

NOTIFICATION

In exercise of the powers conferred by section 41 of the Rajasthan Rehabilitation of Beggars or Indigents Act, 2012 (Act No. 36 of 2012), the State Government hereby makes the following rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Rehabilitation of Beggars or Indigents Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

- (a) "Act" means The Rajasthan Rehabilitation of Beggars or Indigents Act, 2012 (Act No. 36 of 2012);
- (b) "Form" means a Form appended to these rules;
- (c) "State Government" means the Government of Rajasthan; and
- (d) "Schedule" means Schedule appended to these rules.

(2) Words and expressions used, but not defined in these rules, shall have the same meaning as assigned to them in the Act.

3. Admission to the Rehabilitation Home.- (1) Admission to the Rehabilitation Home shall be made subject to the availability of accommodation and facilities.

(2) If any person is found begging within the area notified under sub-section (3) of section 1 of the Act and brought or present himself before the Superintendent of Rehabilitation Home and the Superintendent is of view that the person has no source of living except begging or the person is an indigent, and is willing to live in the Rehabilitation Home, he shall forthwith admit him to the Rehabilitation Home. The Superintendent shall report the admission of an inmate to the Rehabilitation Officer within 24 hours of such admission.

(3) The Superintendent of Rehabilitation Home shall maintain a register of all persons admitted to the Rehabilitation Home as beggars or indigents in Form-I. At the time of admission particulars of jewellery, cash and other belongings shall be entered in the Form-I and taken custody of by the Superintendent.

4. Scale of accommodation, food and clothing.- (1) The Inmate admitted in the Rehabilitation Home, shall be supplied with clothes, beddings, utensils, soap, hair oil etc. as per the scale and climatic conditions.

(2) The norms for building an accommodation for a Rehabilitation Home with 100 Beggars or Indigents shall generally be as under:-

S.N.	Units	Minimum Area
1	2	3
1.	4 dormitories	4000 Sq.ft (for 25 inmates each 1000 Sq. ft. approximately)
2.	Sickroom/First aid room	500 Sq. ft.
3.	Kitchen	250 Sq.ft.
4.	Dining Hall	800 Sq.ft.
5.	Store	250Sq.ft.
6.	10 Bathrooms	250 Sq.ft.
7.	10 Toilets/latrines	250 Sq.ft.
8.	Office Room	250 Sq.ft. Superintendent's room 200 Sq.ft.
9.	Counseling/guidance and de-addiction	250 Sq.ft.
	Total	6800 Sq.ft.

Provided that adjustments can be made for smaller units/hired accommodation/ temporary units with the permission of the Commissioner Social Justice and Empowerment Department.

(3) The clothing and bedding for each inmate admitted to Rehabilitation home shall be as per the scale and climatic conditions. The minimum standards of requirement for each inmate shall be as per Schedule-I.

(4) The inmates shall be provided three meals in a day including breakfast.

5. Procedure for setting up of Rehabilitation Homes.- (1) Rehabilitation Homes may be established by recognized service organizations or NGOs. They may apply for grants-in-aid of the State Government or Government of India, for the maintenance of Rehabilitation Homes, and for expenses incurred on food,

clothing, treatment, de-addiction, vocational training and rehabilitation of inmates.

(2) A service organization desirous to establish a Rehabilitation Home, shall send its application to the Department of Social Justice and Empowerment, Government of Rajasthan with the recommendation of the District level Officer of the Department of Social Justice and Empowerment. Each application for recognition should be accompanied by the following documents:-

- (i) A copy of constitution of the organization;
- (ii) Name and full particulars of the Board of Management/Governing Body, etc. of the Organization;
- (iii) Latest available annual report of the Organization;
- (iv) A detailed budget showing the estimated income and expenditure of the year to which the application pertains, including grants received, promised from other bodies like the departments of the Central or State Government, local bodies, etc.;
- (v) An audited statement of the accounts of the Organization/ Institution for the previous year certified by a Chartered Accountant/ Government Auditor; and
- (vi) Brief note indicating the source of income, including foreign contribution, if any and also details of assets during the last three year. This note should also give details of activities undertaken by the organization in various fields, including prohibition and drug abuse prevention with details about area/place covered and the expenditure incurred.

(3) The Department of Social Justice and Empowerment shall register and scrutinize each application received from the recognized service organization/NGO and if found necessary, call for any clarification or suggest modifications therein.

6. Powers and functions of the Commissioner.- In addition to the powers and functions prescribed under the Act the Commissioner shall have the following powers and functions, namely:-

- (i) To monitor Rehabilitation Homes and seek compliance of orders and instructions given to the recognized service organization, from time to time;

- (ii) To recognise and de-recognise service organizations;
- (iii) To make guidelines for the working and control of the service organization and District Level Committees;
- (iv) To inspect Rehabilitation Homes from time to time and formulate monitoring structures for the same;
- (v) To consider any other matter related to the progress of the Rehabilitation Home and welfare of the inmates in general or in particular; and
- (vi) Exercise such other powers or perform such functions assigned by the State Government from time to time relating to rehabilitation of Beggars or Indigents.

7. Powers and functions of the Rehabilitation Officer.- (1) In addition to the powers and functions prescribed under the Act, the Rehabilitation Officer shall have the following powers and functions, namely:-

- (i) To ensure effective implementation of the Act at district level or city levels;
 - (ii) To co-ordinate with all Government Departments to build inter-sectoral linkages on beggars or indigents protection and rehabilitation;
 - (iii) To supervise and monitor all Rehabilitation Homes in the district;
 - (iv) To co-ordinate with NGO's and citizens of the district to ensure effective rehabilitation of beggars & indigents; and
 - (v) To perform such other duties as assigned by the Commissioner, from time to time.
- (2) The Rehabilitation Officer shall submit to the Commissioner a quarterly report on the progress of all activities undertaken in the Rehabilitation Homes of the district.

8. Duties of Superintendent.- In addition to powers and duties assigned by the Government, from time to time, the Superintendent shall,-

- (i) be responsible for the admission, care, custody, protection, treatment, training and general welfare of the inmates of the Rehabilitation Homes;

- (ii) be responsible for good discipline and efficient working of the training and rehabilitation efforts for and of the inmates;
- (iii) be responsible for management and general supervision of all the works of the Rehabilitation Homes including the supervision of the staff, maintenance of accounts and financial transactions, accounts of clothing, food stocks, stores, private property of inmates, etc;
- (iv) take all necessary measures for maintaining the good health of the inmates;
- (v) ensure social and vocational rehabilitation of inmates, through job placement and vocational training, as also educational arrangements for the children of the inmates including de-addiction plan for drug users;
- (vi) be responsible for proper diet and clothing of inmates in accordance with the prescribed scale and in consistence with the sanctioned grant, and specially to the genuine rehabilitation needs of the inmates; and
- (vii) perform such other duties as may be assigned from time to time by the Commissioner, Rehabilitation.

9. Maintenance of Registers.- The Officer-in-charge of Rehabilitation Homes shall maintain following registers and forms in his office, namely:-

- (i) Attendance Register of the staff;
- (ii) Admission and Personal Belonging register of the inmates;
- (iii) General order book;
- (iv) Record of individual inmate relating to the preparation of rehabilitation Plan, de-addiction plan and steps taken in its implementation;
- (v) Cash book;
- (vi) Meeting book;
- (vii) Stock register;
- (viii) Staff movement register; and
- (ix) Log book.

10. Visitor's Book. - There shall be a visitor's book kept in the Rehabilitation Home. The visitor may record his/her findings, remarks and suggestions in the visitor's book on completion of the visit.

11. Norms and Standards for Recognition of Service Organization.- (1)
The Service Organization must be,-

- (a) a Society registered under the relevant law: or
- (b) a Public Trust registered under law for the time being in force or
- (c) a charitable company; or
- (d) an organization managed by a local body including Local Government institution or a Panchayati Raj Institution.

(2) For recognition a service organization must,-

- (a) meet the standards of care laid down in the Act and these rules;
- (b) have the capacity and willingness to meet the standards of care laid down in the Act and these rules;
- (c) be capable to provide basic services for admission, care and protection of beggars and indigents;
- (d) prevent subjection of beggars and indigents to any form of cruelty or exploitation or neglect;
- (e) abide by the orders of the competent authority and the State Government;
- (f) be existed for a period of three years; and
- (g) have a properly constituted managing body with its powers, duties and responsibilities clearly defined and laid down in a written constitution.

(3) The State Government may, after making such inquiry as it considers necessary, grant recognition to the organization with the condition that it shall provide proper reception, maintenance, treatment, training, education, de-addiction of drug addicts, and rehabilitation of beggars or indigents and abide by the rules and instructions issued by the State Government.

(4) The Commissioner may, after providing an opportunity of being heard, withdraw the recognition granted to an organization under sub-rule (3).

12. Discipline and Management of Rehabilitation Home.- A person admitted in Rehabilitation Home shall not,-

- (i) refuse to receive any training arranged or ordered for him/her or to do the work allotted to him;
- (ii) commit a nuisance or any act of indecency in any part of the institution or refuse to obey any orders issued for proper sanitation;
- (iii) disobey any order regulating the cleanliness of his/her personal, clothing bedding, utensils or any other articles;

- (iv) receive or possess or partake of any prohibited articles, drugs, alcohol etc. or any other article as specified by the Superintendent; and
- (v) resist or obstruct an officer in the execution of his duty or refuse or omit to obey any lawful order of an officer or refuse to perform or omit to perform work or duties of an officer or refuse to perform or omit to perform work or duties in the manner indicated for that purpose.

13. Prohibited articles.- No person shall bring into the Rehabilitation Home the following prohibited articles, namely:-

- (i) Alcohol and spirit of every description;
- (ii) Bhang, Ganja and opium or other narcotic or psychotropic substances;
- (iii) Betel nuts/gutka/tobacco etc;
- (iv) Drugs of every description;
- (v) Matches and materials for producing fire;
- (vi) Any implements capable of causing hurt; and
- (vii) Any other articles specified in this behalf by the Superintendent by a special order.

14. Beggars and Indigents Welfare Fund.- (1) The State Government shall create a fund at the state level under section 27 of the Act to be known as the Rajasthan Beggars and Indigents Welfare Fund, herein under referred to as the fund, for the welfare and rehabilitation of beggars and indigents under the provisions of the Act.

(2) The fund shall be used,-

- (a) to implement programmes for the welfare and rehabilitation of beggars or indigents, including purchase of tools, machinery, etc for their permanent rehabilitation;
- (b) to pay grant-in-aid to service organizations;
- (c) to meet the expenses of State Advisory Board; and
- (d) to do all other things that are incidental and necessary for the above purposes thereof.

(3) The management and the administration of the fund shall be under the control of the State Advisory Board.

(4) The assets of the fund shall include all such grants and contributions, recurring or non-recurring from the State Government or any other statutory or non statutory bodies set up by the State Government as well as the voluntary donations from any individual or organization.

(5) All withdrawals shall be made by cheques or requisitions, as the case may be, signed by the Secretary cum Treasurer and in case of amounts exceeding rupees twenty five thousand, the cheques shall be signed duly by the Secretary cum treasurer and the member of the Board of the management to be nominated by the State Advisory Board.

(6) The Commissioner shall be final authority regarding any type of decision or clarification in relation to administration of fund.

15. Manner of accounts and audit of the fund.- (1) A regular account shall be kept of all money and properties, and all incomes and expenditures of the Rajasthan Beggars and Indigents Welfare Fund and shall be audited by a notified firm of chartered accountants, or any other recognized authority to be appointed by the Board.

(2) The auditors shall also certify the expenditures from the fund made by the Commissioner.

(3) In order to ensure that fund is utilized for the aims and object of the rehabilitation of beggars or indigents, the Commissioner or officer authorised by him may appoint internal auditor to report proper use of the fund.

16. The manner of receiving donations.- (1) The Commissioner shall be authorized to accept donations or contributions in cash/cheque / kind (especially goods, cloths etc.) made to the fund by members of the public or any other Non Governmental Organization/ corporate social responsibility (CSR) organization, etc.

(2) The amount received in pursuance of any agreement with the State Government for the care of Beggars or Indigents shall be credited to the Fund.

(3) Donation in kind may be permissible so far as it is legal, proper, just and not opposed to public policy of the State Government.

17. Transfer from one Rehabilitation Home to another.- (1) The Commissioner may direct that any person admitted in a Rehabilitation Home may be transferred to another Rehabilitation Home subject to the following conditions, namely:-

- (i) every such direction shall be issued with due regard to the availability of accommodation;
- (ii) no such direction shall be issued except on,-
 - (a) a report from the Medical Officer recommending the transfer of such person on medical or hygienic grounds, or
 - (b) a report from the Superintendent recommending transfer in the interest of the inmate of the institution or for other reasons, as he/she may deem fit.

(2) The Rehabilitation Officer shall not direct for the transfer of any person to a Rehabilitation Home in contravention of the terms of any agreement entered into by the Commissioner in respect of such Home.

18. Short leave of absence to inmates of Rehabilitation Homes.- The Rehabilitation Homes are open Homes and there is no compulsion for inmates to be forced to stay. The Superintendent may, therefore on cause being shown, grant permission in writing to an inmate to absent himself/herself for any period for the purpose of visiting his parents or relatives or attending to any domestic work. The attempt should however be to ensure full de-addiction/and training in a skill such that the beggar becomes self sufficient.

19. Manner of survey of beggars and indigents.- The survey of beggars and indigents shall be conducted from time to time in the manner specified by the Commissioner Rehabilitation.

20. Quorum of State Advisory Board.- The Quorum for the meeting of the State Advisory Board shall be one third of the total numbers. The Chairperson shall preside over the meetings. If the Chairperson is absent from any meeting, the members present shall elect one of the members, to preside over the meeting, amongst them. At least seven clear days notice shall be given by the Secretary for the meeting of the Board. However urgent meetings can be held with the permission of the Chairperson at short notice.

21. Period of stay.- (1) No male inmate shall be allowed to stay for more than two years in a Rehabilitation Home without the permission of the Commissioner.

(2) When it is found that a male inmate should be allowed to stay in the Rehabilitation Home beyond two years, the Superintendent shall refer the case to the Commissioner with necessary details and recommendations. The decision of the Commissioner shall be final.

(3) A female inmate may be allowed to stay in the Rehabilitation Home for a period not exceeding three years or till her training in a particular trade or profession is completed. If it is found that a female inmate should be allowed to stay in the Rehabilitation Home beyond three years, the Superintendent shall refer the case to the Commissioner with necessary details and recommendations.

(4) If an inmate of the Rehabilitation Home has secured a job or employment, he/she may be allowed to continue to live in the Rehabilitation Home for a period not longer than two months, with the permission of Commissioner.

22. Composition of District Level Committee.- (1) The District Level Committee shall consist of the following, namely:-

1.	District Collector	Chairperson
2.	Superintendent of Police	Member
3.	Chief Medical & Health Officer/ Principal Medical Officer	Member
4.	Chief Executive Officer/ Commissioner/ Executive Officer. of Nagar Nigam/ Nagar Parishad/Nagar Palika	Member
5.	District Employment Officer	Member
6.	Two Persons to represent recognized service organizations to be nominated by the District Collector, one of them shall be a woman	Member
7.	Rehabilitation Officer of concerned district/District	Member Secretary

	Probation and Social Welfare Officer/District Probation Officer shall be the ex-officio Member Secretary, to be decided by the District Collector	
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(2) Nominated members shall hold office for a period of three years from the date of appointment and for such further period, if any, as the Commissioner, may by general or special order direct on that behalf.

(3) A nominated member may be terminated by the Commissioner, at any time without assigning any reason.

(4) A nominated member shall be eligible for re-nomination on the expiry of his/her term of office.

(5) Any vacancy among the nominated members shall be filled by nomination of another nominated who shall hold office so long as the person in whose place he/she is nominated would have held it if the vacancy had not occurred.

(6) Nominated members shall be entitled for payment of traveling allowance and daily allowance for journey undertaken to attend the meeting and compensatory allowance for visiting the Rehabilitation Home at such rates as may from time to time be fixed by the Commissioner.

23. Cleansing and medical examination of persons admitted to the Rehabilitation Home.- (1) Every person admitted to the Rehabilitation Home shall,-

(a) submit to, –

- (i) a preliminary medical examination and such medical dressing as may, in the opinion of the Medical Officer, be necessary;
- (ii) such trimming or shaving of the hair on any part of the person as may, in the opinion of the Medical Officer, be necessary for the administration of medical treatment or for securing cleanliness and health;
- (iii) thorough cleansing and washing of the body with such materials as may be provided and the complete removal of clothing in order to secure this object.

(b) wear such clothes as may be supplied by the Superintendent.

(2) Notwithstanding anything contained in these rules, the Medical Officer in pursuance of the provisions of section 35 of the Act shall examine a person carefully and thoroughly and shall,-

- (i) record the result of his examination in Form-II, if the person is in good health and in Form-III, if he/she is not in good health;
- (ii) keep a copy of such record in the history sheet of the person concerned; and
- (iii) report the result of his/her examination to the Superintendent:

Provided that a female inmates shall only be examined by a Lady Medical Officer in the female section of the Rehabilitation Home.

24. Report certain cases to Commissioner. - The Superintendent shall report to the Commissioner monthly compliances of the rules by the inmates as also progress of De-addiction and training received etc.

Schedule-I
(See rule 4 (3))

Clothing, Bedding, Toiletries and other articles

Every Inmates shall be provided with the following articles:-

Bedding

S.No.	Article	Quantity to be provided per inmate
1	Towels	2 Per year
2	Cotton Bed sheets	2 Per year
3	Pillow (Cotton Stuffed)	2 Per 2 years
4	Pillow Covers	4 Per 2 years
5	Woolen Blankets	2 Per 2 years
6	Cotton durry	2 Per 2 years
7	Mattress	1 Per 2 years

Clothing for female inmates

S.No.	Article	Quantity to be provided per inmate
1	Salwar suit or sari with blouse and petticoats	4 sets per year
2	Brassieres	4 per year
3	Panties	8 per year
4	Sanitary towels	12 packs per year
5	Woolen shawls	2 in 2 years
6	Woolen Sweaters	1 in 2 year
7	Dupatta / Half sari	2 per year

clothing for male inmates

S.No.	Article	Quantity to be provided per inmate
1	Shirts	4 Sets per year
2	Pants	4 Sets per year
3	Vest	4 Sets per year
4	Underwear	4 Sets per year
5	woolen jerseys	2 in 2 year

Miscellaneous articles

S.No.	Article	Quantity to be provided per inmate
1	Slipper	1 pair per year
2	Shoes	1 pair per year

Toiletry

S.No.	Article	Quantity to be provided per inmate
1	Hair oil	200 ml per months
2	Toilet soap	2 Large bar per month
3	Tooth paste and brush	1 Brush per 1 months 80 gm paste per months
4	Comb	2 per year
5	washing soap	2 soap per month 125 gm

Form-I
(See rule-3)

Register of Admission

1	2	3	4	5	6	7			8	
S.No.	Name & address of inmate together with name of father/husband	Date of Admission and Time	Caste/religion and Sex	Age	Source of Admission	Details of physical fitness			Particulars and Value of cash/other valuable articles	
						1	2	3	1	2
						Height	Weight	Marks of identification	Signature or Thumb Impression of Inmate	Attesting signature and date of Supdt/Asstt. .Supdt.

Form-II
(See rule 23)
MEDICAL EXAMINATION SLIP

NAME.....age.....Registration number.....
sex.....weight.....heightIdentification marks
.....General state of health Fit for work at institution.
Remarks if any

Date.....

Seal and signature of Medical officer

Form-III
(See rule 23)
MEDICAL EXAMINATION SLIP

NAME.....age.....Registration number.....
sex.....weight.....heightIdentification marks
.....is suffering from(disease)
Date.....

Seal and signature of Medical officer

[No. F.15 () SS/Beggars/SJED/20/.....]

By order and in the name of the Governor,

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Secretary to the Government.