



File No.: NCPCR/Advisory-Sec76/2025-26/CiSS/DD42622

Date: 11th August, 2025

To,
The Chief Secretaries,
All State Governments / Union Territories

Subject: Advisory regarding the Implementation and Enforcement of Section 76 of the Juvenile Justice (Care and Protection of Children) Act, 2015 – reg.

Ma'am/Sir,

The National Commission for Protection of Child Rights (hereinafter referred to as "the Commission") is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005, for ensuring the protection of child rights and related matters across the country. The Commission is also mandated to monitor the effective implementation of the Protection of Children from Sexual Offences (POCSO) Act, 2012; the Juvenile Justice (Care and Protection of Children) Act, 2015 (hereinafter "the JJ Act"); and the Right of Children to Free and Compulsory Education (RTE) Act, 2009.

2. The JJ Act provides a comprehensive legal framework for the protection, rehabilitation, and care of children. Section 76 of the Act criminalizes the act of employing or using a child for the purpose of begging, including any abetment by a person having actual charge of or control over the child. The Section prescribes imprisonment of up to five years and a fine of ₹1, 00,000 for such offences.

3. However, despite the statutory prohibition, the Commission continues to receive reports of children being found begging in public places, often under coercion or the control of adults. In many cases, this involves organized begging rackets, constituting serious violations of child rights and undermining rehabilitation efforts.

4. To ensure effective enforcement of Section 76 across all States and Union Territories, the following measures may please be considered for immediate implementation. This advisory is issued in exercise of the powers conferred upon the Commission under Section 109 of the JJ Act, 2015.

A. Enforcement:

Law enforcement agencies, including Child Welfare Police Officers (CWPOs), may be instructed to proactively identify and take strict legal action against individuals or groups employing or using children for begging. FIRs must be registered under Section 76 of the JJ Act in all such cases.

B. Awareness and Sensitization:

State/UT Governments are advised to conduct regular awareness and capacity-building sessions for police personnel, Child Welfare Committees (CWCs), District Child Protection Units (DCPUs), municipal authorities, and other relevant stakeholders to strengthen enforcement under Section 76.

C. Follow Standard Operating Procedure

The Commission has developed a **Standard Operating Procedure (SOP)** for Care and Protection of Children in Street Situations (SOP 2.0) for the identification, rescue, medical care, production before the Child Welfare Committee (CWC), and rehabilitation of children in street situations, including those involved in begging. This is available under 'SOP' section of NCPCR website. All concerned may be advised to follow the same.

D. Rescue and Rehabilitation:

Children found in begging situations shall be treated as **Children in Need of Care and Protection (CNCP)** under the Juvenile Justice (Care and Protection of Children) Act, 2015. Therefore, they must be immediately produced before the CWC. Rehabilitation efforts must include the provision of **shelter, counselling, educational enrolment, vocational training, and financial assistance**, in coordination with District Child Protection Units (DCPUs) and other allied agencies.

The Commission has also developed the **Baal Swaraj-CiSS Portal**, which is meant to be used by concerned authorities to register and monitor information related to children rescued from begging situations. They must enter the data on a regular basis.

5. It is requested that appropriate instructions may be issued to all concerned departments and enforcement agencies to ensure the compliance.

6. It is also requested that an Action Taken Report (ATR) may be submitted to the Commission by 31st August, 2025 at the email id jyoti.ncpcr@gov.in.

Yours sincerely,



(Dr. Sanjeev Sharma)