. Several children shared that the CWC members offered them water, biscuits, or sweets. All these children shared that they were comfortable interacting with the CWC and did not feel scared at all. A couple of children also shared that the CWC did not interact with them and it was the police who engaged with the CWC. Further, 57% parents also shared that the CWC members were polite while interacting with their children and themselves but were “strict about ensuring that the children attend school instead of seeking alms”. A few parents also shared that the CWC kept asking them to produce different documents which they found to be troublesome.
Interface with child care institutions and CCI staff

Children’s perceptions regarding their stay at the additional/new children’s home and shelter/children’s home:

25 children who have passed through the system were asked whether or not they liked staying at various categories of shelters post their “rescue” from begging. Data show that 73% children of ‘rescued & restored’ children did not like their stay at the ACH/NCH. In comparison, 100% children placed in S/CHs for their rehabilitation under the JJ Act indicated a liking for their respective shelters.

When asked for reasons, children indicated about experiencing physical and emotional violence (receiving beatings from other resident children and resident staff, bullying), an unresponsive shelter staff, not being allowed to meet parents, “bad” food, and a general sense of unhappiness as a result of being away from their families as the main reasons for not liking the observation home. Further, the 27% who liked their stay at the observation home shared that while at the ACH/NCH, their basic needs such as food and clothing was met with and that they got to engage in play and recreational activities at the shelter. One child who lived on the streets specifically shared that they liked the ACH/NCH as during their stay they were not troubled by the police and public as opposed to when they were living on the streets. In comparison, children placed in S/CHs indicated liking the shelter as their basic needs of food and clothing are met with; they get to study, learn, and engage in play and other recreational activities; they have friends at the shelter; they do not have to engage in wage work and seek alms; and are cared for by a children friendly and responsive shelter staff. One girl child specifically shared that she was able to escape getting married and an abusive family as a result of being placed in the S/CH.
Children’s perceptions regarding their physical safety at the additional/new children’s home and shelter/children’s home:

Children who have passed through the system were asked about their perceptions on physical safety at various category of shelters. 80% ‘rescued & restored’ children perceived the ACH/NCH to be unsafe as compared to 100% children in S/CHs who perceived the shelters to be completely safe. When asked for reasons, children living in S/CHs shared that they perceived the S/CH to be safe because of the presence of a child friendly staff which was approachable and responsive; the helpful resident children who would not bully them; as the children could choose what they wanted to do as opposed to having to seek alms; as they had friends there; and because the premises had surveillance. Children living on the streets specifically shared that they found the S/CH to be safe as the shelter had a peaceful environment as compared to the streets where frequent physical fights, bullying, and arguments would take place between neighbours. These children also shared that at the S/CH there was no fear of them being sexually abused and no threat of the police “rescuing” the child at night and that they could sleep peacefully. The 20% ‘rescued & restored’ children found the ACH/NCH to be safe as there was no trouble from the police and public constantly asking them to move away.

In comparison, the 80% “rescued” and restored children perceived the ACH/NCH as an unsafe space because of experiencing bullying and physical beatings by older children and staff; not being allowed to engage in play, receiving “bad” food; and being away from their families.

“I felt lonely and left out at the observation home…no one was ever good to me…it felt like a jail for disciplining children.”

– A “rescued” and restored child on their perceptions of the ACH/NCH

While 50% parents who children have passed through the JJ system had no complaints about the various shelters, a few parents also expressed their unhappiness with the shelter staff. Parents shared that their children were beaten up by the staff and the older children at the shelter and were labelled a “beggar” by the other children. Parents further shared that the shelter staff did not take good care of their children – one stated that her child came back from the shelter
with lice and skin infection while the other stated that the shelter did not focus on the child’s health and education.

Children’s perceptions on why they were “picked up” and placed in CCIs:

Table 12.30: Children’s perceptions regarding their placement in CCIs

Note: n=25, the cumulative percentage exceeds 100% as few respondents gave multiple answers

<table>
<thead>
<tr>
<th>Child’s perceptions on why they were placed in a CCI</th>
<th>No. of frequencies generated</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>As a preventive measure so that child does not seek alms and / or engage in paid work</td>
<td>3</td>
<td>12%</td>
</tr>
<tr>
<td>As a punishment</td>
<td>9</td>
<td>36%</td>
</tr>
<tr>
<td>For reformation / behaviour change</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>To provide a safe shelter to the child</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>For the child’s welfare</td>
<td>2</td>
<td>8%</td>
</tr>
<tr>
<td>For child to get good food</td>
<td>1</td>
<td>4%</td>
</tr>
<tr>
<td>For the child to get an education</td>
<td>9</td>
<td>36%</td>
</tr>
<tr>
<td>For the child to be able to fulfil his/her dreams</td>
<td>2</td>
<td>8%</td>
</tr>
<tr>
<td>DNK/NS</td>
<td>5</td>
<td>20%</td>
</tr>
<tr>
<td><strong>Grand total</strong></td>
<td><strong>33</strong></td>
<td><strong>132%</strong></td>
</tr>
</tbody>
</table>

Of the total children who had passed through the JJ system, a majority perceived that they were “picked up” and placed in CCIs as a punishment for hawking, seeking alms and roaming around unsupervised in the city. They believed that their placement in the CCI was a preventive measure against seeking alms and that they would be disciplined at the CCI. This substantiates children’s responses on their perceptions on the purpose behind running child care institutions for children where 20% shared that CCIs were operated for the purpose of disciplining and punishing children who seek alms and engage in wage work. Those who had been placed in shelter/children’s home perceived their placement mainly as an opportunity to get an education.

Children’s perceptions on having benefitted from being placed in a CCI:

Around 56% children perceived having benefitted from being placed in a CCI. Of these children, 65% were placed in shelter/children’s homes and 35% were restored to their family. When asked for reasons as to why did they perceive their stay at a CCI as beneficial, children placed in shelter/children’s homes shared that at the shelter there was no chance of them being “picked up” by the police and that they felt a general sense of safety; that they were being taken care of as their parents were not able to make ends meet; and that they did not have to seek alms anymore. These children also shared about opportunities for engaging in free play, sports, and other recreational activities which they enjoy with their friends at the S/CH. One child with an addiction specifically shared that he was able to gain freedom from his addiction as a result of being placed in the S/CH. Further, children placed in S/CHs as well as children
placed in ACH/NCH shared that their placement in the CCI provided them with the opportunity to study and that their basic needs such as food, clothes, and personal hygiene were met at the shelter.

“I get good food at the shelter and no leftovers.” – A child placed in a S/CH

Despite the perceived benefits, however; children unanimously shared that they would prefer to stay home with their family. Further, around 24% (6 children) shared that they did not perceive their placement in a shelter as beneficial to them. All these children had been restored to their families. A couple of these children shared that their experience of having passed through the JJ system had left them traumatized. One child specifically shared that their parents were troubled by the shelter staff, they were scolded every now and then and were not given “proper” food.

“Institutionalization is not the right approach. But the children who do have a home, the family members abuse (the children), or they are staying on the streets. Then we have to use the JJ Act and place the child in an institution for rehabilitation. We also counsel the parents. That is the one reason (why) the children are placed in institutions.” – Milind Bidwai, Asst. Director, Salaam Baalak Trust

Children’s voices: what could have been done differently or better to make their experience of having passed through the JJ system better or less traumatic

“If found begging, it would be best if the child can be sent back to family with a warning and not kept in a shelter.”

“The resident children should not beat up other children.”

“Children should be allowed to play on all days in the CCI and not just on Sundays.”

“The police should not have hit me.”

“The police could have been polite with the me and believed me when I said I was not begging.”

“The police could have kept me informed about what is happening and where am I being taken.”

“Children in CCIs should be allowed to visit their families more frequently.”

“The CCI staff could have been polite, not hit children, and could have kept me informed about the developments in my case.”
**Key trends: Protection concerns for women and children**

Adults as well as children are not well aware of presence and role of various formal protection systems. 61% children who reported awareness of some system or the other did not perceive any of those systems as protection systems.

Children indicated approaching their families, specific NGOs, and their school staff for safeguarding them from any perceived threats in the future, as children perceive these persons as child friendly, trustworthy, and approachable, as opposed to stakeholders from the JJ system.

92% children perceived the CWC as child friendly and shared that they were comfortable interacting with the members.

Shelter/Children’s Homes were found to be preferable as compared to Additional/New Children’s homes as 100% S/CH children liked living at these shelters and perceived the shelter to be a safe space. ACH/NCH were considered mostly unsafe and undesirable due to children experiencing physical and emotional violence from the staff and other resident children, an unresponsive shelter staff, not being allowed to meet parents, “bad” food, and a general sense of unhappiness as a result of being away from their families.

While 56% children reported having benefitted from being placed in a CCI, despite the benefits, children unanimously shared that they would prefer to stay home with their family.
CHAPTER 6: PROVISIONS
PROVISIONS OF CENTRAL AND STATE GOVERNMENT FOR THE NCDNSNT
13. Provisions of Central and State Govt. for the NCDNSNTs

The National Commission for De-notified, Nomadic, and Semi Nomadic Tribes (NCDNSNT) stated that the population of these tribes is 150 million (approximately 15% of total Indian Population) of which 15 million are in Maharashtra. There are in all 313 nomadic tribes in India. Post- independence both Central and State Govt. of Maharashtra have launched several welfare schemes for the rehabilitation, development and eradication of stigma and discrimination against the DNNSNT. The Ministries of Social Justice and Empowerment (Govt. of India & Govt. of Maharashtra) are implementing the following schemes for the welfare of the DNTs: (Source: Ministry of Social Justice and Empowerment - Govt. of India and Govt of Maharashtra)

✓ Dr. Ambedkar Pre-Matric and Post-Matric Scholarship for DNTs: This Centrally Sponsored Scheme (CSS) is for the welfare of those DNT students who are not covered under SC, ST or OBC. It was launched in 2014-15 for bringing about a focused intervention on these classes so that they are empowered socially and economically.

✓ Nanaji Deshmukh Scheme for Construction of Hostels for DNT Boys and Girls: This CSS launched in 2014-15 is implemented through State Governments/UT Administrations and Central Universities to provide hostel facilities to those DNT students; who are not covered under SC, ST or OBC; to enable them to pursue higher education.

✓ Assistance for Skill Development of Other Backward Classes (OBCs)/ De-Notified, Nomadic and Semi-Nomadic Tribes (DNNSNTs)/ Economically Backward Classes (EBCs): From the year 2017-18, the scheme "Assistance to Voluntary Organization working for the Welfare of Other Backward Classes (OBCs)" has been extended for DNTs and EBCs as ‘CSS of Assistance for skill development of the OBCs, DNNSNTS and EBCs’ to involve the voluntary sector and National Backward Classes Finance and Development Corporation (NBCFDC) to improve educational and socio-economic conditions of the target group and to upgrade their employability and income generation skills.

✓ Post Matric Scholarship to VJNT Students: (Maharashtra State Funded) In order to enable the VJNT students to undergo Post-Matric higher education the Government of Maharashtra has introduced a scheme known as the Government of Maharashtra Post-Matric Scholarship to DNNSNT students since 1970 the said scheme is introduced.

✓ Tuition fees and examination fees to VJNT students: Maharashtra state funded scheme to provide for tuition fees and examination fees to DNNSNT students pursuing higher education.

10 http://socialjustice.nic.in/
✓ Rajarshri Chhatrapati Shahu Maharaj Merit Scholarship for students studying in 11th & 12th standard of VJNT & SBC category: Maharashtra state funded scheme launched in 2003 to improve educational standard and to create competition spirit among these students, the government has introduced this scheme from the academic year 2003-04.

✓ Savitribai Phule Scholarship for VJNT and SBC girl students studying in 8th to 10 std: Maharashtra state funded scheme for encouraging the enrolment and to decrease the dropout rate of DNNSNT and SBC girl students studying between 8th and 10th standards.

✓ Payment of maintenance allowance to VJNT and SBC students studying in professional courses and living in hostel attached to professional colleges: Maharashtra state funded scheme to complete the education and meet other needs such as residence, food, stationary etc. of VJNT and SBC students who are pursuing professional courses.

✓ Yashwantrao Chavan Mukta Vasahat Yojana for VJNTs: Maharashtra state funded scheme to increase the living standards of VJNT families and to create and uplift income sources and get stability to the VJNT families.

✓ Vasantrao Naik Tanda / Vasti Development Scheme: Maharashtra state funded scheme to provide basic amenities to tandas and bastis of DNNSNTs. This scheme is being implemented along with Dalit Vasti Sudhar scheme meant for SCs.

✓ Motor Training to the VJNTs: A Maharashtra state funded scheme for vocational training.

✓ Vidya Niketan School: A Maharashtra state funded scheme giving support to voluntary organizations to run the Public School (Vidya Niketan) on grant-in-aid basis at Kamlewadi, Taluka Mukhed, Nanded for the needy, brilliant and talented students belonging to DNNSNTs. Admissions to 640 students from 5th to 12th standard on merit basis.

✓ Residential Junior Colleges: A Maharashtra state funded scheme for;
  
  • Educational and social development of VJNT students of 11th and 12th class the Junior college by upgrading the secondary Ashram Schools in existence. Free lodging and boarding & food facilities along with necessary educational goods, stationary is being provided as per norms.
  
  • Social and Educational development of VJNT/SBC students.
  
  • To eliminate the dropout ratio of students.
Ashram Schools: (Maharashtra State Funded) As a special measure for providing educational facilities to the pupils belonging to Vimukta Jatis and Nomadic Tribes, Government has encouraged the establishment of Ashram Schools with residential facilities to the children through recognized NGO’s. Permission to open Ashram Schools is granted to such voluntary agencies which show interest in conducting schools for Vimukta Jatis / Nomadic Tribes etc. and are prepared to maintain the Ashram School as per terms and conditions prescribed by Government. Free residential facility, educational articles, playground, Medical facilities are provided through Voluntary Agencies.

The Maharashtra government have also introduced category-wise reservation for candidates belonging to the VJNTs, the SBCs and OBCs in education and employment.

The State (Central and State Govt.s) have welfare schemes for the DNNSNTs...mostly residential education and scholarships. Every effort should be made to link these families with these schemes
But
Why not give them homes where they can stay with their families and go to a nearby school?
PROVISIONS BY THE CIVIL SOCIETY SECTOR
14. Provisions by the Civil Society Sector

- **Atchayam Trust:** \(^{11}\)

Atchayam Trust - a Non-Government organization at Namakkal, Tamil Nadu works with the main objective to make India a Beggar free country. For eradicating beggary, the Trust has adopted three strategies:

1) By Conducting awareness campaigns and rallies with the motto of “No alms to any one; No asking for alms.
2) Survey and Counselling of the identified to determine the reason, condition, prominent position and their physical and mental condition.
3) By rehabilitating the beggars for a better life by unifying with their blood relatives, admitting in old age homes or orphanages and aiding them jobs for their social security.

- **Butterflies:**

Butterflies works with the most vulnerable groups of children, especially street and street connected children to make them self-reliant by educating and imparting life skills among them.

The main programmes of Butterflies for street children are Education, Children's Development Khazana (life skills programme teaching financial management), Child Health Cooperative, Children's Media (Butterflies Broadcasting Children), Resilience Centre & Childline (1098, 24-hour helpline for children in crisis), Night Shelters for homeless children, vocational training, Right to Play and Child Social Protection Committee Programme.

In the year 2009, on a request by the Delhi High Court, Butterflies also ran a programme for Children in Conflict with Law in an Observation Home for Boys in New Delhi.

- **Chetna:**

Childhood Enhancement Through Training and Action (CHETNA) is working for the empowerment of street connected children in Delhi and neighbouring states. They work with the street children through various projects on the following aspects:

1) Empowering children by joining them together to have a collective voice and fight for their rights.
2) Giving voice to Street and Working Children so that they can bring their issues and concerns through Balaknama – the world’s first newspaper made for street and working children by street and working children.
3) Identifying any new child found on a railway platform and rehabilitate and reunite them with their families.
4) Empowering children through education and provide a range of fun, creative ways for them to learn essential life and leadership schools.

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\(^{11}\) Source: Organization Website
Apart from these CHETNA also has Well-being centres to rehabilitate children engaged in substance abuse, a Childline at Agra, a distance school education system to cater to the needs of the working children. They also, work towards the retention of the street children to school in Delhi.

- **Childline India Foundation:**

  CHILDLINE India Foundation is acting as the parent organisation for setting up, managing and monitoring the CHILDLINE (1098) service all over the country. CHILDLINE 1098 is a phone number that provides free, emergency phone service for children in need of aid and assistance. Apart from responding to the emergency needs of children CIF also link them to relevant services for their long-term care and rehabilitation. Children for whom CIF works are:

  1) Child Labours
  2) Children undergoing any kinds of abuse and violence
  3) Trafficked Children
  4) Missing Children
  5) Runaways
  6) CNCP
  7) CCL
  8) Child Beggars etc.

- **CRY:**

  CRY started with the mission of improving the lives of the underprivileged children of India. The organization works towards ensuring children live, learn, play, express themselves…bringing about lasting change in their lives. CRY mainly works towards the prevention of Child labour, Child marriage, malnutrition, fighting for girl child, immunization and providing quality education to the underprivileged through different programs and initiatives.

- **Generation Yuvaa:**

  Generation Yuvaa is a registered NGO at Vishakhapatnam, working towards providing food, shelter and education to street children, child beggars and orphans. The objective of the organisation is to work for the welfare of the children who are deprived of the basic rights such as health, education etc. For working with such children Generation Yuvaa started Children’s Home to provide shelter for street children, orphans and child beggars. Apart from establishing the Children’s Home they also spread awareness about child begging, conducts counselling sessions with the parents and children who have been rescued from begging or otherwise and refers children to appropriate places.

- **Grace Action India:**
Grace runs programmes on education, including the street children and working children, disabled children, preparatory school for slum and street children, bible club for slum children, adult education for drop out children from school and labour children, multi religious education, vocational training and social development, provide training or education on child rights, work directly with children, work in partnership with organisations, child labour and working children, children and education, children and health, children living with HIV/AIDS, children with disabilities, children working and living on the street, rights based based programming.

**Hamara Foundation:**

The primary goal of Hamara Foundation is to empower street children and homeless children to have a chance of a better quality of life by providing them with need-based services for their growth and development and creating public awareness about issues pertaining to street children and homeless children.

Under the ‘Street Children’ project Hamara Foundation looks after children on the streets and pavement dwellers at Mumbai who are provided with several services for their development and empowerment through five contact centres at South Mumbai. Various services such as health care, bathing facility, nutrition, education (Formal and Non-Formal), skills training, recreation, picnics and outings, day and residential camps, money savings, locker facility, movie screening, library, counselling are provided to the children under this project.

**HAQ Centre for Child Rights:**

HAQ has primarily been working with children vulnerable to neglect, violence, abuse and exploitation and also those who are in conflict with law. They provide legal aid to the CNCP, psycho- social support by continuous counselling and psychological therapy session to the children who are in need of it.

**Jamghat:**

Jamghat is a registered NGO located at Delhi which aims to help children living and working on the streets of Delhi to realize their dreams and re-join society by offering opportunities for street children and society alike to make changes in their lives. Education is one of Jamghat’s primary thrusts, even at its day care centre in Old Delhi. The aim of the organisation is to provide an environment where street children can evolve better physically as well as emotionally, become self-dependent individuals, and can live a life of their choice. For this, they have a residential program for children who are without a safe home or family. Jamghat also encourage and support reconciliation of the children with families whenever possible. Jamghat does not just provide food, shelter and education to the homeless children, but the children are also encouraged to delve into theatre and art to enrich and express themselves.

**Plan International - India:** Plan reaches out to vulnerable children in remote areas and facilitates development processes that result in increased security for children, their families and communities. They create a lasting impact on the lives of vulnerable and excluded children and their communities by providing education to the vulnerable children,
preventing child marriage, child trafficking by rescue and repatriating cross border victims from India to Bangladesh and Nepal through RIMS by contacting identified shelter homes. They have also set up crèches across Delhi, Hyderabad and Bangalore to provide children of construction site workers with pre-school early education, nourishment, immunisation and healthcare.

- **Pratham Council for Vulnerable Children (PCVC):** PCVC was born to reach out to the most vulnerable, unreached children to withdraw them from their exploitative conditions and ensure their proper rehabilitation in family, school and society.

  1) PCVC specifically addresses issues of out of school children, child labourers, and children involved in trafficking for which they do door-to-door surveys, school enrolment drives, child rights awareness sessions, community mobilization, form village vigilance & child protection groups, parents meetings & counselling sessions, and training sessions with local schools.

  2) The organisation also ensures that the child labourers do not return to work and preventing new children from being forced into child labour by setting up help desks at the main railway stations and creating community vigilance groups.

  3) **PCVC rescues children from work or any exploitative conditions and repatriate them to a safe and secure place.** Also, they restore children to families in native places or through residential shelters.

  4) Creating residential and non-residential model for children from critical backgrounds through a Residential Care program, and through different education classes and Vocational Skill Training respectively.

- **Ratna Nidhi Charitable Trust (RNCT):**

  This CSO has a project called Safe Kids Foundation was set up in India in October of 2006. This project is for the kids to prevent childhood injury. Accidents kill 1.3 million children annually. Child beggars are the target group as they roam around roads and railway tracks. Safe Kids Foundation started working in the sphere of road safety by launching its First program ‘Walk This Way’ in October 2007. It educates both the school and non-school going children about Pedestrian safety thus spreading awareness of the hazards on the road and on railway tracks.

- **Salaam Baalak Trust, Mumbai:**

  Salaam Baalak Trust – Mumbai provides a holistic safety net of services to cater to the individual needs of street children, covering the entire area of child development from physical and medical needs and encompassing the educational, creative, cognitive, social and vocational needs of children.

  1) Education: formal education in schools along with non-formal education at the centers

  2) Creative and recreational programs in art, drama therapy, judo, football, music, dance
3) Information dissemination via professionals, camps and workshops
4) Nutrition and medical care with health check-ups, vaccinations and treatment, mental health
5) Counselling services
6) De-addiction services in conjunction with other organizations
7) Income generation skills in screen printing, handicrafts such as making candles, paper bags, photo-frames and other items are taught and exhibited.
8) Rehabilitation and mainstreaming the youth.

- **Salaam Baalak Trust, Delhi:**

Salaam Baalak Trust is dedicated to providing a sensitive and caring environment to street and working children by ensuring their rights and protection. Through their various projects SBT, Delhi works on providing the following services to the children:

1) Children Homes (Full Care Residential Centres) which provides children a caring and nurturing environment with a sense of security.
2) Health Protection through regular medical check-ups, conducting pathological tests, vaccinations, organising health camps, providing nutrition food, counselling and behavioural therapy.
3) Providing education and working towards their Social Inclusion.
4) SBT encourages the use of creative and performing arts such as photography, theatre, dance, puppetry etc. to exhibit talent among the children.

- **Save the Children India:**

Save the Children India, works to improve the lives of marginalized children in India by providing quality education, healthcare, protection from harm and abuse and life-saving aid during emergencies to children.

The projects of Save the Children India are bucketed into the following five thematic areas:

1) Child Protection
2) Health & Nutrition
3) Education
4) Humanitarian Response & Disaster Risk Reduction
5) Child Poverty

**Through the campaign #TheInvisibles**, the organization worked to address the biggest problem the street children face – lack of identity. This was done by the means of providing them an Aadhaar Card and linking them to various government schemes.

- **SOS Children’s Village, India:**

In India, SOS Children’s Village take necessary actions for CNCP. The organisation has also pioneered a family approach to the long-term care of orphan and abandoned children including education to empower their future and facilitate their successful reintegration into society. The
programmes developed by SOS Children's Villages vary according to the needs of the local population and include education at SOS Hermann Gmeiner Schools; accommodation for young children; medical advice and assistance. Through family-strengthening programmes they work directly with families and communities to empower them to effectively care for their children. When children can no longer stay with their families, they are cared for by their SOS mothers in one of the SOS families.

- **Prerana, Mumbai – Project Sanmaan:**

Here are a few stories of children who are found begging. With the right intervention and support, they are beginning to dream of a life off the street. ‘Sanmaan’ aims to strengthen the responses of the existing systems for sustainable rehabilitation of such children and build the capability of communities to ensure children don’t get inducted into begging.

**Case Study 1: Sanjana**

Fourteen-year-old Sanjana attends the Telugu-medium Municipal school near Sewri in the Mumbai suburbs. One of the top students in her class, she is known for her confidence amongst her peers. She lives along with her mother and younger sister in a small home. The police had rescued her from begging almost two years ago. Today, this Class VII student makes sure that she attends school and encourages children around her to do so too. The school staff admires her spirit, as she understands the importance of educating herself and the change it is bringing in her life.

**“Did you go to school today?”**

“No, I did not.”

**“Why not?”**

“The municipality has demolished all the houses and taken away our belongings. All we managed to save during the eviction were some utensils.”

**“When did this happen?”**

“Yesterday. The “municipality ki gaadi” demolished everything. All the roofs of the houses are gone. They took away my bag which had some of my school books. I don’t know what to do. This happens every six months. The municipality, without any warning, just comes and demolishes our homes. They take our things to be dumped somewhere. It’s difficult to get things back. I don’t know much about it. My mother does not tell me.”

**“Why haven’t you gone to school today?”**

“How can I go? The whole house has been demolished and we are left out in the open. Anyone can steal the utensils we are left with. Since I am the eldest, I have to take care of it, while my mother goes to work. There are chances that the municipality people might return and take...
other things too. So, I have to be here to keep an eye on everything. It gets difficult to concentrate on studies when such things are going on.”

“When will you be going to school?”

“Not for the next 15–20 days. May be by tomorrow, we would shift to another place where our relatives stay. We will get back once things are settled here, and when we feel that there is no threat of anybody returning and demolishing our home. We have to start saving to buy plastic sheets and staying with relatives will help us to do so.”

“How?”

“For some time, since we will stay with relatives, we do not have to fully pay for food. It is contributed. It helps us to save at least 100 rupees every day. After some days, it is enough to buy plastic sheets.”

“What’s been on your mind since this incident?”

“I hate it! I hate it! I hate it! But things like this keep me motivated to study further. I want to be a police officer one day and stay in my own house where I don’t have to live with the fear of being thrown out every single day. I don’t want to stay in fear, that’s it.”

Case Study 2: Sujay

Sujay’s peers call him “humble and polite”. The 13-year-old boy, who loves to study, has been staying in a Children’s Home after he was rescued from beggary in June 2016. He used to stay along the roadside in Mumbai’s Grant Road with his father, who did not care much about him. Later, he took to begging along with women and children on the road. At the Children’s Home, he feels safe, he says.

“Hi, how are you today Sujay?”

“I am good Didi.”

“Did you go to school today?”

“No! Today is Saturday. No school.”

“What have you been doing then?”

“I have been playing with my friends.”

“What were you playing?”

“Marbles.”

“No studies today?”

“Not much, no homework today. We have tuitions in the afternoon.”

“Sujay, do you like staying in a Children’s Home?”
“Yes. I do. You know Didi, this place is way better than where I lived earlier.

I used to stay on the road, with my father. My father hardly cared for me. It has been two years he has not come searching for me. I felt left out Didi. But here everyone appreciates my work. When I used to stay on the roads, I had to beg along with my friends every time we felt hungry. Here in the Home, I don’t have to ask for anything, be it food or education. When I was on the streets, every day was a struggle to survive. You have to be tough to survive on the streets. Here, I feel safe.

Case Study 3: Chhaya

Close to a traffic signal at Dadar in Mumbai, on the dusty pavement, 13-year-old Chaaya sits huddled, meticulously tying one flower after the other to weave a gajra (garland). There are days, when she has to skip her school to sell these gajras to contribute towards her family’s income to make ends meet.

“Hi! How are you?”
“I am good.”

“Do you go to school?”
“Yes, I am in Class VI now.”

“Do you go every day?”
“No, sometimes. One or two days a week.”

“Why?”
“I have to work.”

“What work?”
“I make and sell gajras.”

“Who gets the flowers for the gajra?”
“Sometimes, my mother or I go to the market to buy flowers. We have to wake up early, get the material and start preparing gajra.”

“This is what you do every day?”
“Yes.”

“When do you go to school then?”
“I have school in the morning. If my mother goes to the market and brings the material, I am able to go to school.”

“Your mother doesn’t go every day?”
“No, sometimes she sleeps till late, which is why I have to go.”
“What about your father?”

“He does not help. He is a daily wager and wastes all the money in drinking.”

“Do you like to study?”

“Not much, I don’t understand what is taught in the school. But I do want to study and complete at least Class X. My parents won’t let me study further.”

“Why so?”

“Girls in my community get married once they turn 18 years.”

“Do you want to marry?”

“I don’t have much of a choice in that. I have to get married.”

“Would you like to tell us about your day at work.”

“So, I get up early in the morning. My younger sister and I go to the market to fetch flowers and other materials for gajra. I come back and start making the garlands. I make about 100-200 of them per day. By afternoon, I go to the nearby railway station to sell them. I earn around 200-300 rupees, excluding the material expenses. There are times when we don’t have to sell. We get work from others to complete certain number of gajras and we get paid. The material is provided, and I don’t have to sell, though the number of gajras are more. We have to make 1,000-2,000 garlands in two days. We get paid well, but it is a lot of work.”

“Who uses the money you earn?”

“I give it to my mother. We buy food from the money my mother, sister and I earn by selling gajras. My mother cooks good chicken. You should try it.”

“Do people ever give you food?”

“Yes, they do. People come and distribute food. Or sometimes leftovers. We don’t eat the leftover food.”

“Do you get bored of working?”

“Yes, I do. But I have to if I have to eat.”

Case Study 4: Aarti

Today an adult, Aarti belongs to the Pardhi (a semi-nomadic now de-notified tribe, which was for over a century branded as a criminal tribe) community of Solapur, Maharashtra. Having gone through a forced marriage, young Aarti nurtures a dream — a dream to study further.

“How long have you been married Aarti?”

“It has been two years. I don’t stay with my husband anymore.”

“Why?”

“Girls in my community get married once they turn 18 years.”
“He didn’t give me any attention. I worked for him and he cared least about my existence.”

“How long have you been staying away from him?”

“It has been six months. I was married against my wishes. I wanted to complete my Class X and then take up a good job. But my mother and uncle beat me up and forcibly got me married off.”

“What did your husband do?”

“He would make me work for the whole day and cared least about me. If he thought that I did not work as he wanted, he would mercilessly kick me or hit me. I would be in pain for hours. He used to beat me up because I could not bear a child even a year after our marriage. He used to humiliate me in front of everyone and my family. Others took my side, but my family kept quiet.

Now that I have left him, my family taunts me. They laugh at me. My mother survives on my earning, yet she says that I am a burden on her. I earn and live on my own, but still they slam me. My mother wants me to go back to my husband. But I don’t want to. Why should I? I want to complete my Class X. This is the reason why I have come to you Didi. I want to study and get out of here and stand on my feet.

“Did you ever complain to police?”

“No. I haven’t, and I don’t want to. I don’t want to cause trouble to anyone. All I know is that I don’t want to stay here anymore.”

Case Study 5: Manoj

Twelve-year-old Manoj is a doting brother. He and his younger brother used to wander around together across the suburbs of Mumbai. The duo would beg for a living. It was during a follow-up meeting by the Prerana team that they discovered Manoj’s addiction to drugs. He used a part of the alms to support his addiction. Subsequently, he was sent to a rehabilitation center following the order by the Child Welfare Committee. Here is a part of the discussion by Prerana’s social workers as they interact with Manoj in one of the follow-up visits after the child was placed in the rehabilitation center.

“Hi Didi, how are you?”

“I am good Manoj. How about you?”

“I am good since the past few days. Initially, it was difficult (rehabilitation process). I felt weak. They made me stay in a place where they gave me medicines and food.”

“Do you feel okay now?”

“I feel good. I have been feeling strong since the past few days.”

“That’s good to know.”
“I was not okay initially, but I feel better now. I was never okay Didi when I took drugs. My younger brother had asked me to stop it so many times, but I did not listen to him.”

“What had happened?”

“My younger brother and I would wander from place to place. I had friends who took drugs — the shoe polish. We used to inhale it. I used to feel dizzy after that. It started as fun but took a heavy toll on me. My younger brother had warned me, but it was of no use. I continued taking it.”

“Do you want to return to your home?”

“No. Actually I am not sure Didi. I will stay till I am sure I am okay and then want to return.”

Case Study 6: Akash

Sixteen-year-old Akash dropped out of school after his father’s death. He was 12 then. While he studied in an “ashram-school” (tribal residential school run or supported by the State) in Solapur, the situation compelled his mother to ask him to beg and later do menial jobs to make ends meet. Prerana under its Sanmaan project is now trying to reintroduce education in the life of this child.

“Tai, Akash is spelt with one ‘A’ and not 2.”

“Sorry! How come you are back early from work today?”

“No, I did not go to work today.”

“Why did you not go to work? What happened?”

“Nothing! Just did not feel like going. Tai, did you get the information of NIOS (National Institute of Open Schooling) that you were to get?”

“Yes, I did! You have completed your standard VI, right? So, we can now have you admitted in the next class. Tell me something, why did you drop out of the school?”

“I did not want to continue. Our father died when I was 12. My mother had to make me and my step-brother discontinue our school so that we could work and earn for the family. In all, we are eight brothers and sisters. My mother could not take care of everyone herself. So, she removed us from the school.”

“What kind of work did you do?”

“For a year, I begged along with my younger sister. We both earned 200-300 rupees a day. I used to give the money to my mother. I never liked the work she had to ask me to do, but I had no choice. Then along with my mother I started selling things. I sold books and gajras in local trains and on the streets.

“Then?”

“Once I turned 15, I started doing menial labour. I worked at construction sites, Metro sites and even cleaned sewers. I hate it! I hate to clean the gutters. The stench makes me choke and puke,
but you have to do any kind of work you get. I have to work and earn if I have to survive. The work — be it clearing sewers or construction work — is physically taxing, which is why I eat tobacco. It calms me down.”

“Do you know that taking tobacco is dangerous for your health?”

“Yes, I do know that it could kill me. But Tai, the kind of work I do, it hits you mentally. There are times when I am so frustrated that I physically fight with people around me for no apparent reason. I need tobacco so it helps me to get through the day.”

“Please note that we can take you to a rehabilitation centre to help you give up tobacco.”

“You mean treating?”

“Yes, you might need medical help to get rid of it.”

“I need to think about it.”

“Tell me something…. why do you want to study?”

“When you came to the community, I saw that you wanted to make sure that the children go to school and study. No one has ever come to our community like that. I always wanted to study but did not know whom to approach for that. Which is why I have come to get the information about what’s to be done to complete my education.”

“Yes, but why?”

“Why not? You completed your studies, why can’t I? Why do I have to give any reason for completing my studies. Tai, what kind of future you saw when you completed your education?”

“I did my Masters in social work because I wanted to be a social worker. What do you want to be when you complete your education?”

“I don’t know! All I know is that I want to study and complete the 15th standard. All I know is I don’t want to work under the scorching sun, get drenched in the rain, work in the sewers to earn money, without caring for myself.”

Case Study 7: Savita

Every morning, Savita hops on to the local trains on the Harbour Line in Mumbai to sell a sack of garbage bags. This 14-year-old girl has a family of five and is the eldest of the three daughters. They live in a shed made of aluminium sheets by the side of a highway in Chembur, a suburb in Mumbai.

“You are home early today!”

“Yes, I completed my day’s work and returned early.”

“Where do you go for work?”

“I sell garbage bags in local trains; one packet for 20 rupees and three for 50.”

“How many bags do you buy every day?”
“We buy a sack full of the garbage packets. Each sack contains around 100 packets.

“How much do you buy those for?”

“Each packet? Nine rupees per packet. Mother buys the sack.”

“From where?”

“Somewhere in Mulund, I don’t know the place.”

“And so, you sell the whole sack all by yourself?”

“No, my mother and I do.”

“How much do you earn?”

“Around 500 rupees per day.”

“How long do you work?”

“I leave by 9 am and return by 8 pm sometimes.”

“What do you do once you return home?”

“I cook and eat the same food the next morning too.”

“Do you want to continue working this way?”

“(Shyly) I don’t have any choice, I have to eat and survive, for which I have to work. My family depends on the money I earn. I have to take care of my sisters. Nobody cares about us. I don’t like working. Women customers bargain and haggle-haggle even for 10 rupees. Men on the platforms ogle at me. But yet, I have no choice Didi. I have to work.”

“Do you complain to anyone about it?”

“No one. It is part of the work I do. I can’t even complain to police or they will ask for hafifa (extort money) from me for selling the bags in the train. I can’t afford that. If I get arrested, I have to pay a 1,200-rupee fine to the police. The women police come and take away our things. Earlier, I used to sell clips, but I got caught once in six months and had to pay fine. Also, the revenue is not that good in selling clips. In selling bags, I don’t get caught easily and the profit is good.”

“How many family members do you have?”

“We are five people — two younger sisters, father, mother and me.”

“Does your father work?”

“He does, but he spends all his earnings either on gambling or drinking. He does not care about us. If we try to talk to him, he beats us up… all of us. Also, he wanted a boy child, and we all are girls.”

“What about your education?”
“What education Didi? I tried going to school but was ridiculed by my teacher. I was bullied by my classmates for not understanding a word in the class. There were times, due to tiredness, I would doze off in the school and the teacher would scold me in front of the whole class. It was unpleasant and humiliating.”

“Do you ever want to complete your education?”

“I am not sure Didi. All I want is to take care of my sisters. I want them to be educated. I want them to complete their education and have a stable job. I want them to be addressed as ‘madam’. In the next few years, I may get married, but I will still take care of my sisters.”

Case Study 8: Saanya

Saanya, a 10-year-old girl, was rescued from begging in Mumbai, back in May 2016. Today, she and her sister study in a Municipal school in Ghansoli, Navi Mumbai. She is regular at a school and is good at her studies. In conversation with Prerana’s social workers, she recalled the challenges she had faced while she lived shelter less along a roadside in Ghatkopar with both her sisters and parents. The family’s makeshift toilet meant four bamboo sticks on four corners tied together by tattered pieces of cloth and plastic.

“What safety related challenges did you face while staying alongside a street?”

“As you know, we don’t have water and toilet facilities. We have to take water from the nearby colonies. Often, the residents of those colonies humiliate us and shout at the children for fetching water from there. We don’t have our own toilet facility, neither is there any public toilet facility. So, we are forced to wake up early and go to a nearby colony, which is abandoned, to relieve ourselves. It is dangerous at night, but it is also difficult during the day time as it is dimly lit there. We have to always take someone with us for our safety.”

Why do you feel unsafe?”

“It is all dark there. If we are alone anyone can do harm to us in any manner.”

“What do you mean by ‘anyone’?”

(She does not answer)

“What is the worst thing about staying on a footpath?”

“We are scared, especially at night. My parents sleep on either side keeping me and my sister in the middle. My mother has instructed me to scream aloud and raise an alarm if someone tries to touch me.”

“Have you ever spoken about it to anyone?”

“No one other than my family.”

“Do you know about the child helpline – 1098?”

“No.”
“So, when someone touches you or tries to grab you or does anything that you don’t like, you can always talk to the police. You can also call 1098 and talk to the helpline persons.”

“How will that help?”

“They will protect you. They will try to get the person who troubles you punished.”

“Hmmmm.”

“Would you like to stay in a children’s home instead of living on the street?”

“No! Not a children’s home. I am happy with my family. I don’t want to be away from my family.”

“If you get to stay in some place other than the streets or children’s homes, what kind of place you would you want to be in?”

“A place where there is a tap and a toilet in the home, so that we don’t have to listen to anyone’s scolding; a place with walls and a roof, so that we could be protected from the rains, so we won’t have to run from place to place on a rainy day. A place with a cupboard, so that we can keep our belongings safely. Also, from where school is nearby, so that I don’t have to walk long distances.”

As usual the Indian civil society sector is responsive and has intervened in various ways
CHAPTER 7: CRITICAL ISSUES
TO ENCOURAGE INSTITUTIONALIZATION OR NOT?
15. To encourage institutionalization or not?

Institutionalization appears to be the most common approach in the rehabilitation of the child victims of human trafficking and of children coming in conflict with the law namely the CNCP and the CCL. Residential education and shelter based developmental interventions represent a popular intervention of the state and the civil society. The study tried to examine the approach in the case of the children of certain ethnic communities found begging.

Tribal Ashram schools - In the year 1955 the central government started a heavily financed scheme of providing residential education to the children of scheduled tribes named as tribal Ashram schools. It was an example of a well-articulated needs and rights-based, developmentally oriented measure of state intervention that became very popular among the tribals. It provided the much-needed shelter, nutrition, clothing, health care, recreation along with residential education to hundreds of thousands of tribal children in the country. The seasonally migrant tribals who were victims of forced migration in order to survive saw in this scheme an instant solution to the plight of their children. The scheme holds the promise of showing impressive positive impact in a lifetime of a single generation whereby the seasonally migrant tribals could break the vicious cycle of backwardness, impoverishment, and exploitation. As of 2018, Maharashtra state has 1567 Ashram schools with 5,14,084 residential children in them (of which 2,74,803 are boys and 2,39,281 are girls). In Maharashtra starting with the one in Solapur district run by Salaam Balak Trust there have been some attempts to start Ashram schools specially for the children of DNNSNTs.

After all, ashram schools are institutions

Although open at the end of the day Ashram schools are institutions. As per the UNCRC-1989 and as stated in the JJ Act institutional solutions are to be used only as the last resort and as far as possible children must grow in their families. All children have a right to family and that right must be protected (JJ Act 2015 in Sec 3 (XII) ‘institutionalization is to be used as the last resort……’).

Preamble of UNCRC….  

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community, 

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.

• Growing up in an institutional set up has its own problems. It leads to what is called as the institutional syndrome among its residents many of which today appear as non-preventable.
• Institutions which were once introduced as solutions to the problem of children who were in difficult circumstances or in acute need of care and protection and whose families were for whatever reasons not suitable to take care of them are today turning out to be problems in themselves. The widely witnessed mismanagement of institutions has raised a fundamental question whether institutions are a solution or a problem? Children living in institutions are extremely vulnerable and fall victims to some of the preventable problems.

• Children living in institutions have been reported to be victims of bullying, abuse and maltreatment by their staff and co-students both.

• In the state of Maharashtra alone in a period of 10 years i.e. from 2002 to 2012 some 1077 resident tribal children have died and there are no clear reasons recorded for their death other than something as vague as ‘sudden death’. A Special Committee was set up under the Chairmanship of Dr. Salunhke former Director General Health Maharashtra State to look into this problem and suggest measures to address it.

The Free Press Journal October 20, 2016 writes “… According to the Salunhke Committee report, 1,077 students have died in the last decade from the 19 ashram schools across the state. The causes of death, according to the committee, in these cases are snakebite, stomach-aches, high fever, accident, suicide, etc… The committee also reported that at some schools there have been complaints of sexual exploitation.”

The civilised world has recognised the problems associated with growing up in an institution and are actively looking for alternate non institutional solutions.

Several research studies have shown negative impacts of the long-term institutionalization on the child. Some children have shown traits such as low self-esteem, failure to trust etc. which constitute what is known as the Institutional Child Syndrome. This is the result of continuous regimentation and impersonalized care given at the Institution (Mehta, 2015). Foster Care India and Centre for Law and Policy Research (2014) in their document critique that the lack of one-on-one human contact, lack of play facilities, poor nutrition, overcrowding, and lack of access to medical care are commonly observed problems in institutional care. These deficiencies lead to physical, behavioural and cognitive problems of various kinds. The child is separated from the family and often experiences trauma. Children in institutional care do not experience warmth and positive relationships with caregivers or other significant adults. Children are also vulnerable to abuse from other children and staff which may not get addressed adequately. The feeling of isolation from the outside world, lack of bonding among the children or with the staff impacts the child’s sense of belonging, happiness, and emotional security. Institutions also become sites for neglect, abuse and exploitation. Moreover, some children continue to remain for long periods in the Institution due to lack of family tracing. Often there are very few attempts to achieve family reintegration. There is very little periodic review of the child’s stay in the Institution, exploring of other alternatives, and preparation for life after leaving the facility (The Centre for Excellence for Looked After Children in Scotland, 2012). (Source: ALTERNATIVE CARE FOR CHILDREN: POLICY AND PRACTICE SOS Children’s Villages of India & TISS 2017)

However, in the absence of any constructive alternative and faced with the enormous problem of children living in homeless conditions or in unsafe homes or with unsafe families or the
children of families who are seasonally forced to migrate to survive, as of today, there appears no option but to place them in shelters like residential schools and CCIs.

The primary data collected under this study also show that some parents especially the Pardhis (the Pardhis were found using the residential school solution more often) are now questioning the propriety of keeping children in residential schools knowing the problems their children face there besides receiving a treatment of stigma and discrimination.

Milind Bidwai Dy. Director of SBT observed that many Ashram schools where these children including those rescued from begging are placed for residential care, protection and development do not keep them during the long vacations and in absence of a settled abode or and with parents having migrated out these children once again become shelter less, neglected and vulnerable.

During the primary data collection drives the parents indicated that they were worried about the sexual safety of their daughters placed in the Ashram schools and preferred to withdraw them from Ashram schools and get them married at an early age.

Closer scrutiny and informal discussions held during the study indicate that the manner in which children are whisked away from the parents especially the rescue operations determine the parents’ stance vis-à-vis their children’s institutionalization whether in CCIs under the juvenile justice system or in the tribal Ashram schools. When the parents go through a process of awareness, sensitization and counselling, they take the initiative to place their children in residential schools or Ashram schools. When such an initiative meets with matching, flexible and accommodative response from the Ashram school management the children adjust very well in such institutions. They do not try to run away from such institutions and their parents do not try to assert their parental right to have the child back at the cost of the best interest of the child. Of course, all of this first and foremost, presumes cleansing the Ashram schools and CCIs of their existing malpractices and preventable ill effects.

*Sakaltimes.com of 24 January 2019 reports that the state government of Maharashtra is closing down 8 tribal Ashram schools from 4 districts of Maharashtra namely Pune, Satara, Kolhapur and Ratnagiri as there are not enough number of students. Civil society representatives are not at all happy with that move.*
Institutionalization of children has its own serious demerits. Institutionalization is the last resort for the children in need of care and protection. - Lofty principle!

But What about the vulnerable children of the homeless and the nomads?

Cleansing shelters and children’s homes of their malpractices, promoting open shelters, rain baseras, making them child-friendly is the way forward
BABY STEALING OR TRAFFICKING?
16. Baby stealing or trafficking

Bollywood, the popular Indian movie industry, has historically presented begging as a criminal activity of a criminal gang or a cruel ring leader who would run a racket to steal babies, maim or disfigure them and use them for begging in religious places, traffic crossings, or at social events.

Of late, the television channels too have screened the CCTV footage of the waiting areas or platforms of long-distance railway trains where an infant belonging to an unsuspecting family sleeping on the platform, while waiting for their train to arrive, is stolen by a man or a woman and how all of that is captured on the CCTV camera installed by the railways. The print media also is not short of stories of new born babies having been stolen straight from maternity homes. Some programmes on human trafficking in South Asia state that child trafficking happens for organized beggary. They state that there are highly organized criminal gangs that steal babies and children and supply them to individuals and families who are a part of their begging rackets. They give a small part of their earnings to the victim to survive and take away the rest of the collection as their earning from the crime.

Through long drawn field observations and numerous unstructured interviews, the current study tried to inquire into this area. Are there criminal gangs or state or national level organized gangs that arrange to steal babies, disfigure or maim them, and supply them to be displayed for begging at the traffic joints in metropolises? Are the babies displayed at begging joints, and the children begging there stolen from somewhere? Within its limited scope, the study tried to find the answers to these questions.

The study examined a database covering around three years of over 400 cases of children found in begging in Mumbai and Navi Mumbai that Prerana had itself professionally handled in different parts of Mumbai and Navi Mumbai. These cases were mostly referred to Prerana by the CWCs in Mumbai or were contacted through Prerana’s routine outreach. There was not a single case of an infant or a child that had been stolen from its biological parents or guardians and being used for begging in public places. During the course of the study Prerana also did not come across any cases where there was reasonable doubt over the child belonging to the adult who was escorting the child for begging or hawking. Prerana also did not come across any police personnel on the field, who accused any of the adults who were begging, or escorting a child who was begging, of the child not belonging to that adult.

In several rounds of unstructured discussions too, the study did not come across any hints about baby stealing for begging. None of the adult members or children that the study interacted with tried to clear any misimpression about their community as having been engaged in baby stealing in order to use or supply the baby /child for begging.

At the same time, it is to be noted that the phenomenon of ‘missing and untraced’ children and their underreporting are also real. There is no doubt that babies and children are stolen (kidnapped) and only a few of them are retraced. Informal adoption is customary in India. Illegal adoption is also a reality as such rackets have been busted by the police in Mumbai, Hyderabad, and many other cities. It is, therefore, possible that the babies picked up from maternity homes, railway platforms are being used for illegal adoption. It is quite possible that
some of the ‘missing and untraced’ children may be also begging for food and money as they have no providers.
A study of this dimension cannot make generalizations about the phenomenon or about the situations in the metropolises. All that it can claim is that it has not come across any empirical evidence to believe that there are organized criminal gangs, in parts of Mumbai and Navi Mumbai, who organize baby stealing, kidnapping, maiming or disfiguring babies in order to place them for begging purposes.

On the contrary, the study came across some families belonging to the DNT communities where the adult members of the tribes were engaged in begging as a main or supplementary earning activity. They routinely put their own young children to begging and taught them to use hawking as a disguise for begging so as to avoid police crackdown and insult by the almsgivers. As they belonged to the DNTs, and they continue to live a life stripped of any hope and provisions, it looked like the continuity of the treatment of the sectoral repression, subjugation and dishonour meted out to the ex-criminal tribes.
HAWKING OR BEGGING: LIBERATION OR DISGUISE?
17. Hawking or Begging? Liberation or Disguise?

For a keen observer, Mumbai is a colourful city with unparalleled diversity and enigmatic coordination. Every fortnight you start your road trip amidst demoralising traffic jams. To reduce your stress a variety of trees by the roadside greet you with a visual delight of finding a large canopy of colourful flowers. Every fortnight all over the city the colour changes as if by the flick of a finger on the mouse. Sometimes it is the best sculptured orange African Tulip, followed by the Pink Trumpets, followed by the Golden Showers (Vishu) then the whole city wears a cap of yellow Kashids (the Copper Pods), followed by lilac Arjun flowers, and one hot summer day the red and orange Gulmohar flowers mark their presence. These trees widely separated from one another act in a surprisingly perfect orchestration thereby indicating some kind of genetic understanding or underground network that conveys the date and the performance for each tree.

Something similar happens on the Mumbai roads. When your vehicle stops at the traffic signal in Mumbai you are bound to come across a knock on your window. Someone selling something from a beautiful idol of Ganesha to a plain simple duster for your car, a toy airplane, or illustrated books for children. If any of the national days like 15th August or 26th January is close by then the hawkers would be selling national flags and if Diwali is around the corner, then you would be offered beautiful diyas (lamps) for Diwali. On the weekend there would be a lemon and a few green chillies strung together called nimbu mirchi or mirchi-limboo to be hung to your vehicle to keep the evil away. When there is no special day around it could be plain dusters or routine accessories for your car like the sunscreen or a waterproof jacket for your car papers. Most of the hawkers are adolescent boys and little younger girls. The Mirchi-limboo string is mostly sold by boys and girls between 9 and 12 years of age. They keep waiting on the roadside for the signal to go red. Before all the vehicles pile up, they would have entered the middle of the road wading through the vehicles and started knocking on the windows of the cars. They would move from car to car and complete the transaction and shoot out to the roadside as the signal goes green.

Some stakeholders marginally engaged in intervening in the situation of children found in begging were found harbouring the impression that the families engaged in begging have found a convenient fronting or disguise that of hawking. They feel that the disguise is either their own invention or their community leaders or the police itself might have given them the ideas to use hawking as a disguise for begging. They might have shared the information that there are well organized guilds to protect the business interests of hawkers in Mumbai and that since hawking is not an offence in itself it will serve as a protection against police harassment. Even the police may find it as an easy excuse against cleansing the streets of persons who are seen begging. Are these ethnic communities whose children are found in begging using hawking as a disguise or are they actually adopting hawking as an alternate and legitimate livelihood option? The study tried to probe into this area.
Field observations establish abundantly the fact that most of these persons especially adults, young adults and adolescents are found hawking and young children and some women are found begging or simultaneously indulging in hawking and begging.

Almost all of these hawkers belong to some of the ethnic communities like Pardhis, Wadaris, Waghris, Masan Jogis that we are discussing in this study. Unlike in the case of the orchestrated performance of the roadside flowering trees of Mumbai where genetics or an invisible hand of underground messaging network explains the phenomenon, the orchestration of the hawking activities of these children is not amenable to an easy explanation. There are many questions which seek empirically verified answers. For example, how do all of them know what is to be sold when? Where to get it from? On what terms and conditions? How do they end up selling a common item starting on the same day all over the city? Who supplies the goods to them? Who tells them what price to sell it for? Where do they keep the stock? How is the credit arranged? Do they pay to the suppliers after the goods are sold? If so, what is their credibility? Who stands as their surety? Often, they are chased by the police or the municipality workers and nabbed under some or the other charges. The police confiscate their goods. Although they may get most of it a few days later, it is often less in quantity, damaged in the process, and returned after the occasion when the demand is over. What happens to the goods that are not sold and to the losses incurred?

Although the police chase them if these children are found begging, they mostly allow them to do the hawking business. Of course, once in a while the hawking children too get chased out and nabbed.

Are any big-time traders using these children and adults for hawking in public places without having to incur any capital investment in maintaining shops and kiosks? Milind Bidwai of Dy. Director of Salaam Balak Trust and Chairperson CWC Mumbai City 1 indicates that the most plausible explanation of the orchestration could be the operation of an organized gang or some traders who may be managing this kind of hawking business all over the city wherein the children engaged in begging are used to sell the goods. Mr. Jadhav Chairperson CWC Mumbai Suburb 1 concurs with that explanation.

A series of our field observations; informal discussions with the children and adolescents; unstructured interviews of the key persons, community adults and seniors; and group discussions do not corroborate this explanation i.e. the operation by any organized gang or organised trader groups masterminding the activity of hawking by using the children and the adolescents otherwise engaged in begging at the traffic signals.

On the contrary many sources revealed that the adults from each settlement go to the wholesale market in small groups of three or four where they get to know about the new arrivals as well as the upcoming events and gather ideas on what to sell. It is an open information freely available to them in the wholesale market. They purchase the goods in bulk on behalf of all the community members and carry it back to their respective settlements. Most community members process the raw material like chilli, lemon, flowers and make finished goods fit for
selling. Together they decide the lowest price below which the goods are not to be sold at any
given traffic joint. The community has its own mechanisms to handle the cases of violation of
its code of conduct. As different from the Jaat Panchayat that governs the cultural conformity
of the members spread out all over, these self-regulating community groups govern the local
secular issues like hawking and matters dealing with the civic authorities and the police.

There is no organised traders’ group or gang that uses them to hawk at the traffic signals and
such other places in Mumbai and Navi Mumbai

In a nutshell, as far as begging by children at traffic signals and other religious places in
Mumbai and Navi Mumbai is concerned neither is there any presence of any national or
international organized criminal gangs that steals babies, traffics children for begging, exploits
them in begging nor governs their dual activity of begging and hawking. As of now this activity
is highly dispersed and locally managed.

Other than at the traffic signals, in several parts of the city of Mumbai in its residential areas
one does come across a few families moving around making sure that they are publicly seen as
selling balloons. They indulge in begging as soon as an opportunity is spotted. Our several such
contacts showed that they were family groups of Pardhis and a few from the Waghri community
conveniently engaging in hawking and begging.

Knowledgeable persons of Mumbai did mention that doubling up as hawkers and beggars is a
new phenomenon in Mumbai roads and residential areas. In the past, at the signal joints several
very young children used to nag the passengers especially those travelling in autorickshaws
often by touching their clothes with their dirty hands thereby scaring them or annoying them
to no limits. This behaviour became a major source of public annoyance and people started
complaining to the police about such behaviour by young children encouraged by their adult
escorts who would be standing a little distance away from the spot. These complaints of public
annoyance could be one of the factors behind the crack down by the police upon begging by
children and families at traffic joints.

What is surprising is how could the definition of begging in the law passed as early as 1959
namely the Maharashtra Prevention of Begging Act Sec 2 define begging as follows declaring
the pretence of hawking as just another form of begging.

**Sec. 2. Definitions - (1) In this Act, unless the context otherwise requires, (i) “Begging” means-**
(a) Soliciting or receiving alms, in a public place whether or not under any pretence such as
singing, dancing, fortune telling, performing or offering any article for sale; (b) entering on any private premises for the purpose of soliciting or receiving alms; (c) exposing or exhibiting, with the object of obtaining or extorting alms, any sore, wound injury, deformity of diseases whether of a human being or animal; (d) having no visible means of subsistence and wandering, about or remaining in any public place in such condition or manner, as makes it likely that the person doing so exist soliciting or receiving alms;
Structure of Hawking

Group discussions and unstructured interviews with 12 persons

**Location 1: Ghansoli, Navi Mumbai**

This community has been engaged in selling garlands balloons and toys since last 9 years. They adopted this trade from their parents.

One girl of 17 years shared they used to sell plastic garbage bags which they would buy from Mangaldas Market at whole sale market rate. However, of late they have been facing problems of plastic ban, low demand and small profit margin. She was unsure about what she would do next to overcome this challenge.

A number of families from the Pardhi community in Ghansoli shifts to Dadar for a temporary period during the festival time around Dussehra and Diwali. They have discovered that they can get their raw material jasmine flowers from the Dadar market and there is a demand for the finished products in Dadar. They are now facing a crisis as the price of jasmine has skyrocketed recently from Rs. 150/- kg to 1000/- kg. This has affected the demand and eventual sale and profit for those making this sale.

**Location 2: Chembur, Mumbai**

This community sells artificial jewellery and garbage bags. They learnt it from their neighbours who had migrated before them and had been engaged in selling these items. They also learnt from the neighbours about the opportunities for cleaning gutters and other earth digging work. A number of families belonging to the Masan Jogi community said they migrate to a locality in Mumbai Jai Ambe Nagar only during summer and leave with the beginning of rains. They work as daily wage earners. They get to know about the work opportunities by a word of mouth.

**Location 3: Dadar, Mumbai**

One of the women shared that she had bought a stock of kandils (decorative lanterns for Diwali) worth Rs 35,000/- but as her complete stock did not get sold, she suffered a loss of Rs 10,000/- . She does not know what to do with the excess stock as the wholesaler refuses to accept it back.

The item is seasonal and hence will not sell off season. If she keeps the stock for the next season there is a problem of storage and damage. She said she misjudged the demand and there was no one to guide her. She sold kandils in Dadar Mumbai.

In one of the municipal wards of Navi Mumbai the research team came across a woman belonging to the Pardhi community who was selling garlands. People around her alleged that selling garlands is just a fronting. She actually gets opium from her native district Osmanabad.
and sells it in disguise. The woman wasn’t comfortable sharing any details as perhaps she knew that selling opium was illegal. The team did not come across any other case where any other hawkers were using hawking as a fronting to sell something illegally.

Several such rounds of discussions and field observation showed that the adults and especially the adolescents and young adults both men and women are interested in hawking at the traffic signals and on the outskirts of other market places but do not have enough market information and guidance. They operate in a very precarious environment and as a result at times suffer heavy losses. They learn through trial and errors and do not have any market intelligence system to guide them. No presence of a controlling hand of any criminal gang was noticed in direct indirect conversations. Of course, the study was engaged in social investigation and not in criminal investigation.

In a nutshell, the ethnic communities under the study are engaged and want to keep engaged in hawking. They do not have adequate knowledge about hawking. They are not linked with any big-time trader or traders’ group who gives them the required market intelligence, credit or assurance of buying back the unsold stock. The community people evolve their own information system which is often not accurate and many of them suffer losses. They find out the source of cheap raw material and also what to sell and where etc. all on their own from their neighbours and others who are in the activity for a longer time.

Is hawking being used as a sheer DISGUISE for begging?
OR
Are young adults from these Denotified tribes giving up begging and making a genuine effort to adopt hawking as one of their major livelihood options?
INTERSECTION BETWEEN ETHNICITY AND BEGGING
18. Intersection between ethnicity and begging

Among the population of children and adult persons in begging, one comes across various types. The disabled who are abandoned by their primary caregivers and community or placed for begging by their primary caregivers or others to make a living through begging. Religious destinations and places of worship appear to be their most common locations. They also seek alms at other public places but not in a concentrated manner except at places which attract tourists or at events like weddings. Those who are not necessarily physically or mentally disabled go to several other places or move about in some residential or commercial areas. They belong to diverse religious identities. Certain religious places give alms formally to all seekers regardless of their religious identity.

When it comes to the population of children in begging in Mumbai and Navi Mumbai, the variety is much larger as unlike the adults many of them also work on wages or are self-employed. Hence, the categories are overlapping that is comprised of what are commonly (though often incorrectly) called as street children, child labour living on and off the streets, child labour living with and without parents or adult guardians, child beggars, rag pickers, drug addict children living under bridges and on railway properties. Among them are children wading through vehicle traffic stranded at the signal posts in various parts of Mumbai who are seen directly seeking alms or using a pretence of selling some goods or genuinely selling some goods or selling the buyers their favourite; the mirchi-limboo or the small flower strings. They are peculiar by their ethnic background. An overwhelming majority of them, almost all, belong to the ethnic communities like Pardhis, Wadari, Waghris, Masan Jogis, Ganams etc. They are found operating on the traffic posts together as a community group, the children are actively accompanied by or live with their parents. They previously merely begged by causing annoyance to the persons in the vehicle. That was their way of making the patron cough up some alms. Over years they were found doubling up as hawkers. They have their shelter nearby the traffic posts. The others travel in the local trains over a long stretch of Mumbai starting from the Mahalaxmi temple to the temples as far as in Kalyan. They live in makeshift houses or under the bridges without a roof or a wall. In some places a couple of bamboos and a plastic sheet is all that they have as their house. Besides unaffordability it is kept simple also because it can be replaced after having been destroyed by the police or the municipality who in a resolve to keep the city ‘clean’ and ‘beautiful’ brutally raze even such non-threatening encroachments for shelter. They destroy the plastic and the bamboos hoping to end the abode of these people. The urban representatives of the state keep their tradition of evicting these families from urban areas, rule of law, civilization, shelter, and honour even from the constitutional promises and right to life. The tradition of making life impossible for these ex-criminal tribes continues in modern forms in the name of inappropriately articulated and enforced laws.

This horrendous connection between the socially dishonoured and condemned activity of seeking alms when they need it desperately in order to barley survive and the tradition of pushing certain communities to such level of deprivation and thus to a socially condemned life of crime by declaring them as born criminals continues uninterrupted. The insurmountable obstacles and life of deprivation left available for these communities when they are trying to
hawk at the traffic posts and elsewhere to make simple and honest living is a living example of this unfair and imbalanced war.

The overwhelming presence of the children of certain ethnic communities in begging in public places in Mumbai and Navi Mumbai is not at all accidental. It is in continuity of the historical deprivation and condemnation of these ethnic communities, the ex-criminal tribes by the state and the society. Once condemned as born criminals now condemned into begging for survival.
MOVING AWAY FROM BEGGING TO HAWKING?
19. Moving Away from Begging to Hawking?

The interface between the mainstream society and the persons families and communities engaged in begging is very complex, contradictory and ambiguous. The mainstream morality openly condemns begging by the fit and the needy and wants to see them settled in some legitimate wage-earning activity. The persons, families and communities who have been found in begging in Mumbai and Navi Mumbai are now seen doubling up as hawkers and beggars. Is it indicative of a trend to gradually move away from begging and adopt hawking as a full-time legitimate work? The study tried to examine this area.

The researcher spoke with the children and their parents from Pardhi and Ganani Communities to understand the hawking activity among them. The Gananis are people from Gujrat who traditionally sell handmade bamboo baskets for which they buy bamboo from Dadar market. They cut the bamboo into thin long strips and weave baskets from them. None of the community members buy the bamboo individually. They buy it collectively. They go to Dadar market together and get them at wholesale rate. They get 5 to 6 bamboo sticks at Rs. 300/-. From 1 bamboo they make 3 to 4 baskets. The Ganani’s try to sell the bamboo baskets at the minimum price of Rs. 50/- each. During the festivals they also manage to sell them at Rs. 75/- each. They go to sell the baskets at Dadar near the wholesale flower market only for 3 days in a week. For the rest 4 days the families make the baskets. By selling the handmade baskets they earn their living. The target of selling baskets depends upon the family size. A family approximately makes 4 to 5 baskets per day.

When asked about begging and whether selling baskets is their primary or secondary source of income the families promptly said that they do not beg. While selling the baskets if somebody offers them food or clothes, they only receive it, but they do not actively seek anything on their own to anyone.

The Pardhis sell a variety of ‘China products’ as per the season. During monsoon they sell umbrellas and mobile covers at the nearby signals and during Diwali they sell ‘kandils’ and ‘torans’. On other seasons, they sell items like safety pins, balls, Rubik’s cube, hair clips, light pens, erasers etc. Apart from these, the families also make and sell gajras (a string of flowers to be adorned on the head).

They buy the raw material from Dadar, Malad and Masjid Bandar, at a wholesale price. All the information related to hawking (which item to sell, price, information regarding the wholesale market) is shared and discussed among the community members. Prices at which different product are to be sold is also discussed among the community members. Sometimes, if a family is selling a product in relatively lower price then altercation takes place in terms of maintaining uniformity in selling price of the products. In such cases, all the families sell items at the same price.

When the families go to the market to buy things, they invest Rs. 1500/- to Rs. 2000/- at a time. By hawking every day on an average, they make a profit of Rs. 400/-. While selling an item they try to maintain a margin of Rs. 15/- rupees. There is no middleman involved in the process of buying the wholesale products, the families buy them directly from the wholesalers.
Pardhi families often sell the unsold goods at lesser prices. If not sold they dispose the perishable items like *gajras* immediately. They keep the other items to themselves for selling later, if not already taken by the people or the municipality. People from municipality raid them and destroys their belongings, hence they can not keep the unsold items to themselves for long. Sometimes, the municipality people take away their belongings and ask them to get it from the police station. Earlier they used to go to the police station to get those back, however, the police do not give them back these things and say that they should not sell anything on the streets. Sometimes police also ask for bribe of anything between Rs. 4000/- – Rs. 5000/- to return their belongings.

These families too did not admit the fact that they beg. Like the Ganani’s they also accept food from strangers. As per them, hawking is their primary source of income, but Police creates a lot of problem even if they see them genuinely selling different items. Police pick them up along with their children who accompany them in hawking and put them behind the bar under the charges of begging. ‘The children are sent to Mankhurd for punishment’ they complained. By Mankhurd they meant the CCI located in Mankhurd a suburb in Mumbai where the children are institutionalized.

These community adults whose children are engaged in begging in public places do not like to admit that they are engaged in begging. They are also engaged in hawking. The adolescent and young adults from these communities who once as children were engaged in begging do not like to be seen begging and hence are now shifting away from pure begging to pure hawking. But they do not openly admit that they have anything to do with begging.

Wherever there are deficits in the earnings from hawking they make it up by begging. Mostly, the children’s earning from begging fills the deficit. These communities claim that on getting evicted from the forests and villages they struggled to make a living. Since their traditional occupational skills were banned by the state and since they did not have any alternative employability / occupational skills and in absence of any support from the state and civil society they were left with begging as the only option to survive. They hated begging; they feel embarrassed to admit that they have to once in a while beg. Their adolescents try their best to keep away from begging. When they go back to their native village, they hide the fact that they beg. It is important to note that they directly or indirectly admit or imply that they resort to crime as the primary income source or for meeting the deficits between legit earning and making both the ends meet.
WHY BEG, WHY NOT BEG AND WHY NOT BEG?
20. WHY Beg, Why NOT Beg and Why not BEG?

Literature and research have treated begging as a phenomenon to be measured with a moral yardstick, justified selectively on the grounds of compassion and pity, and tried to correct it with punitive action and incarceration. At the same time the mainstream society wanted beggars to be in the society. The study discussed these dimensions with a number of relevant people. The objection to begging and its condemnation are both based on a moral foundation. This raises some questions which can be articulated in the following ways;

a) What sustains begging?
b) Why should individuals not beg?
c) Isn’t begging a better livelihood option?
d) Who is responsible for begging; the seeker or the giver?

Many of these questions need to be answered on a pre-hoc basis.

a) What sustains begging?

Most schools of social work in India covered Indian social problems in which the problem of beggary occupied a prominent place. The discussions on beggary described the profile of the persons found in beggary and the socio-economic compulsions that made them beg. There was hardly any discussion on alms giving. If alms seeking is an ancient practice, then obviously alms giving too is as old as that.

Religious places have been common places where historically alms seekers are found in a large number. The reason being alms giving is an important duty under many religions.

A lot of begging is alms seeking and a lot of charity is alms giving. Alms seeking cannot be fully understood without taking into consideration the religious context of the socially obligatory system of alms giving. The following discussion briefly establishes the religious context of alms giving and its position of alms seeking. The connection between the two is very important. The position of religion on the structure of alms giving thus affects the composition of the alms seekers. The Sikh religion has made significant provisions to help their members in destitution and impoverishment and hence it is less likely to spot a person belonging to Sikhism begging in a public pace in Mumbai or Navi Mumbai. Such crowds are also not spotted outside churches as the behaviour of alms giving/ charity is mostly structured through the church. In absence of any such system the places of Hindu worship are swarmed by individual beggars and individual alms givers who choose to come in direct contact with the alms receivers.
Religious position on alms giving and alms seeking:
Alms or alms giving involves giving to others as an act of kindness, altruism, or compassion, in material terms or in terms of imparting capabilities (e.g. education, livelihood skills) free. It exists in most of the established religions.

Islam
In Islam, the concept of charitable giving is generally divided into voluntary giving, or Sadaqah, and the Zakat, an obligatory practice on those who cross a limit of earning. Zakat is an important part of Islam. It is obligatory to give 2.5% of one's savings and business revenue and 5–10% of one's harvest to the poor which include the destitute, the working poor, those who are unable to pay off their own debts, stranded travellers and others who need assistance, with the general principle of zakaah always being that the rich should pay it to the poor. Islam considers that wealth belongs to God and is held by human beings in trust. According to Shariah it is an act of worship. Contributing to Zakat, it is believed, purifies one’s possessions. Every able bodied has to pay Zakat to support specific categories of people. "The alms are only for the poor and the needy, Zakat is obligatory in nature as per Qur'an and hadith. Zakat is obligatory when income crosses a certain limit called the nisab. Each Muslim calculates his or her own Zakat individually….

Islam condemns begging forbidden. The religion disapproves begging except for three situations: i) when a person is poor and destitute, ii) unable to repay debt, and iii) stricken by financial calamity and having no resources to come out of it.

“A man who continues to beg, will not have any flesh on his face on the Day of Qiyamah” - (Sahih Bukhari, Hadith: 1474 and Sahih Muslim, Hadith: 1040)

Buddhism
Buddhism, honours giving alms to a Buddhist monk, nun, other spirituality seekers as social obligation. Money cannot be accepted in alms by a Buddhist monk or nun in lieu of or in addition to food. Like Hinduism in Buddhism, Dana means "almsgiving" or "giving". Giving helps the members of the religion overcome acquisitive impulses possessiveness which lead to sorrow and suffering. It is a step towards final liberation.

Christianity
The giving of alms is an act of charity toward the fortunate.

The Roman Catholic also follows a system of offertory when alms are collected by the church during the Mass. Love Offerings is yet another structured practice of alms giving or giving for the poor and the destitute. Alms giving also happens during offering prayers for the dead.

“In the majority of Christian forms of worship and denominations, a collection of "tithes and offerings" is given for the support of the church's mission, budget, ministry, and for its relief of the poor, as an important act of Christian charity, united to communal prayer…. In some churches the ‘offering plate’ or ‘offering basket’ is placed upon the altar, as a sign that the offering is made to God, and a sign of the bond of Christian love” WIKI.
Hinduism

Hinduism has an ancient and institutionalised system of giving called ‘dana’ (daan).

Dāna is an ancient concept of alms-giving dating to the Vedic period of Hinduism. Vedic literature refers to it as Bhiksha. The Rigveda too mention of daan. It has the earliest discussion of dāna in the Vedas and offers reasons for the virtue of alms-giving.

As per Hinduism almsgiving is a sacred deed (good karma) and is different from lending as it is without any reciprocal expectations from the recipient. There is a strong belief that good karmas meet with favourable future situations. Daan (giving away without reciprocation) is a noble practice although it has no reciprocity. Reciprocity characterises the social contract that keeps the human society together. Charity is a form of good karma that is believed to affect one's future circumstances and environment, and that good charitable deeds lead to good future life because of the reciprocity principle. The sacred texts do not recommend charity to unworthy recipients In Hinduism Dharmashalas and Anna-Chatrams are traditional places of almsgiving in Hinduism. Dharmashalas also give free food to the poor. Hindu temples are the focal points of routine but unorganised almsgiving.

Sikhism

‘Dasaundh’, a religious provision in Sikhism requires the members of the religion to contribute one tenth of their earning for community purposes including giving alms. Sharing one’s fortunes with the fellow beings in need is recommended by Sikhism. Langar (collective kitchen) is an excellent example of sharing free food. Sikhism encourages charity institutionalised through the Gurudwaras. While placing that responsibility on the members of the religion Sikhism condemns begging by individuals.

All human societies work on an arrangement of distribution of burdens and benefits. All able bodies members of a society are expected to contribute to the collective good which is their burden and in turn are entitled to certain benefits. Those who do not contribute but take away from common good do so by a variety of ways, by creating privileges, creating slavery, thievery or by seeking alms. Some of the ways are condemned by all while others like social privileges are upheld. Religions that for a long time dictated the social arrangements and distribution of benefits and burdens have their comments on alms seeking and alms giving. Although this is not a place to comment on the precise standing of the various worldly religions on alms giving and alms receiving some interim conclusions are possible;

✓ Most religions have a position on alms seeking and alms giving. They support alms giving but condemn unjustified alms seeking.
✓ A person’s capacity to contribute to common good entitles the person for such consideration.
✓ All religions show concern about the persons in economic distress and assumes the responsibility to provide for their immediate needs.
✓ All religions place upon their members and followers the responsibility to share part of their wealth and income in order to provide for those in need. Some take it upon themselves to make such provisions institutionalized (e.g. Sikhism, Christianity) and disapprove individualized wandering for begging the others leave it to the individuals to choose the manner of giving, i.e. give directly to the seeker or contribute to the religious platforms which will channelize the aid.

b) Why should Individuals not beg?

Most religions admit that there are some persons who are incapable of contributing to the creation of goods and services or common utilities but seek needs fulfillment and depend upon the others to share their resources. Such persons are considered help worthy and are supported without asking questions. Those who give to them are considered as noble and religious and hence qualified to the grace of god. Persons who are capable of contributing to common good but don’t do that and instead seek from the others are condemned. Those who give to them are criticized and never honoured. Begging, that is taking from the society without contributing to it is not a sustainable principle on which human society can be organized or run.

c) Isn’t begging a better livelihood option? Some people raise a basic question, “On pure rational criteria isn’t begging a better livelihood option for some people in the society?” They justify as follows;

- Begging does not require any capital investment whatsoever
- Begging does not require any infrastructural assets, machines, inventory, or raw stocks
- Begging does not require any transportation of goods
- Begging does not require long term or short-term formal education on the part of the alms seeker
- Begging does not require physically demanding work output
- Begging does not require pleasant presentability on the part of the alms seeker
- Begging does not involve processing, packing or advertising or marketing
- Begging does not require any accounts keeping or managerial work
- Begging does not involve losses
- Begging does not involve risk
- Unlike a paid job begging does not demand reporting to the office on time marking attendance, and worrying about sanctioned paid leaves, increments or promotion
- Begging does not involve labour management
- Begging is open ended. In the sense the more you do the more is your earning
- Begging does not involve keeping books of account, filing returns to authorities or paying taxes

In short, viewing strictly rationally begging is a better choice than running a small business or taking up a paid job. The income is instant, and often higher than the earning of a wage work which the alms seeker is likely to get.

With all this there is hardly any point against preferring begging as a livelihood option over legit paid job or self-employment. The only thing that comes in the way is the upper and
middle-class value against begging by the needy as well as denial of social acceptance and ascription of a very low social estimation, public humiliation and condemnation. Begging as a way of life violates two values namely (i) it is harmful to the social contract of contributing to collective good and taking back from the society against one’s contribution as it is not a sustainable foundation for a human society although it may work for a few individual for a short time, and (ii) it is harmful to the value of possessing individual character of leading a financially a self-reliant life. It is for the individual to decide if self-respect and acceptability is a cost worth paying or not. When that individual has been declared guilty without a trial, denied every opportunity of leading a respectable life and relentlessly hounded should that individual really care so much for social acceptance and respectability? On this special background the question ‘Why not BEG’ gets answered in favour of begging.

**d) Who is responsible; the seeker or the giver?**

It is the need of the alms givers to have alms seekers easily available at every nook and corner and at religious places where they go for their own rituals and religious obligations. These arrangements also lead to conflicting social behaviour. More and more people who follow religion are under the pressure to give alms. Alms cannot be given unless there are alms receivers. In a completely egalitarian society, there is little scope for alms giving and seeking. In highly inequalitarian societies a few persons make disproportionately high income and wealth. More and more number of people in the society want to become alms givers and they cannot do it unless there are alms seeking persons. That is not all, the alms givers must easily find the alms seekers without putting themselves into any risk and without having to make extra efforts or spend extra time. This is best seen at the signal posts in metropolises where the alms givers give from their cozy and safe place inside a well guarded vehicle while the alms seekers take serious risk to reach out to the givers.

This raises a fundamental question “Who causes begging in public places? Givers or seekers?” This question is very closely linked with the legal penal consequences of beggary. Most laws against beggary including the Indian laws (It is a state legislation in India) penalize persons found seeking alms but never provide to punish the alms giver.

There is no doubt that the sentiment and gesture of altruism even in the form of alms giving is a very positive and welcome quality of human society and must be nurtured. Following the old caution care must be taken to ensure that alms giving neither permanently cripples the capacity and desire of the individual seeker to lead a self-reliant life nor does it influence the other non begging individuals capable of leading a self-reliant life to choose begging as a way of life.

One must also examine how the religious guidelines and social traditions can be utilised to cut down the individual to individual direct and indiscrete exchange of alms as there are reasons to believe that it is harmful to the receivers as they do not take into consideration the actual needs of the seekers nor do they examine the propriety of the nature (quality and quantity) of alms. e.g. There are a few newly launched campaigns that appeal to the alms givers not to give alms but give only food to the beggars. There are others who state that unless you stop giving alms to child beggars the trafficking of children for begging will not end. These could be
counterproductive moves. The genuine needs of the alms seekers are not limited to food alone and there is a limit to which the seeker can take food. Flooding them with food of indiscrete quality and quantity is bound to cause them harm besides keeping their other equally basic needs unfulfilled. Similarly, some campaigns are based on the insufficiently founded assumption that there are criminal gangs that traffic children for begging, disfigure them, place them for begging and snatch away the daily collection from these children. If research or criminal investigations sufficiently establish any such phenomena, then it is appropriate to discourage the alms givers from giving. On the contrary as observed in this study the material impoverishment of the children is so evident and the outreach by the state and the civil society is so appalling that many children and their families are left with no option but to beg. Such children and their families are historically the victims of extreme repression and deprivation. The observations of Hon’ble Justice Gita Mittal the acting Chief Justice Delhi High Court given below is extremely succinct and forthwith.

“29. People beg on the streets not because they wish to, but because they need to. Begging is their last resort to subsistence; they have no other means to survive. Begging is a symptom of a disease, of the fact that the person has fallen through the socially created net. The government has the mandate to provide social security for everyone, to ensure that all citizens have basic facilities, and the presence of beggars is evidence that the state has not managed to provide these to all its citizens.” Hon’ble Justice Gita Mittal acting Chief Justice Delhi High Court
A NEVER-ENDING RUN FOR LIFE
21. A never-ending Run for Life

The picture that emerges from the study is not very promising or encouraging. The denotified tribes (DNTs) continue to be branded, deprived and chased out from any form of honourable stable settled life style even today. Once through the CTA they were branded and routinely tortured. They were made to work free for the British and other feudal elites for their private cultivations and for gaming. That kept them alienated from any attempt at settled life and life based on secured land holding unlike the peasantry. In different parts of India under the CTA they were routinely arrested and imprisoned without a fair trial often merely on suspicion or were framed in order to prove successful and speedy crime investigation. Their women thus separated from their husbands and responsible to run the households were pressurised to offer illicit sexual pleasure and shadow entertainment to the public officers and feudal lords. They were not only permanently kept away from a secured land-based occupation, but they were also driven out of the forest and common properties. Unlike the other forest dwellers or the fishermen, the DNSNT who were traditionally animal and bird hunters and trappers were deprived of their traditional sources of livelihood and left to rob what did not belong to them. Although at the time of the promulgation of the CTA some norther parts of India were infested with highway robberies by a few communities such as the Thugs that operated on important trade routes and looted and killed traders under the notorious Thugee system most other who had been hastily and purposely included into the lists and declared as CTs were far away from the career of crime including crime for survival. The subsequent process of enslavement, deprivation and repression forced many of them into committing petty survival crimes. This became a justification in the hands of the police to keep repressing, these communities. Some vested interests especially the police, the administrators and the feudal lords who actually used some of them as mercenaries or contract killers created a popular misimpression about these communities. The quote by the famous IPS police officer Ms. Kiran Bedi given in the beginning of this report is a classic representative of the mindset of the police even in the modern times.

The closer look at the history of many communities especially from North West India and a few from South India who now seem enmeshed in intergenerational sex trafficking and sex trade and in business of shadow entertainments like Mujras, Kothas, Mumbai’s Dance bars, South’s Record dances, shows that these were the CTs once upon a time.

Many of the DNTs stated that they have run away from the rural areas from their own villages because of impoverishment as well to run away from the punitive treatment of extreme discrimination and repression. They have migrated to the cities hoping that they will not only get wage opportunities and their long run for getting free from the police will end.

The cities have largely crashed their hope. The municipal authorities and the police ensure in Mumbai and Navi Mumbai ensure that the DNTs do not get to settle down anywhere even under a makeshift house of two bamboos and a plastic sheet. Today their children are forced to beg as their parents are left with no wage opportunity that the ILO Convention can term as its 8th Sustainable Goal ‘decent work’.
What is the truth? Their proverbial aggression, ferocity, and their reputation of being conniving and shrewd or merciless contract killers who kept the powerful and the mighty of the villages under terror? That image was spread by the police and the feudal rural elites. Or the truth is their leading a life of extreme humiliation with whom no one gets scared and to humiliate whom no one thinks twice of the consequences? Their humiliation is self evident for anyone to stand near a traffic signal to watch for oneself. Or have they changed in 180 degrees? The latter looks implausible. The fact is; they have been racing against discrimination and repression for hundreds of years. Let alone touching the winning line their run just doesn’t seem to end even today.
CHAPTER 7: CONCLUSIONS
CONCLUSIONS
Identity:
- There have been serious issues with respect to the basic enumeration of the settlements (enclaves) as well as the populations of the DNNSNTs. These communities have been randomly included in different major categories like SC/ST/OBC. Their names have been spelt differently. Even within the same state they have been categorized differently. The formal categorizations and the documents prepared on the basis thereof are critical when it comes to availing benefits announced under various government schemes and public policies. Most DNNSNT communities don’t possess any document of personal identity other than the Voter’s ID card and PAN Card. As the Commission Report shows, the state authorities are apathetic and non-responding to the basic queries raised by the Commission - such as their population. Hence, the situation on the front of equipping these community members with basic essential identification documents is very bleak.

Identity documents and entitlement documents:
- Desk review and primary data also show that most persons of these ethnicities living in Mumbai and Navi Mumbai, and whose children are found begging in public places do not have the official documents establishing their entitlements. Primary data also establish that no adult, and almost three-quarter children do not have a birth certificate, a caste certificate or a community certificate. Half of the households do not have a bank account or a ration card - of whatever kind, right or wrong.
- They are not even enumerated by the state appropriately, as can be seen from the coverage in 2011 decennial census.
- Surprisingly, a dominant majority possess Aadhar card and about a half possess Voter ID and PAN card. They are either not aware of the existence, or do not know the importance of getting those documents, or find it difficult to acquire them.
- Secondary data show that only some numerically stronger communities like Pardhis located in a certain part of Mumbai have managed to secure some of the entitlement documents for their members while the numerically weak communities have not been able to secure any such documents. (See Annexure 3)
- The political parties seem very alert and keen about ensuring that they all get the Voter’s ID card but are apathetic about giving them stability of residence or access to basic amenities in a non-exploitative and legitimate way. This is a huge obstacle in the way of these communities receiving a large range of the urgently required relief, welfare and developmental benefits.

Access to social welfare schemes:
- Surprisingly and unlike the common belief, the respondent community displayed awareness of several government schemes that are relevant to them namely - Pradhan Mantri Awaas Yojana, Gharkul Yojana. access to toilets under the Swachh Bharat Abhiyan. healthcare under Rajiv Gandhi Jeevandayee Arogya Yojana and free vaccinations for children, Right to Education, Mid-Day Meal and the 27 articles children receive in government schools under the Sarva Shiksha Abhiyan, Ujjwala, schemes for the handicapped, pensions for senior citizens, access to subsidized ration, and schemes like Jan Dhan Yojana.
Adults who were aware of schemes mainly spoke about smooth access to schemes by their children such as the Mid-Day Meal, free and compulsory education up to the age of 14 years, access to basic school supplies under the Sarva Shiksha Abhiyan, and access to Anganwadis and free vaccinations through the ICDS and perceived that their children have benefitted from these schemes.

Those having PAN, Aadhar, and Voters ID Cards have not necessarily benefitted from any government welfare or developmental schemes despite holding those IDs.

**Migration:**

- A majority of the respondents are intra-state migrants from the Solapur, Osmanabad, Parbhani, Nanded, and Akola districts of Maharashtra who have migrated to the city in search of livelihood and against the background of a lack of wage work in their villages.

**Housing:**

- The children and their families covered under this study are practically homeless or live in houses which do not meet the minimum standards of human habitation. While a small part of them lives in regularized slums, most of them are living in or on the periphery of non-regularized slums. Most of the families are living in extremely insecure makeshift houses which can be described better by the term ‘kutch’ sheds. There are many who live just in the open.

**Eviction and relocation:**

- The civic authorities routinely use police force to brutally raze the houses of those in non-regularized settlements. During demolition of their houses by the police, often the resident families are also bundled up with their belongings and dropped far outside the city, and in the uninhabited forest areas to make it difficult for them to return. The municipality workers and the police vehemently destroy their housing material to discourage them from returning to the original site or rebuilding the shed. Primary data establish that as a result of such routines, most of them have relocated residence at different locations within the city. Parents state that during such demolition operations, the civic officials and the police leave no rooms for a plea, discussion, or negotiation. These operations are brutal and subhuman in nature, which leave their children deeply traumatized.

- Hardly any families under the study have secure housing. Recurrent uninformed eviction and relocation are the two biggest challenges before these communities that keep them in the vicious cycle of backwardness and exploitation. It affects their attendance at legitimate wage work and the school attendance of their children, let alone quality education. Their possessions are confiscated by the civic authorities and police and are returned only against a bribe, if at all. They are not just uninformed about the eviction but remain clueless about the next logical/legal procedure.

**Basic services: Water**

- A majority of the households suffers from water insecurity with no legal or regularized provision for piped water supply.

- Given the lack of access to legal piped water across settlements, these households have to rely on borrowing water from others, purchasing or accessing it through paid and unpaid
illegal, shared pipe connections. Those living on the streets access water mainly through paid and unpaid public stand-posts besides begging for water.

- The children and their families spend a substantial part of their earning on accessing water for drinking, household purposes, bathing, menstrual hygiene, washing clothes and defecation. Alternatively, wherever possible they go without it or drastically cut down on the quantity and frequency of use. This affects their health and the hygiene of their environment.
- Many households live precariously by the side of open public sewers and gutters and gather the highly contaminated water from those gutters to be used for household purposes.

**Basic services: Electricity**

- Many of them stay in non-regularized and non-notified settlements or in the open with a makeshift shelter. Since such abodes are constantly destroyed by the police, they get no access to electricity or have unsecured and unaffordable access to household purpose electricity. They buy electricity from legal or illegal sources and end up paying exorbitantly.

**Basic services: Toilets and bathrooms**

- Not one family of the children under the study has a toilet inside the house. They are required to spend heavily for using public toilets or are forced to continue open defecation. They have to wait and hold on till it is dark. And still not all can use open defecation as many live by the side of highways and busy city roads, where open defecation is not possible.
- Half of the respondents do not have even a bathroom inside their house. What they have is usually a multipurpose plinth in a corner of the house called mori. Many have to bathe into open. This raises issues of privacy, protection and hygiene.
- The children and their families do not have sustained and affordable access to toilets, urinals or bathing places. As a result they are forced to bathe once in three to four days, use the toilets less than the daily minimum requirements, face special difficulties during illness and menstruation.
- Women and girls, especially face several inconveniences due to the lack of access to personal space, free toilets, and bathrooms. They cannot change sanitary napkins as often as they need to, so as to avoid paying up charges for paid toilets.
- They also prefer defecating into the open to cut down on daily expenses on public toilets.
- Women and girls also face public sexual harassment and maltreatment in the communities, both while defecating in the open as well as while accessing the spots where they must go to relieve themselves.
- Under the pressure to cut down their monthly expenses on water, toilet, and bathroom usage, families living on the streets can afford to bathe or wash their clothes only once in three to four days.

**Food security:**

- As the residences and possessions including the housing material of these children and their families living on the streets are not safe and as they do to have a secure storage space, they
are unable to cook their meals. They mostly rely on either purchasing their meals or receiving food as alms.

**Work profile:**
- In the absence of formal education or vocational training, the family members of these children are left with only the unskilled unsecure wage work in the informal sector. Only a few have skilled employability.
- Their common occupations include hawking, making and selling garlands, domestic labor, drainage and sewer desilting (gutter cleaning), and construction work.
- The communities covered under the study provide some very essential services to the city dwellers like gutter cleaning, sewerage lines cleaning, digging and earthwork, construction, and hawking.
- The backward migrant communities living in the city intermittently resort to seeking alms to make ends meet for a number of reasons. There is a lack of availability of paid work (other than hawking) round the year, the low levels of income that the paid work brings, and the high cost of daily living, etc. are all reasons that contribute to it.
- For a majority of the families living in the city, sometimes irrespective of the availability of legitimate paid work, begging remains a guaranteed source of income round the year. It is important to understand that for the alms receiver, the event-based and festival-based alms giving is a way of filling the gaps in the earning from routine working and begging. This is mainly because of the variety of essential material that is given as alms. The active outreach of the almmsgivers who, in search of the alms-receivers, reach out to the settlements of these communities is also responsible for begging, in spite of availability of legitimate paid work.

**Work profile: Work opportunities round the year**
- Hawking, autorickshaw driving, and working as domestic help are some of the work opportunities available throughout the year for the appropriately skilled ones among the family members of these children.
- Women do get jobs as domestic help in the newly growing upmarket housing complexes. However, the number of openings is small.
- For a majority of the households, self-employment in the form of hawking is the most common source of income. Mostly all members of the family, including children are engaged in it.

**Work profile: Seasonal work**
For these children and their family members, the most common seasonal wage opportunities available in Mumbai and Navi Mumbai are casual work such as drainage and sewerage desilting, construction labor, and catering labor.

**Unavailability of work and begging as a source of income:**
- Only half of the people get paid jobs for the full month. Most of the people are monthly engaged for up to 15 days on paid work. As a result, they resort to alms seeking for making ends meet. Almost all (91%) adults reported seeking alms.
It is said that metropolises like Mumbai hold a promise of not letting anyone sleep with an empty stomach, but they cannot promise shelter and other basic services to all. There are ways to multiply wage earning opportunities. Secondary data show that many Pardhis have taken up to other activities and professions like tourist guides, outdoor tourist-spot photographers, security guards, auto drivers, etc.

**Begging as a source of income:**
- The women and children from these communities also use hawking as a camouflage to seek alms. They can be seen at traffic signals and marketplaces selling wares as well as seeking alms. In residential areas, the children go around begging with the adults in the family under the disguise of selling balloons.
- Sometimes the supply of alms exceeds the demand. As one child respondent observed, “Even when my family is not sitting outside a temple to seek alms, the almsgivers make it a point to visit our settlements, approach us at our homes and give alms, regardless of the time of the day. These alms are mostly in kind.”

**Reasons for begging:**
- For more than half households, begging is the primary source of income. This is irrespective of the family having access to paid work opportunities. On an average, they spend over 5 hours a day in seeking alms.
- For a majority of the families, begging is an important source of income - whether primary or supplementary.
- The children get initiated into begging as it is a common practice in the basti or by accompanying the elders in the family, when they go out for seeking alms.
- One can see a shift in this trend with more families migrating to the city in search of better work opportunities. 90% respondents, who reported having a family back in the village, shared that their families earn subsistence through daily wage work such as agricultural and construction labor, irrespective of it being meagre.
- Almost all (95%) adult respondents do not seek alms when they visit their native village.

**Places for begging:**
- Several women from the community, who are otherwise not engaged in seeking alms, travel to locations farther off than their homes in order to benefit from religious charity.

**Children’s earnings: Work and begging**
- Children continue to seek alms and/or hawk as a basic requirement, even after being rescued from begging and brought into the fold of the Juvenile Justice system.
- A majority of children started working/seeking alms because they were told by their families to do so. Almost half of them started seeking alms while accompanying their family members for begging. A large majority of children was introduced to begging at an early age by their family members.
- Family members argue that it is not safe to leave their children alone back home when they go out for begging. It is especially unsafe for girl children. Hence, they drag them along when they go for begging. Children mostly engage in hawking and seeking alms in the company of their family members such as their parents, grand parents or siblings.
Parents, grandparents and older siblings are the one-stop information source on arranging and organizing earning activities for children. Children also learn about where to go for hawking or to seek alms and what to sell, etc. from their neighbors, members of extended family, friends, and other people in their basti who also engage in similar activities. Thus, the lack of access to proper non-commercial day care facilities for the children results into the initiation of the children into begging.

Children hawk and seek alms around a host of settings including commercial areas, public transport hubs, places of worship, tourist spots, highways, roads and such other public places.

Children spend long hours engaging in paid work or seeking alms. A majority of the children end up spending more than 6 hours daily engaging in earning livelihood.

Children mostly walk either in groups or alone, to the places they go for work and/or to seek alms. Especially on festivals and national holidays, children travel by local trains to places as far as 30-40 kilometers away from their basti, for selling their wares.

Children while begging and hawking face multiple problems and difficulties. These include long working hours, walking on hot tar or cement roads, under the hot sun, in rains, facing verbal and physical violence by customers and patrons, tough physical conditions such as walking long distances, wading through heavy vehicular traffic and having to carry heavy loads of the goods they sell.

Children mostly rely on their family members such as parents, older siblings, and grandparents to resolve the problems they face at work / begging or they simply ignore their problems, indicating a process of internalization of violence.

Children across age and gender mainly hand over their day’s earnings to their parents, grandparents or older siblings.

Those who have taken recourse to hawking as a livelihood do not benefit from any government schemes whatsoever, such as bank account, interest free/ subsidized loan, licensing, training with stipend, protection from extortion by police and municipality personnel.

Protection concerns for women and children:

- All the children from these communities are engaged in wage work (including begging, hawking, construction labour, catering labour, domestic work, and auto-rickshaw driving). Other than this, children across age groups and gender are also engaged in hazardous jobs such as drainage and sewerage desiltation. This gravely endangers them physically and mentally.
- Reportedly, early marriages are common among these communities.
- Children live at risk of facing violence and maltreatment in their neighborhoods. Physical fights, beatings, and use of profanity are common occurrences in the settlements covered under the study. Women and children are at the risk of sexual maltreatment and violence while defecating in the open or accessing these spaces. Although they do not admit that they have themselves been victims of sexual assault, they do observe that the other children and women do face sexual assaults and sexual harassment frequently.
- In one settlement near Chembur, domestic violence was commonly observed.
• Women and girl children face stalking and grave sexual harassment as they have to bathe and defecate into the open. During which, or on the way to which, the local anti-social elements pass offending and embarrassing remarks. These local anti-social elements also block their way, stalk them and keep watching them, to the embarrassment of the women and children.

Education: School enrolment
• The children are far away from formal education.
• In cases where they are enrolled, they are highly irregular. This is due to a serious mismatch between their existential conditions, and what is minimally required of a student by the formal educational system to sustain and progress.
• Their parents do not see any incentive in sending their children to school regularly. Irregularity in attendance in turn compounds to further alienation from the school. Such breaks make it difficult for them to understand what is being taught in the class.
• The parents perceive the schools as unsafe places for their daughters. Hence, the enrolment and retention of girls is poor.
• The children go to school mainly to collect the freely given scholastic material. This is understood as a direct and unquestioned benefit of going to school. Many parents do not know their entitlements under the formal public educational system. A few unstructured interviews pointed out that the ignorance of the parents is misused by the staff of these schools and institutions to make them pay for such provisions. The same malpractice was also mentioned about the supply of material for personal hygiene and toiletries in some CCIs.
• It is greatly satisfying to see that these communities are showing 75% enrolment in formal schooling. It also indicates how much these underprivileged (and hence, backward) communities have to work, to catch up with the mainstream on most developmental indicators. A good 1/4th of them have not ever been nominally enrolled in the educational system. Of these (i.e. the non-enrolled), a substantial portion is those who have never been a part of the JJ system. They also might not have benefitted from any welfare and developmental schemes and measures due to them under the JJ system.
• The national trend of girls not getting enrolled on par with the boys also describes (is similar to the?) the situation of the children of the DNTs under the study. At the lower rung of the social hierarchy, such gaps compound the situational adversities in the way of gender justice.
• The parents, and not any other formal agencies or mechanisms, are showing interest and are taking initiative for placing their children in formal educational system. The parents prefer to send their boy children to Ashram schools and girl children to non-residential schools, on grounds of lack of safety for girls.
• Parental involvement and initiative, the availability of meals on time, the freedom from having to seek alms, the opportunities to get to learn new things and a general liking for the school all factors together make a majority of children want to stay in the Ashram schools.

Education: Attendance at school
• Getting children enrolled is essential, but enrolment alone is not sufficient to keep them there or see them progress. Primary data show that only about half of the children enrolled
in school are regularly attending the school. Even in such cases, the boys are 3 times more regular than the girls. It indicates more adversities in the way of education of girls and more apathy towards their education and empowerment, as compared to that of boys.

- Placements in the CCIs seem to help school enrolment and regular attendance due to the supervision of the shelter management and staff. Although for a majority of children the school was within the premises of the shelter, for the rest of the children it was outside the shelter premises. However, the travel to school and back was managed and supervised by the school authorities.
- All children who were enrolled in residential or non-residential schools but were in contact with local CSO run centres post school hours, had regular school attendance. As opposed to these children, the children who never came in contact with the JJ System, who were enrolled in non-residential schools, had irregular school attendance.
- Low rates of school enrolment and high rates of irregular attendance among the children have a direct link to the engagement of children in seeking alms, hawking and other paid and unpaid work. Having to spend school hours in seeking alms and doing other work is the main reason for their being irregular at school, dropping out of school and poor school enrolment.
- Spending late hours at begging, hawking and/or work results in the children missing their class the next morning, as they are unable to wake up on time for school. The non-availability and unaffordability of child-minding services for these communities, the children having to accompany their parents to work, etc. adversely impact school attendance and retention. The children also miss school when their parents are absent, as they are required to take on the role of primary care givers to their younger siblings.

Education: What makes going to school attractive and unattractive

- Opportunities for engaging in structured and unstructured recreation, outdoor play, availability of platforms for engaging in co-curricular activities, child friendly treatment by the staff, getting to spend time with friends, and free meals at school are some of the factors that make a school attractive for these children. The availability of basic amenities (unlike at home) such as fans, television, and a bathing space with round the clock water supply also attracts them to Ashram schools and residential schools.
- Having to walk long distance to school, forbidding cost of traveling by public transport, like a bus are the difficulties they face in attending school. Children also indicated physical factors such as having to walk a long distance to go to school.
- Violence faced at school in the form of bullying, physical beatings, labelling, branding, taunting by peers and older children, and in some cases by the teachers themselves, use of profanity by their schoolmates and corporal punishment meted out by their teachers also made the school environment unpleasant. It results in poor attendance and children’s lack of interest in continuing with schooling.
- Insecure abode, frequent evictions and relocations cause great hardships to the children in their daily life adversely affecting their motivation to attend school.
- All children who were enrolled in residential schools or were enrolled in non-residential schools but were in contact with local CSO run centres post their school hours, had regular school attendance as opposed to all the other children who had never been through the JJ
system, were enrolled in non-residential schools and had irregular school attendance reflecting the lack of parental engagement or capacities in ensuring that children are in school.

- Low interest in studies, dislike for certain subjects or activities at school, and inability to understand what is being taught, etc. are rarely intrinsic to the child. They are a reflection of the lack of sustained and proactive engagement of teachers in making school and learning interesting for the children.

**Contacts with the village:**

- Almost half of the adult respondents do not have any productive assets like land, shop or business back in the village. They are completely dependent on their earnings and temporary housing in the city.
- Over half of the adult respondents have no family back in their native village. This indicates a gradual, but permanent shift from rural to urban areas. The other half continued to be in contact with their native village through their immediate and extended family members, who continue to live in the village.
- A minority of children and their parents spend almost half the year, or more, in their native villages. While these communities visit their native villages for various reasons such as attending family functions including marriages, festivals, religious purposes, or maintaining their property back home, some families also spend most part of the year in the village for paid work from the commencement of the agricultural season.

**Future plans:**

- An overwhelming majority of adult respondents plan to live in the city for the rest of their lives. It indicates their preference for urban living despite the many hardships they and their families face, in the city. While a little less than half of them do not have any property or assets back in the village, over half of them want to continue staying in the city despite having a house back in their native villages.
- When the families do think of going back to their villages, it is mainly because they do not have secured residence in the city. It is also because they think that the earning prospects for construction labor in the villages are improving.

**Interface with the JJ System:**

- Very few of these children are brought before the CWCs even when they need priority cover as CNCPs. The deserving children do not get the rightful protection of the JJ system.
- Rescued children placed in CCIs get stigmatized and discriminated on the ground of their special background, as some belong to the ex-criminal tribes.
- Almost all the children seemed aware of some or the other formal protection system. The police were the most commonly identified formal protection system. Notwithstanding that a majority of the children do not perceive these as the system meant to protect them, given their lack of interface with these systems, and especially their recurrent “unpleasant” experiences with the local police.
- Half of the children indicated that they would approach their parents or CSOs if faced with any problem or threats. They did not mention police, CHILDLINE, or CWC or any other
stakeholders from the JJ system as a source of help. The justification given for the same was the ‘child friendly’ experience of interacting with the CSOs.

- A majority of the children who came in contact with the JJ system harbored a sense of having been ‘picked up’ by the police for an offence. This sentiment was echoed by their families.

- While the police followed the main procedures post “rescuing” the children, neither they nor the CWC necessarily keep the child and the parents informed about the processes to be followed under the JJ Act. This creates a sense of ambiguity in the minds of the children and their parents. Most of them remained under the stress that eventually, at the end of the enquiry, they would get punished.

- When the parents visit the police station to inquire about their child who is picked up by the police, they are made to wait at the police station for long hours and yet no information is furnished. After that they are turned away and asked to directly contact the CWC.

- At the police station, the children felt scared and confused and were crying as they were not aware of what was happening with them. They also feared that they would be forcibly separated from their parents. One boy child shared that he was especially upset and embarrassed as he was beaten up in front of his mother, and that he was also threatened by the police. Another child shared that the police was rude with his parents. Children also shared that the police addressed them by using of profanity, and yelled at them while they were crying with fear and confusion.

- On having been admitted at the Additional/New Children’s Homes (ACH/NCH), many children did not get their essential supplies like underclothes, beddings, mattress, towel, footwear, and toiletries. In comparison, their experience at the other Shelter/Children’s Homes was better where most of them received all essential supplies.

- A fifth of them did not receive any intake orientation in the ACH/NCH. The induction orientation that the others received was given to them by the other older resident children and not by any responsible caretaker or member of staff. They had to obey the senior children in the shelters and do their part of the chore, in return for ‘protection’.

- All restored children and a majority of the children in the Shelter/Children’s Homes indicated that while in the S/CH they were/are allowed to meet their parents once in two weeks, on an average for 30 minutes to an hour.

- Children do not receive any updates on the progress of their case, and some do not know that they would be restored to their families or are getting transferred from the ACH/NCH to the Shelter/Children’s Homes.

- The experience of children in terms of child-friendliness was better in Shelter/Children’s Homes as compared to the ACH/NCHs.

- Children are not a part of the process of evolving their Individual Care Plans (ICPs). The staff of Shelter/Children’s Homes do not involve the children or their parents in developing their ICPs.

- Over half of the children have received beatings from the police, and have stated the usage of a baton. The police threaten to take away all their belongings (wares which the children are hawking) and threaten to take the children to the police station to put them behind the bars. A few children who sell balloons shared that the police would use profanity and burst the balloons they would be selling, or would take away all their goods. They complained
that the police seek graft to let the children go back to their parents. The children are beaten up by the police if they are seen hawking.

- Ironically and sadly, having come in contact with the JJ system also becomes a potent source of stigma and discrimination for these children, instead of providing relief.
- Further, around half of the children who have been through the JJ system and were restored to the family, and are currently enrolled in school, reported that they faced bullying at school. The reason was found to have been a part of the JJ system.
- Passing through the JJ system was equated with ‘having committed some crime’.
- The police constantly trouble them and their families as they live on the footpaths.
- The children stated that they are treated well by the CWCs. They like that the CWCs inquire about their individual life, family, parents and where they stayed, whether or not the child was enrolled and attending school, and the circumstances under which the child was rescued, etc. Several children shared that the CWC members offered them water, biscuits, or sweets. They reported that they don’t feel scared interacting with the CWCs.
- Most children do not like staying in the ACH/NCH. All of them liked staying in the Shelter/Children’s Homes. Shelter/Children’s Homes were found safe, and free from abuse. Of course, they preferred staying home with their families over anything.
- At the schools too they get labelled and ridiculed as “bhikari”, “ganda”, and “chor” for having been “picked up” by the police for begging and/or working and putting them through the JJ system.
- In one case, a child from the Pardhi community was told by the teachers and the school authorities to not attend the school. The reason was that he was allegedly involved in an episode of petty theft.

**Child neglect and deprivation:**

*Safety issues*
- Living by the side of heavily trafficked roads or open public gutters, living in open places, footpaths, under bridges and flyovers, in railway yards, near dump yards, etc. makes them extremely vulnerable to disasters and mishaps.

*Maltreatment*
- They are humiliated and condemned by the society, handled like offenders by the police or abandoned by the state. They are also branded and discriminated against by the fellow resident students and staff of the CCI's, and harassed sexually by the anti-social elements in and around the settlements.

*Devastation of self-image*
- The ultimate damage that life in begging causes to the person is the complete destruction of self-esteem. When this happens to a child, it is thoroughly especially devastating and far reaching as it not only affects the confidence of the child but also affects its world view and its stance vis-à-vis the mainstream society.

*Exploitation*
- Their parents are still treated as ‘born criminals’ by the police and booked under false charges or inappropriately detained without any charges. The mindset of the police personnel is still colonial and feudal.
Interaction with the police:
- As of today, as it emerges from the study that the families of these children and the children themselves seem to be perceiving the police as their biggest problem. This tallies with the historical situation as well. The prejudice in the mind of the policeman against these people nurtured and strengthened by the mindset of their seniors coupled with the pressure from the city elites to keep the city façade clean of the beggars and to get rid of the embarrassing sight makes the police crackdown upon the DNTs brutally, desperately and recurrently.
CHAPTER 8: RECOMMENDATIONS
RECOMMENDATIONS
Priority:
The historical, unparalleled and completely unjust action by the state of declaring some tribal communities criminal has to be corrected through public regret, apology, and material compensation. The livelihood rights of these communities which have been unfairly violated and their dignity which has been vindictively eroded must be restored forthwith. Merely declaring them as ‘Denotified’ may be essential but not adequate. Their case is similar to the case of the Comfort Women of Japan and Korea, or the untouchables and the devadasis of India.

The repeated eviction of these communities from their livelihood rights in forest and common property resources (CPR) should be corrected through restoration of their rights in a manner that is compatible with the rational policies on and contributing to the furtherance of the goal of environmental protection and protection of animal’s rights.

Approach in general:

The recommended care, protection, and development of the children found begging in public places in Mumbai and Navi Mumbai is here conceptualised as taking place in the children’s natural social environment of family and open community. The institutionalized care, protection, and development of children in need of care and protection is seen as the measure of last resort. It should be further informed by a rights-based, development-oriented, and participatory approach. In all these measures, the informed participation of the children and their families should be ensured. It should also have broad based consultations with the civil society organizations (CSOs) directly engaged in providing care and protection services to these children as well as those who are working on the broader theme of child protection.

 Those persons among these communities who have broken the stereotypes and come up in life may be presented as success stories to facilitate a positive change and hope among the community members.

Children should be engaged and their participation should be given prime importance in the interventions.

Political parties and institutions that have a focus on DNNSNTs should be engaged in bringing about relief and positive change in the situation of these children and their families.

Identity, Identity Documents and Entitlement Documents:

- A special drive only for enumerating the DNNSNT and for ironing out the discrepancies in the nomenclature and categorization of the various DNNSNTs may be undertaken. It is the
basic requirement to design and deliver developmental and welfare services for these communities and their children.

- These communities, especially the numerically weaker among them, should be covered through an intensive outreach to identify, enumerate and equip them with the documents of personal identity and entitlements in public domain.
- The houses and possessions of people living in these communities are rarely safe. Their livelihood makes them roam around or seasonally migrate. Considering this, some special arrangements should be made for the preservation and easy access to their identification documents, such as ID cards the copies of which can be made available freely on demand by competent local administration against their biometric verification.

**Access to Social Welfare Schemes:**
- A special intervention is required to ensure that the Identification and Entitlement IDs that are issued are used to avail of the various welfare and developmental services.
- The CWC should consider referring the restored children to sponsorship programs like Bal Sangopan Yojana.

**Housing:**
- Right to shelter is a part of the fundamental right to life guaranteed by the Constitution (Article 19(1)(e) read with Article 21). It is also recognized as a basic human right (right to an adequate standard of living) as per Article 25 of Universal Declaration of Human Rights.
- Housing is an important part of the right to life and hence it is the responsibility of the state to provide housing to the homeless. Currently, in response to the Writ Petition (Civil) No. 196/2001 in the Supreme Court, the local authorities have been made to provide night-time shelters to the homeless in the cities. Some of Prerana’s Night Care Centres are currently run under this arrangement where the space is made available by the local civic administration. Along these lines, temporary houses or shelters suitable for these children and their families should be provided on free or nominal payment basis, preferably by involving accredited CSOs.
- The brutality by the police and civic authorities of razing down the abodes, destroying the material and possessions of the families of these children and of rendering them shelter-less could largely be due to the pressure imposed on the rank and file by the higher-ups to make the city ‘clean’ and to ‘disembarrass’ the governing elites. The police personnel, starting from the higher-ups right up to the field level should be sensitized to the situation of the DNNSNTs. They should be made aware of these communities’ right to housing as right to life, a fundamental right specifically upheld and further elaborated by the apex court of the country.
- The specific recommendations of the National Commission for/on DNNSNT on housing should be followed. (see Appendix 1).

**Basic services:**
There is a thick network of roads, water pipes, electrical lines, sewerage lines, solid waste disposal systems, and mobile toilets and washrooms etc. spread all over the city. It is not a difficult task for the local civic government to reach out to the settlements where these
communities live, and provide to them the aforementioned basic amenities for free and/or against a nominal charge.

**Basic services: Water**

Water is indispensable for life. It is impossible to imagine life without water. A large range of health disorders is due the non-availability of safe drinking water or due to the use of contaminated water.

- It is common sense and basic civility that a living being must have a secure access to water for personal and household purposes. Affordable access to daily personal and household purpose water is an important component of the right to life promised by the Indian Constitution, and it is the responsibility of the state to honor the same. This has been further abundantly reinstated by the Supreme Court from time to time. The plight of these children and their families to secure minimum household water brings shame to civilization. In urban areas of Mumbai and Navi Mumbai, it is not difficult to provide daily access to affordable safe drinking and other household purposes water to these communities, using the existing public water distribution systems.

- This horrific situation of living on the edges of giant city gutters and using gutter water for household purposes must be stopped forthwith by providing to them safe drinking and household purpose water on sustained basis. Provision of temporary water connections and/or providing water by tankers are two measures the state and its civic bodies should immediately take up as interim measures.

**Basic Services: Electricity**

- The local civic and state governments already have a system of issuing temporary and metered electricity connections, even to temporary establishments and activities like fairs, exhibitions, rallies, and other events. The same facility should be extended to these settlements on a nominal payment basis. Provision of solar lamps will provide inexpensive alternative for light inside the houses and in the common areas in the community.

**Basic Services: Toilets and Bathrooms**

- Proper housing with inhouse toilet has to be provided as a permanent solution to the problem. Interim measures like portable/mobile toilets and bathrooms should also be provided by the municipality.

- The women from these communities should be covered under a menstrual hygiene programme. As in the case of young girl students in schools who are supplied free or subsidized sanitary napkins, the girl children and women from these settlements should be provided with free or subsidized sanitary pads.

- The members of these communities should be given identification documents/ ID cards authorizing them to free or highly subsidized access to public toilets, urinals, and bathing facilities. On urgent basis, such free access should be given to the women and children.

- In Mumbai and Navi Mumbai, it is complained that many public toilets which are authorized to collect a minimum charge of Rs. 2/- for single use of a latrine extort as much as Rs. 5/- per use. This malpractice must be stopped forthwith through surprise visits or by stopping direct collection by the keeper of the public toilets. The members of these
communities found in begging should be protected against such extortions by introducing biometric ID based free and/or highly subsidized access.

**Basic services: Public health services**
- Health departments of the local, state, and central governments should reach out to these groups to deliver their services and to ensure that the services are relevant to their needs, and these people are able to access them.
- Accredited Social Health Activist (ASHA) workers should routinely visit these children and their family members to facilitate their access and use of the public health services.
- The benefits under the National Health Mission (NHM) should be mobilized.
- The children should benefit from the Integrated Child Development Services programme (ICDS) through the urban aanganwadis and mobile creches.
- A persuasive counselling and positive intervention based strategy should be evolved and adopted under the leadership of the social work departments and Department of Preventive & Social Medicine (PSM) of the public and private hospitals, to reach out to these children. The adolescents should be counselled on sexuality, addiction, menstrual health and hygiene, and sexual and reproductive health. They should be assisted in accessing sanitary napkins and other testing and remedial services, including deaddiction.

**Work profile:**
- Section 3 of the Child Labour (Prohibition and Regulation) Amendment Act, 2016, states that no child shall be employed or permitted to work in any occupation or process, except where the child helps his family or family enterprise, which is other than hazardous occupation after his/her school hours or during vacations. For children between 14 and 18 years (i.e. adolescents), the Section 3A of the law states that no adolescent shall be employed or permitted to work in any of the hazardous occupations set forth in the Schedule. Begging in public places is physically, mentally, and socio-culturally hazardous. Hence, the labour department must be mobilized to intervene and end the malpractice. The presence of children at the sites of begging during the day is a violation of the Right of Children to Free and Compulsory Education Act, 2009 (RTE). Hence, the Department of Women and Child Development (DWCD) should also be mobilized to intervene positively to end the malpractice and ensure that the children and adolescents are in the formal educational system, wherever appropriate, through open schooling.
- Given their meagre incomes and the high expenses of urban living, the backward migrant communities lead a hand-to-mouth existence in the city. This is irrespective of their engagement in multiple income generating activities, including begging. Besides guaranteeing minimum wages to them, these families should be helped to acquire better employability skills.
- Strict action must be taken to stop the established practice of putting children on the work of gutter/sewerage cleaning. The DWCD, CWC, CHILDLINE, Department of Labour, CSOs, SJPUs, DCPUs etc. must make a time bound programme of outreach to end this horrible practice.
These children need to be provided with 24-hour shelters along the lines of the directions given by the Supreme Court in the case of People's Union for Civil Liberties (PUCL) vs. Union of India Writ Petition (Civil) No. 196 of 2001.

**Work profile: Work opportunities round the year**

- Occupational diversification may be encouraged.
- The adult members of these families should be equipped with sustainable employability skills. Housekeeping and domestic work could be one of the viable and sustainable livelihood options for the adult men and women. Women particularly may be helped to get trained, placed in the job sector and handheld appropriately.

**Unavailability of work and begging as a source of income:**

- Children should be strictly kept away from begging and allied exposure and pro-begging socialization.
- Begging is not legitimate work, even when carried out as a family occupation. Therefore, children should not be allowed to work or be engaged in begging with the family. Multi-disciplinary/multi stakeholders’ teams comprised of CWC, DWCD, SJPU, D CPU, CHIL DLINE have a primary responsibility to end this malpractice They should evolve a time bound programme or campaign to end begging by children.
- The observed trends of moving away from begging to hawking, resorting to begging to only meet the deficits in the earnings from legitimate work, are some of the indicators of the broader social support from these ethnic communities that can be harnessed by positive interventionists working to end begging by children.
- Begging is a survival strategy to overcome a situation of utter helplessness, dependence, state’s apathy, and civic indifference. It has to be clearly distinguished from begging as an easy shortcut to make a living without contributing to collective good. The latter may not be encouraged or tolerated.
- Almsgiving in itself is a widespread social, mainly religious need, which is independent of begging as a survival strategy for some families. It manifests itself to self-fulfillment at times, by boosting the creation of alms seekers, which ultimately leads to crippling of the responsible behaviour of the receivers. Hence, a large part of almsgiving should be channelized constructively.
- The inclination towards relying on non-begging behaviors as a way of earning one’s livelihood must be nurtured.
- The authorities of religious endowments, places of worship, and leaders of faith systems should work together to channelize the individual almsgiving activity into a rational, professional and institutionalized welfare activity which is rights based and development oriented. Wherever individuals are physically and mentally capable of leading a self-reliant life of honor, they should be given employability or livelihood options. The malpractice of begging by children must be rejected forthwith.

**Children’s earnings: Work and begging**
- Although we have not come across any cases of child trafficking for begging operated through criminal rackets, it is recommended that the child protection wings of the police - the CWPO, SJP, etc. should be vigilant to combat trafficking and exploitation by criminal rackets.
- Active outreach, higher accountability, and closer follow-up by the CWCs is recommended to ensure that the children who come in contact with the Juvenile Justice system do not slip into begging again.
- The CWCs should build a system of close follow-up and child tracking to curb re-trafficking, neglect and exploitation.
- Women's self-help groups (SHG) should be given space in schools, and funds by civic authorities like the Municipal Corporation of Greater Mumbai (MCGM) to start Day Care Centers for the benefit of these children, and to ensure their safety. This will also keep them from begging, provide them with nutrition, and look after their health. It will contribute to the MCGM’s goal of providing education to all and getting better returns on its investment in formal education.

**Protection concerns for women and children:**

Task force comprising of representatives from DWCD, Health Department, Education Department, and the CSOs should be set up and made functional.

- These children should be admitted into residential & non-residential formal schools, encouraged and closely monitored to ensure they do not drop-out or stagnate, but progress well in formal education.
- The police should take strict action against the stalking and sexual harassment of the women of these communities. Few exemplar cases of arrest and prosecution should be made to send a strong message to the anti-social elements that such harassment will not be tolerated under any circumstances. A few successful cases of a positive action by the police with wide publicity to the story will send the message far and wide.
- The Prevention of Atrocities on Women (PAW) Unit of Maharashtra Police should be mobilized to address this menace.
- As an interim measure, the civic authorities should provide services of mobile toilets and washrooms in and/or near such settlements on free or highly subsidized basis.
- The Child Marriage Prohibition Officer appointed under the Prohibition of Child Marriage Act, 2006 along with the DCPU should organize regular outreach in these communities to share information on the law against child marriage, on Protection of Children from Sexual Offences Act, 2012 (POCSOA), and explain the undesirable effects of child and early marriages. They should also make the people aware of the criminalization of their custom of child and early marriages.
Education: School enrolment

- In case of children who are between 6 and 14 years, every effort should be made to ensure that age appropriately, where necessary by completing bridge courses, they should be encouraged to get into formal schooling or join open schooling system like the National Institute of Open Schooling (NIOS.)
- It is clear that the formal education of these children cannot be accomplished by merely waiving off the tuition fees, and by supplying books, stationery and uniforms. Provision of shelter, nutrition, and health facilities is essential to translate the Right to Education Act, 2009 into a reality.
- Children between 14 and 18 years of age should be encouraged to join night schools, evening-hours coaching classes, and open schooling. But wherever necessary, they may be encouraged to acquire employability skills through a variety of government sponsored vocational training and entrepreneurship development programmes (e.g. offered by the National Skills Development Corporation etc.)
- The facilities under (NIOS) may be extensively used to place the ‘Out-of-School’ children on the sustainable developmental path through formal education.
- Setting up spot education centres of children in the form of mobile education units.
- Start Day Care Centres in Municipal schools so that children can stay safe after school hours.
- Set up Night schools/Evening schools for the formal education of such children.
- The Maharashtra State Board of Secondary and Higher Secondary Education is open to a large range of subjects for the Board’s SSC/Class 10th exam but the MCGM offers only 5 conventional subjects. Such shrinkage of options puts serious limitations on the formal education and employability of the students, and makes them study irrelevant and uninteresting subjects.

Education: Attendance at school

- The programmes under the Jan Shikshan Sansthan (JSS) initiative of the Ministry of Human Resource Development – Government of India may be extensively used.
- Multi stakeholder teams committed to child protection should organize campaigns to ensure that all children of school-going age are in school and learning well.
- The provisions under the Right to Education Act, Child Labour Act, Integrated Child Protection Scheme, etc. should be mobilized to ensure that these children continue to be in the formal education stream.
- Extensive outreach may be undertaken to identify the ‘Out-of-School’ children and link them with local government-run or aided schools and the non-aided high-profile schools, to have them enrolled and sustained. As provided under the RTE Act, 2009 the high profile non-aided schools have an obligation to reserve 25% of their seats for the children of the economically weaker and disadvantaged sections from their neighborhood.
▪ The tribal Ashram schools should put in place a follow-up mechanism to ensure that the resident children who go on short holidays and vacations return to the Ashram schools in time, that their absenteeism is curtailed and drop-out is prevented.

▪ Educational Support Programmes (ESP) on the lines of Prerana’s ESP should be run by school authorities and CSOs to help these children.

**Education: Making schooling attractive**

▪ Many children who have been placed in residential schools and Ashram schools seem to have started liking the schools. Of course, they have also mentioned malpractices that victimize them. Most of those malpractices are preventable. Such positive stories should be widely disseminated and the children who are relatively well settled in formal education may be encouraged to share their positive experiences with those who need to join residential education.

▪ Maharashtra has 1567 Ashram schools with 5,14,084 resident children spread evenly in rural areas and backward tribal regions. The ICPS should be mobilized to ensure that the DNNSNT parents are outreached, counselled, motivated, and actively involved in placing their children in such Ashram schools. They should also be provided with some degree of hand holding to make the process smooth for them.

▪ The Child Care Institutions (CCIs), Residential schools and Ashram schools must attain and maintain the prescribed minimum standards of care and protection services and the authorities. Wherever possible, the CSOs should keep a strict watch to ensure minimum standards in these institutions.

▪ The Ashram schools should be helped to follow a comprehensive Child Protection Policy.

▪ The Education Department of MCGM should address the issues of ragging, bullying, verbal and physical abuse, and discrimination that victimizes these children. They should help other children acquire understanding and empathy.

▪ In spite of having the financial provisions under the grant-in-aid programmes, the institutional authorities make the parents to arrange for and/or pay for the basic services like clothes, footwear, blankets, toiletries, toothpaste, items of personal hygiene, etc. Such malpractices can be eliminated through better inspection, strict accountability, and higher transparency. The Dept. of Tribal Development (Tribal Development Department) should take strict action against the management of those Ashram schools which make the parents of the resident children and/or ask the children to bring toiletries, school supplies, and clothes. As it is the responsibility of such Ashram schools to provide these materials free of charge.

▪ While every effort must be made to make the CCIs, residential schools and Ashram schools safer, caring and nurturing places for children who are rescued from begging, they should primarily be used as the most potent and preventive measures before the damage takes place, and not merely as rehabilitation centres after the damage is done. If the marginalized, seasonally migrant, nomadic and semi-nomadic communities are outreached, and their children are placed in the Ashram schools then the chances of them becoming children in need of care and protection will get drastically reduced.
When the parents go through a process of raising awareness, sensitizations, and counselling, they take the initiative to place their children in residential schools or Ashram schools. When such an initiative meets with a matching, flexible, and accommodative response from the Ashram school management the children adjust well in such institutions. They do not try to run away from such institutions and their parents do not try to assert their parental right to have the child back to them - often at the cost of the best interest of their child. Of course, all of this first and foremost presumes cleansing the Ashram schools and CCIs of their existing malpractices, maltreatments, and preventable ill effects. With active parental involvement in the children’s placement and institutional life, the other apparently non preventable ill effects of institutions like the institutional children’s syndromes too can be significantly mitigated.

Contacts with the village:

Knowing the background of the historical suppression of these communities by the mainstream society and the power elites in the rural sector, it would not be possible to expect the rehabilitation of the children or the families in their native villages in rural areas. They have received major relief from repression by migrating to the urban areas. This understanding should inform the interventions for the rehabilitation of the children rescued from begging and their families.

Future plans:

The DNTs (or DNNSNT) have had a violent and utterly unjust past of almost a century. They witnessed or experienced no social economic mobility or flexibility in the rural areas. Their migration to urban areas has opened up some liberal and secular options. Hence, they must be helped to settle well in the cities.

Hawking is an integral part of a growing economy. It is labour intensive and can be started by persons who have no capital assets or infrastructure.

If these communities are moving away from begging by adopting honorable livelihood options like hawking, then it should be encouraged and actively facilitated.

Interface with the Juvenile Justice System:

Parents from these communities should never feel that by superseding their parental rights, their children have been whisked away from them and kept in some kind of captivity by the police or the CWC. This is particularly so on the background of the Order of the Delhi High Court scrapping the core punitive provisions of the law against begging and putting the blame on the state for failing to provide honorable livelihood options to those who then live by begging.

The High Court of the Maharashtra state should be mobilized to issue an Order similar to that of Delhi High Court given in 2018. This will take away the justification for the police arresting the adults found begging and whisking away from their parents, children found
begging at traffic posts and other places in the name of rescue or taking them into the protective custody.

- CSOs working with the children should take up these matters with the police higher-ups, and in their Sensitization & Training programmes.

- The departments of the state and local governments who have the responsibility to provide welfare and developmental services to the socio-economically weaker social categories should constitute an interdepartmental task force by including CSOs and service providers for better convergence. These task forces should focus on such populations in their jurisdiction and make a concerted effort to get these children and their families out of the vicious cycle of backwardness and begging.

- The National and State Commissions for Protection of Child Rights (NCPCR), the DWCD - Government of Maharashtra, the Department of Labour – Government of Maharashtra, should constitute a Task Force/Special Desk to facilitate convergence, among other things.

- The state and the judiciary should organize sensitization, training, and capacity building programmes for the prime stakeholders and duty bearers like Police, CHILDLINE, JJBs, CWCs, DCPUs, CCIIs, and other service providers, specifically focusing on the problems of children in begging.

- Growing up is a dynamic and evolving phenomenon for a child, and his socio-economic environment is also dynamic. Hence, the competent authorities under the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) should not take a ‘once for lifetime’ decision of declaring the child as a ‘child in need of care and protection’, or otherwise. The decision on the status of the child should be regularly and actively reviewed. This dynamism in the approach is the need of the hour. It should also be reflected well in the SOPs and guidelines issued for these competent authorities.

- The state, the CSOs, and the competent authorities under the JJ Act are today looking for non-institutional, open society based, and family/community-based options for ensuring the care and protection of the CNCPs. They are also opening up to strengthening the capacities of the family and primary care takers of the CNCP so that the child can stay with the family. This intervention should be further explored, invested in, and strengthened.

- There should be mutual sensitization and capacity building of both- the residential care arrangements like residential schools and Ashram schools on one hand and of the CWCs, DCPUs, service provider CSOs on the other.

- Every child need not be brought under the JJ system. Strengthening prevention by investing in families and communities is highly recommended.

- CWCs should reach out to such children and their families and not limit themselves to waiting for them to be produced before the CWCs.

- Considering the finding that many rescued children restored to their families by the CWC are found engaged in begging, the CWCs and DCPUs should take the necessary steps to check such maltreatment of children. Follow-up mechanisms once the children are restored back home need to be strengthened.
For Police:

- Focused programmes for the sensitization & training of the police, especially the SJPUs and CWPOs should be undertaken.
- All such training should be organized/conducted together as a team for a variety of duty bearers and not for each category independently.
- The senior police officers have an important role to play in changing the mindset and malpractice from across all levels in the force.
- CSOs should move to the Bombay High Court to get an Order similar to the one given by the Delhi High Court delimiting the scope of the Maharashtra Prevention of Begging Act, 1960 (MPBA) and scrapping the provisions which penalize a helpless person found begging.
- The police should be made to understand that the almgsivers are also under the pressure of religion or their faith system etc. to give alms. They are the other side of the coin of the system/practice of begging in public places. Hence, merely penalizing the alms seeker cannot be a fair solution to the problem of begging.
- We should have an SOP for rescue and rehabilitation of the rescued children found begging.

Prevention:

- It is not safe for children to live in the open, wade through speeding vehicles, breathe toxic vehicular exhaust, eat left-over unhealthy food cooked in an unsupervised manner or given in alms at social and religious events. Children should be taken out of such dangerous situations forthwith, even when they are found in the disguise of hawking.
- These children should be immediately removed from the hostile, social interactional matrix as it reinforces a low self-image, a sense of being unwanted and despised in the child. Until the parents do not have a secured house, it is advised that the families may be encouraged to keep their children in residential schools, tribal Ashram schools, and other open shelters. Urgent measures should be undertaken to purge these institutions of the maltreatments and abusive and negligent situations that they are ill reputed for.
- Every measure for child protection, bringing the children in the fold of the JJ System where necessary, active outreach, sensitive rescue from exploitative situations, strengthening the family and community to provide necessary protection to the child, etc. is highly recommended.
- State should undertake and assist the CSOs in undertaking awareness programmes for alms seekers on alternative lifestyle and livelihoods.
- Childline and DCPUs should conduct regular open house sessions in the communities which have families and children begging.
- Life Skills Education should be provided for ‘schooling’, ‘out-of-school’, children and ‘young adults’ who are vulnerable to getting inducted into begging.
- The faith-based organizations and religious platforms should undertake interpretation of sacred scriptures to inculcate the pursuit of self-reliance among the actual and potential almgsivers, wherever possible and appropriate. They should educate their followers and almgsivers so that the almgsivers’ contributions can be used constructively for better
impact and to channelize the alms without snubbing the quality of altruism, compassion and sentiment of brotherhood among the almsgivers.

- Almsgivers should be sensitized, and the ideas of *paap* (sin) and *punya* (meritorious deed) should be appropriately reinterpreted and elaborated.

**Protection:**

- The reach of the JJ system should be extended in order to cover these children.
- Institutional solutions may be used with close follow-up and by strengthening the institutions for better services, minimum standards, transparency and accountability.
- Full and part time care & protection of children ‘vulnerable to getting inducted into’, ‘found in’ and ‘rescued from’ begging should be accomplished by running Day Care Centres, ICDS-Anganwadis, Mobile Creches, etc.

**Searches:**

- The police should crack down upon criminal gangs who traffic children and exploit them in begging rackets.

**Prosecution:**

- Effective prosecution of offenders under the Indian Penal Code,1860, the JJ Act, MPB Act, POCSO Act should be bolstered.
- Although as of now the upcoming law ‘The Destitute Person (Care and Rehabilitation) Bill 2016’ appears to have gone in cold storage, there is an urgent need to have a uniform law against begging that does not penalize the helpless alms seekers, prevents harmful alms giving, regulates alms giving, combats and penalizes trafficking for begging and exploitation of another person through begging, channelizes altruism and charity in a constructive way by instilling professionalism, makes the state responsible for creating employability among those who have normal abilities, and provides incentives for families to look after their differently abled family members so as to prevent their destitution into begging.
- Religious bodies and persons in charge of places of worship should be made responsible to undertake education of almsgivers to curb inappropriate alms giving.
- The institutions to provide care and support to the destitute should be made transparent and accountable through larger civil society participation and co-management.

**Rehabilitation:**

- As far as possible, the rehabilitation should be non-institutional.
- While Ashram schools and residential schools are also the arrangements for the care and protection of these children, there is an urgent need to explore alternatives to conventional institutionalization. Many of these should be used in addition to the conventional
institutionalization option e.g. open shelters (under Sections 2(41), 41, 43(1), 2(29), 32, 44 of the JJ Act 2015 (for details see Annexure 2)

▪ Rehabilitation should strengthen both, the families and communities.
▪ Those who have moved to hawking as a legitimate source of livelihood should be linked with the associations and unions of hawkers to access legal protection and benefits of collective bargaining.
▪ Rehabilitation should, age appropriately, strengthen hawking and minimize begging.
▪ Children between 14 and 18 years of age should be encouraged to acquire employability skills through a variety of vocational training and entrepreneurship development programmes (e.g. National Skills Development Corporation etc.) government by state corporate and private sector.
▪ Their engagement in hawking may be utilized as an opportunity to upgrade them into entrepreneurial activities.
▪ Such training and entrepreneurial development activities should be an integral part of the Ashram schools and residential schools which provide for shelter, nutrition, other personal necessities, and overall protection.
▪ Ashram schools and other residential schools catering to the STs, NTs, DNTs among others should have an After-care component (as stated in Section 2(5) of the JJ Act) to extend residential care and support to the children who complete their 18 years of age and wish to take up vocational entrepreneurial training.
▪ They should be linked with the Unions and Associations of hawkers that work to protect their rights as hawkers
▪ Under the Supreme Court’s Orders, the local administration in metropolises have started running shelters for the homeless. In Mumbai, the (MCGM) has involved the CSO’s for running such shelters. They should undertake outreach to ensure that the children these children avail the services of these shelters at least during the night.
▪ The DWCD should make formal arrangement by networking with the Dept. of Tribal Development whereby the children belonging to these communities who require residential care protection and development get referred to tribal Ashram schools by the CWCs.
ANNEXURES
Annexure 1

Extract on Recommendations on Housing from National Commission on DNNSNT Report (PP 110 - 113)

1. Housing is a basic human need. While a large number of Denotified Tribes are settled, Nomadic Tribes are generally on the move in pursuit of their traditional occupations for livelihood. Also, in view of the changing economic scenario, their age-old traditional occupations are gradually losing relevance in providing the desired livelihood support. The Nomadic Tribes are increasingly veering to the view that they settle themselves at one place or the other and take to alternative professions.

Indira Awaas Yojana is the flagship scheme of the Union Government for providing housing to the rural poor which is being operated on 75:25 basis. The annual flow of funds from the state exchequer was Rs.4400 crores during the Xth Plan. While DNTs are also covered under the eligibility criteria under this scheme but since their priority is so low that it is estimated that the number of beneficiaries of this scheme from the category of DNTs is negligible.

The Commission is of the strong view that considering their number and the fact that they have not been given much importance in providing houses, the Central Govt. may earmark at least 50% of the current outlay for Indira Awaas Yojana for building houses only for DNTs during the XIth and the subsequent Plans and this scheme for DNTs may be rechristened as Indira Awaas Yojana for DNTs.

2. The problem of housing in urban areas is still worse. The continuing influx of population to urban areas has led to, inter alia, slums where a large number of poor families have come and settled in tents. These families consist of migratory labour as also the DNTs. The living conditions of these families are not only subhuman but also create pressure on basic urban services for the entire urban population.

It is gratifying to note that the Ministry of Housing and Urban Poverty Alleviation has already launched an ambitious scheme under the Jawahar Lal Nehru National Urban Mission for slum clearance and for the improvement of urban infrastructure in general. Since a large number of families belonging to DNTs live in such slums, the slum clearance programmes under the above scheme will enable these families to enjoy the benefits of this scheme in terms of housing and urban infrastructure.

However, considering the poor plight of DNTs, it is suggested that the above
scheme is slightly modified to provide that the DNTs of these slums may be given top priority for housing and development of urban infrastructure. It is hoped that a large number of DNT families will be benefited by the implementation of this scheme.

The scheme also lays down that housing should not be provided free to the beneficiaries and a minimum of 12% in general and 10% in the case of SC/ST/DC/OBC/PH and other weaker sections be charged. The Commission is of the view that considering the poor conditions of Nomadic Tribes, they may be charged only 5% as against 10% for SC/ST, etc.

The Commission had an occasion to see this scheme being implemented by the Union Territory of Chandigarh and the Small Flats Schemes, 2006, being implemented by them. Though there was no distinction kept between the general and the DNT slum dwellers, the Commission found the implementation of the scheme to be one of the best and compliments the UT Administration for the same.

3. The Jawaharlal Nehru National Urban Renewal Mission is presently applicable only to certain big cities and towns in the country. There are a large number of smaller cities and towns also in the country. A large number of DNTs have settled and created slums in such small cities and towns as well. It is suggested that the States/UTs may implement similar Housing Schemes for DNT slum dwellers as in big cities and towns with a beneficiary contribution of 5% in case of DNTs. This scheme may be taken up for implementation on priority basis. It may also be ensured that the DNT families are not uprooted from their present location until alternative housing facilities are created for them.

4. The Central Government launched a scheme, namely, Golden Jubilee Rural Housing Finance Scheme in 1997-98. This scheme envisages the sanction of credit to individuals desirous of constructing/acquiring new dwelling units and for improving or adding to existing dwelling units in rural areas at normal rates of interest. Considering the shortage of houses for DNTs, it is suggested that this scheme may be reviewed and modified suitably in the changed circumstances with a view to benefiting the DNTs by providing for suitable subsidy in the rate of interest.

5. Considering the size of the demand for houses for Nomadic Tribes, it is also suggested that the Union and the State Governments may launch a scheme to develop Special Socio-Economic Settlement Zones (SSESZ) for Nomadic Tribes at suitable locations on the lines of the Special Economic Zones for industrial units. The SSESZs may be developed to provide built up houses to live along with a small piece of land attached to such houses to enable the family to carry on their profession as well. Locations of such SSESZ can be in the neighborhood of either SEZs or the other industrial areas or trade or business centres to enable the residents
to get an opportunity for employment. Such SSESZs can be developed for at least 100 families at one place with minimum infrastructure, like electricity, drinking water and schools, etc.

Annexure 2

The JJ Act 2015 Sec. 2(41) defines open shelter as – ‘Open shelter’ means a facility for children, established and maintained by the State Government, either by itself, or through a voluntary or non-governmental organisation under sub-section (1) of section 43, and registered as such, for the purposes specified in that section;

JJ Act 2015 Sec. 43. (1) further provides as follows;

JJ Act 2015 Sec 43(1) ‘The State Government may establish and maintain, by itself or through voluntary or non-governmental organisations, as many open shelters as may be required, and such open shelters shall be registered as such, in the manner as may be prescribed. (2) The open shelters referred to in sub-section (1) shall function as a community based facility for children in need of residential support, on short term basis, with the objective of protecting them from abuse or weaning them, or keeping them, away from a life on the streets. (3) The open shelters shall send every month information, in the manner as may be prescribed, regarding children availing the services of the shelter, to the District Child Protection Unit and the Committee.’

JJ Act 2015 Sec 2 (29) defines Foster Care and Sec 32 provides for Group Foster Care as follows;

Sec. 2(29) “foster care” means placement of a child, by the Committee for the purpose of alternate care in the domestic environment of a family, other than the child’s biological family, that has been selected, qualified, approved and supervised for providing such care;

Sec 2(32) “group foster care” means a family like care facility for children in need of care and protection who are without parental care, aiming on providing personalised care and fostering a sense of belonging and identity, through family like and community-based solutions;

JJ Act Sec 44 adds to the provisions as follows;

44. (1) The children in need of care and protection may be placed in foster care, including group foster care for their care and protection through orders of the Committee, after following the procedure as may be prescribed in this regard, in a family which does not include the child’s biological or adoptive parents or in an unrelated family recognised as suitable for the purpose by the State Government, for a short or extended period of time. (2) The selection of the foster family shall be based on family’s ability, intent, capacity and prior experience of taking care of children. (3) All efforts shall be made to keep siblings together in foster families, unless it is in their best interest not to be kept together. Penalty for nonregistration of child care institutions. Open shelter. Foster care.
(4) The State Government, after taking into account the number of children, shall provide monthly funding for such foster care through District Child Protection Unit after following the procedure, as may be prescribed, for inspection to ensure well-being of the children.

(5) In cases where children have been placed in foster care for the reason that their parents have been found to be unfit or incapacitated by the Committee, the child’s parents may visit the child in the foster family at regular intervals, unless the Committee feels that such visits are not in the best interest of the child, for reasons to be recorded therefore; and eventually, the child may return to the parent’s homes once the parents are determined by the Committee to be fit to take care of the child.

(6) The foster family shall be responsible for providing education, health and nutrition to the child and shall ensure the overall well-being of the child in such manner, as may be prescribed.

(7) The State Government may make rules for the purpose of defining the procedure, criteria and the manner in which foster care services shall be provided for children.

(8) The inspection of foster families shall be conducted every month by the Committee in the form as may be prescribed to check the well-being of the child and whenever a foster family is found lacking in taking care of the child, the child shall be removed from that foster family and shifted to another foster family as the Committee may deem fit.
### Annexure 3

**Enclave-wise Possession of Basic Identity Documents among Pardhis in Mumbai**


<table>
<thead>
<tr>
<th>Name of the Enclave</th>
<th>No. of Households</th>
<th>Total Population</th>
<th>Average family size of households</th>
<th>Birth Certificate (%)</th>
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<tr>
<td>Appapada</td>
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<td>153</td>
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<td>Gateway of India Footpath</td>
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Your trusted knowledge partner in the fight against human trafficking

Our mailing address is:
fighttraffickingindia@gmail.com