

## **Begging (Prohibition) Act, 2018 (1962)**

### Date of Authentication and Publication

2018.12.29 (11 April 1962)

### Amendments

1. Some Nepal Acts Amendment, Repeal and Continuance Through Re-arrangement Act, 2019 (1963) 2019.12.30  
(12 April 1963)
2. Summary Procedure Act, 2028 (1972) 2028.12.20  
(4 April 1972)
3. Republic Strengthening and Some Nepal Laws Amendment Act, 2066 (2010)<sup>1</sup> 2066.10.7  
(21 Jan. 2010)

Act Number 48 of the Year 2018 (1962)

### **An Act made in order to prohibit beggary**

**Preamble:** Whereas, it is expedient to prohibit the tradition of beggary <sup>2</sup>in order to maintain good conduct and morality of general public.

Now, therefore, be it enacted by His Majesty the King Mahendra Bir Bikram Shah Dev pursuant to Article 93 of the Constitution of Nepal, 2019<sup>3</sup>.

1. **Short title, extension and commencement:** (1) This Act may be called "Begging (prohibition) Act, 2018 (1962).

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<sup>1</sup> This Act came into force on 15 *Jeshta* 2065 (2008), *Prasasti* and the word "kingdom" has been deleted.

<sup>2</sup> Amended by Some Nepal Acts Amendment, Repeal and Continuance Through Re-arrangement Act, 2019

<sup>3</sup> Amended by Some Nepal Acts Amendment, Repeal and Continuance Through Re-arrangement Act, 2019

- (2) This Act shall come in to force on such date and in such place as prescribed by the Government of Nepal by publishing a notification in Nepal Gazette<sup>4</sup>.
2. **Definition**: Unless the subject or context otherwise requires, in this Act;
- (a) “Child” means a person who has not attained sixteen years of age.
- (b) “Child related guardian” means any person who looks after the child or takes a child in his/her custody and this expression also includes the person keeping control over the child.
- (c) “Adult” means a person who has attained sixteen years of age.
3. **Ban on beggary**: (1) In case a guardian of a child causes to beg him/her or causes to accept alms or abets to beg or accept alms or inspires to provide alms by pretending in the name of singing a song, dancing, playing or selling any goods or without pretending on any road, street, building or in any other place, district judge shall impose a fine up to Seventy five Rupees or an imprisonment not exceeding Three months or the both to such guardian.....<sup>5</sup>.
- (2) If any person other than guardian causes any child to beg or to accept alms or abets to beg or accept alms, district court judge shall impose a fine up to Seventy five rupees or an imprisonment not exceeding Three months or the both to such person.....<sup>6</sup>.
- (3) If an adult begs or accept alms or abets to any one to give him/her alms on a road, street, and building or in any place, district Court

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<sup>4</sup>. This Act came into force through out Nepal from 2019-6- 1 as per notification published in Nepal gazette in 2019-5-11

<sup>5</sup>. Repealed by Summery procedure Act, 2028

<sup>6</sup>. Repealed by Summery procedure Act, 2028

judge shall impose a fine up to Seventy five rupees or an imprisonment not exceeding Three months or the both to such adult .....<sup>7</sup>

4. **Power to arrest and detain in custody:** (1) In case a person commits an offence pursuant to this Act or police employee has a suspicion that a person has committed such offence and the police employee has no information about the name and address of such person or he/she fails to identify the name and address of such person may arrest such person without warrant and the person so arrested shall be produced before the court within a period of Twenty-four hours after such arrest excluding the time of journey.

(2) If a person finds that someone is committing an offence pursuant to this Act, such person may arrest the offender without warrant and may hand over the offender to a nearby police station, if any, or to a police post and the chief of the concerned police station or post, as the case may be, shall immediately hold an inquiry and take into the police custody and the offender shall be produced before the Court pursuant to Sub-section (4) for legal proceeding.

5. **Offender may be released on or without bail:** The officer in-charge of the concerned police station or post or a superior police officer may release any person arrested pursuant to Sub-section (1) of Section 4 or handed over pursuant to Sub-section (2) of the same Section on or without bail by executing a document in which the offender signs that he/she shall attend on such date and at venue as prescribed.

6. **Government of Nepal to be plaintiff:** The Government of Nepal shall be plaintiff in a case pursuant to this Act.

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<sup>7</sup>. Repealed by Summery procedure Act, 2028

7. **Limitation to file case:** In a charge of an offence pursuant to this Act, no court shall hear any case which is not filled within a period of One month from the date when the offence was committed.
8. **Penalty for complainant in charge of calumny:** In a charge of an offence pursuant to this Act, if any one makes calumny complaint and fails to prove the complaint in the court such complainant shall be liable to a fine up to Forty Rupees or an imprisonment not exceeding One and half month or the both.
9. **Power to frame Rules:** The Government of Nepal may frame Rules to carry out the objectives of this Act.
10. **This Act not to be applied:** Notwithstanding anything contained in aforesaid sections, if it requires begging alms as per the religious rites and rituals or custom in any festival, or religious ceremony or festivity, no provision of this Act shall be applied.
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<sup>8</sup>. Omitted by Some Nepal Acts Amendment, Repeal and Continuance Through Re- arrangement Act, 2019