

A Critical Evaluation of the Balochistan Prevention of Beggary Act 2025: Parallels and Disparities with Balochistan Child Protection Act 2016

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Abstract

This paper provides a critical socio-legal analysis of child begging in Balochistan, which remains an issue mainly because of poverty, social and economic disadvantages, and the lack of proper legal protection for children. The paper mainly examines the relationship between the Balochistan Prevention of Beggary Act 2025 (BPBA) and the Balochistan Child Protection Act 2016 (BCPA). The main question is whether these two laws work together or create a conflict. The BPBA mainly focuses on controlling and penalizing begging while the BCPA follows welfare based approach that aims to protect and rehabilitate vulnerable children. The paper also examines the Pakistan's international obligations under the United Nations Conventions on the Rights of the Child (UNCRC), which requires children involved in begging to be treated as children in need of protection rather than as criminals. Through a comparison of the two laws this research identifies two major problems. First, the BPBA 2025 gives children only limited protection. Section 5(9) sends a child found begging to a juvenile court but police can take the child into custody first under section 4 and the other penal provisions of the Act (section 6, 9, 11 and 14) have no express safeguard for children. Second, the BPBA never refers a child to the child protection system under BCPA. It does not mention a Child Protection Officer or a District Child Protection Unit, so the child is dealt with by the juvenile justice system instead of receiving protection and support. To address these problems, this paper recommends specific changes to the law to create better coordination between the two laws, improve cooperation between the relevant authorities and ensure that Pakistan's laws are consistent with the international child rights standards.

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Introduction

Child begging in Balochistan is an important socio-legal issue that is closely linked with poverty, exploitation, and weaknesses in government policies and laws. Balochistan is the largest province of Pakistan in terms of area but it also faces serious socio and economical problems, including high levels of poverty, low school enrollments, displacement and the effect of regional conflicts and natural disasters. These conditions make children more vulnerable and force and push them into street begging. In some cases children are also used

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and forced in to begging by the organized groups. At the international level, child begging is considered a serious violation of children's rights and is also linked with child labor under the International Labor Organization's worst form of Child labor Convention (ILO, 1999) and target 8.7 of the Sustainable Development Goals (United Nations, 2015). The United Nations Convention on the Rights of the Child (UNCRC) which Pakistan ratified in 1990 requires states to provide protection, rehabilitation and child friendly laws for children living or working on the streets (United Nations General Assembly, 1989).

Despite these international commitments the legal position on child begging in Balochistan is not clear. Two important laws deal with the issue: the Balochistan Prevention of Beggary Act 2025 (Balochistan Act II of 2026) (BPBA) and the Balochistan Child Protection Act 2016 (BCPA). The BCPA does not mention begging by name. However a child who is exploited or neglected through begging may fall within the definition of a "child in need of protection" in section 5 of the BCPA read with section 2(1)(m). This means that the BCPA focuses on protecting and helping such children. On the other hand the BPBA focuses on controlling begging through penalties and detention. It gives children only limited protection under section 5(9) a child found to be a beggar must be send to a juvenile court. But this protection comes late because police may take any person into custody under section 4 and it does not cover other penal provisions such as sections 6, 9, 11 and 14. The BPBA also never refers a child to a Child Protection Officer or District Child Protection Unit under the BCPA. As a result the same child may be treated as a child who needs protection under the BCPA and as a person dealt with by the Juvenile justice system under the BPBA.

This difference between the two laws creates an important gap in Pakistani legal research. Earlier legal studies have criticized old vagrancy laws, such as the West Pakistan Vagrancy Ordinance (1958) for treating poverty as a criminal issue. However there is limited research on how modern child protection laws work along with newer anti begging laws. Since the BPBA 2025 is a recent law there is currently limited academic discussion about whether it is consistent with the child protection system created under the BCPA 2016 and with international child rights standards. This study aims to address this gap by examining whether the two laws work together to prevent vulnerable children from being treated as criminals.

This paper uses a qualitative and doctrinal legal research method and compares the relevant provisions of the two laws in light of relevant international standards (UN Committee on the Rights of the Child, 2017, 2019). It ends with recommendations, including diversion of children away from criminal proceedings and towards protection.

Objectives of the study

The main objectives of this research are

- To study and compare the two laws i.e. The Balochistan Prevention of Beggary Act 2026 and Balochistan Child Protection Act 2016 and understand how each one works.
- To find areas where both laws agree and support each other in protecting child beggars.
- To identify conflicts between the laws especially on whether child beggars should be helped as victims or punished as offenders.
- To check whether both laws match Pakistan's Constitution and its duties under UNCRC.
- To suggest changes to the law and government institutions so that the child begging in Balochistan is handled in a fair and child friendly way.

Theoretical Framework

This research is based on two main theoretical frameworks: the Child Rights Framework and Legislative Coherence Theory. Both frameworks help in understanding the issue from different perspectives. The Child Rights Framework provides a standard for examining whether the laws protect the rights and welfare of children, while Legislative Coherence Theory helps examine how the two laws together with in the legal system.

1. Child Rights Framework

The main foundation of this research is the Child Rights Framework which is based on the United Nations Convention on the Rights of a Child (United Nations General Assembly, 1989). This framework views children not simply as people who need help or control by the state, but as individuals who have legal rights and deserve protection, care, opportunities and proper development.

The framework is based on the four important principles of the UNCRC.

- **Non-discrimination (Article 2):** Every child should receive equal protection, regardless of their background, social status or personal circumstances (United Nations General Assembly, 1989, Art. 2).
- **Best interest of the child (Article 3):** This principle requires that the best interest and welfare of the child should be given primary importance in decisions made by courts,

government authorities and law makers (United Nations General Assembly, 1989, Art. 3).

- **Right to life, survive and development (Article 6):** The state has the responsibility to provide conditions that allow children to grow and develop physically, mentally and socially (United Nations General Assembly, 1989, Art. 6).
- **Respect for the view of the child (Article 12):** Children have the right to express their opinions in matters that affect them and their views should be given proper consideration according to their age and maturity (United Nations General Assembly, 1989, Art. 12).

In this research the Child Rights Framework is used as a substantive standard. It helps determine whether the penal provisions of the Balochistan Prevention of Beggary Act, 2026 (BPBA 2025) and the protective provisions of the Balochistan Child Protection Act, 2016 (BCPA 2016) are consistent with the rights and protections provided under international child rights law.

2. Legislative Coherence Theory

While the Child Rights Framework focuses on what the law should achieve the Legislative Coherence Theory focuses on how different laws should work together within the same legal system. This theory is based on the idea that laws dealing with related or overlapping issues should form a clear and consistent legal system. They should not create unnecessary contradictions or confusion.

For a legal system to be coherent the following points are important.

- **Statutory Harmony:** Laws dealing with similar or related matters should be capable of working together without creating contradictions or procedural problems
- **Institutional Alignment:** Different government authorities such as the police and child protection units should have clear responsibilities and should cooperate with each other instead of following conflicting approaches.
- **Presumption Against Contradictions:** Courts generally assume that lawmakers do not intend to create conflicts between laws unless the legislature clearly shows such an intention.

This research uses Legislative Coherence Theory as a structural analytical tool. It examines whether the BPBA 2025 and BCPA 2016 can be interpreted together through principle such as harmonious construction or whether the differences between them are serious enough to

require changes to the law. The theory therefore helps identify whether the two laws can work together effectively or whether their lack of coordination may result in children being treated as offenders instead of receiving protection.

Literature Review

Anti-beggary laws and child protection mechanisms often pull in different directions in South Asia. International standards now favors a protective approach for children living or working on the streets, but domestic laws in many countries still carry the influence of old vagrancy laws. This literature looks at four main themes that give the background to the possible conflict between the BPBA and the BCPA.

International Legal Norms and the UNCRC Framework:

Over the last three decades international human rights law has gradually changed its approach towards children living or working on the streets. Instead of treating these children as a threat to public order or simply as recipient of charity, international law increasingly recognizes them as rights holders who need special care and protection. The main basis of this approach is the United Nations Convention on the Rights of the Children (UNCRC, 1989).

The United Nations Committee on the Rights of the Child has further explained these principles through several General Comments that are relevant to children involved in begging or living on the streets.

1. **General Comment No. 10 (2007):** This general comment discourage states from criminalizing “status offenses” such as begging ,vagrancy, truancy when these acts are treated as offences mainly because the person is a child. Instead of punishing children through criminal justice system, states should provide them with protection, support and rehabilitation.
2. **General Comment No. 21 (2017) on children in street situations:** It explains that children living or working on the streets including child beggars should be seen as victims of poverty, social exclusion, and economic exploitation. The Committee also advises states not to use anti-beggary or anti-vagrancy laws to detain or control these children.
3. **General Comment No. 24 (2019) on the Child Justice System:** It furthers emphasizes that children involved in begging should generally be treated as victims

rather than as offenders. It also stated that depriving children of their liberty for status related activities is inconsistent with Article 37 of the UNCRC.

These international standards show that child protection and punishment should be treated separately. Laws dealing with begging should focus on protecting and rehabilitating children rather than treating them as criminals.

Colonial Background, Domestic Anti-Beggary Laws and Social-Legal Criticism:

Pakistan's anti beggary laws have their roots in colonial era vagrancy laws, including the West Pakistan Vagrancy Ordinance, 1958. Studies of these laws show that they were mainly introduced to control public spaces and remove visible poverty rather than address the reasons behind begging. As a result, beggars were often treated as a public nuisance instead of people facing poverty and social problems. Laila et al. (2020) argue that the 1958 Ordinance effectively punishes people because of their poor social and economic status which can create a cycle in which poverty leads to criminalization.

Earlier studies pointed out weaknesses in Pakistan's child protection system. Jahangir and Doucet (1993), in their work *Children of a Lesser God*, explained that the Pakistani legal system often deals with vulnerable and poor children through punishment instead of protection. These problems have continued over time. The National Commission on the Rights of the Children (NCRC, 2024) in its State of Children in Pakistan 2024 report, states that the street begging in Balochistan remains common because of extreme poverty, displacement of families, and organized trafficking. The report also points out that the existing legal response is still fragmented and largely focused on punishment.

Recent research also questions the idea that children beg by choice. Shah and Nasir (2025) describe child begging as a form of organized exploitation and serious child abuse connected with human trafficking and weaknesses in child protection institutions. Their research suggests that many children involved in street begging are exploited by adults or pushed into begging because of severe poverty within their families. Therefore applying anti beggary laws directly to child beggars may result in punishing the victims while failing to properly address the adults and organized groups involved in their exploitation.

Judicial Trends, Constitutional Protections and Relevant Case Laws:

Since the Balochistan Prevention of Beggary Act 2026 (BPBA) is newly enacted there is currently no direct case law interpreting its provisions. However, Pakistani superior courts have already developed important principles regarding the protection of children, interpretation of laws, and the welfare of minors under Article 25(3) and 35 of the constitution of Pakistan, 1973. These decisions support the view that laws relating to child protection should be given importance when a general penal law is applied to a child.

In *Khawar Kayani v. The State* (2022) the supreme court of Pakistan emphasized that the juvenile justice system has moved towards a therapeutic, rehabilitative and child focused approach instead of a purely punitive one, in light of UNCRC and Article 25(3) of the constitution. This supports the argument that children involved in begging should not automatically be dealt with through custody or detention under the BPBA 2025.

In *Manzoor Ahmed v. Muhammad Umar Farooq* (2024) the Lahore High court considered the rights of the children under the Juvenile Justice System Act (JJSA) 2018, stressed that child protection laws should be interpreted in a way that benefits the child and observed that detention should be a last resort. This supports Legislative Coherence Theory where applying anti beggary law conflicts with applying a child protection law the interpretation giving greater protection to the child should be considered.

Similarly in *Irshad khan v. Bilal* (2020) the Peshawar High Court recognized the importance of specialized laws and procedures that focus on the welfare, diversion, and rehabilitation of children. This connects with the principle of *lex specialis derogat legi generali*: where a child is involved the Balochistan Child Protection Act 2016 can be seen as most specific protective framework and the general anti-beggary law should be applied consistently it.

The Comparative Shift towards Child Welfare Models:

Comparative legal studies in South Asia show that many countries are gradually moving away from laws that punish begging and vagrancy and towards system that focus more on the protection and welfare of children. India provides an important example through its Juvenile justice (Care and Protection of Children) Act 2015. The Act provides a protective approach for children found in begging or living on the streets. Such children can be treated as “Children in Need of Care and Protection” (CNCP) instead of being treated as criminals under anti-beggary laws. When the police find a child begging the focus is therefore on protection and rehabilitation rather than punishment or detention. The child can be brought before a Child

Welfare Committee (CWC), which is responsible for deciding the appropriate care, protection and rehabilitation measures.

UNICEF and KPMG (2023) explain that such models work better when institutions cooperate and that law enforcement can act as a link by referring children to child protection services. This comparative approach is relevant to Balochistan because it shows how anti-beggary laws and child protection mechanisms can work together without treating vulnerable children as offenders.

Identified Literature Gap:

There is still an important gap in Pakistani legal research on child begging. Existing studies mainly criticize older laws, such as the West Pakistan Vagrancy Ordinance 1958 or discuss child protection laws separately. However there is limited research on how the newly enacted Balochistan Prevention of Beggary Act 2026 (BPBA) works together with the Balochistan Child Protection Act 2016 (BCPA).

This gap becomes important because the BPBA 2025 gives children only limited protection and sets out no procedure for referring child beggars to Child Protection Units (CPUs). Section 5(9) of the BPBA sends a child to a juvenile court but it does not send the child to the child protection system under the BCPA. As a result a child who is found begging in Balochistan may be treated as a “child in need of protection” under section 5 of the BCPA while at the same time being taken into custody under section 4 of the BPBA and dealt with through the juvenile justice system. This creates uncertainty about which legal framework should apply to the child.

This research aims to address this gap by examining both laws through the Childs Rights Framework and Legislative Coherence Theory.

Research Methodology

Research Design:

This study uses a qualitative, comparative, doctrinal and socio-legal research design. A qualitative approach is suitable for this research because the legal, social, cultural, and institutional issues related to child protection and juvenile rights cannot be fully understood through numerical data alone. The study uses an exploratory approach to identify the main gaps and problems in the implementation of child protection laws. It also uses a descriptive

and analytical approach to examine and compare the relevant provisions of the Balochistan Prevention of Beggary Act 2026 and the Balochistan Child Protection Act 2016.

Sources of Data:

This research is based entirely on secondary sources. The main sources include both primary legal materials and secondary literature. Primary legal sources include the constitution of the Islamic Republic of Pakistan 1973, the Balochistan Child Protection Act 2016, the Balochistan Prevention of Beggary Act 2026 and relevant judgments of Pakistani courts.

Secondary sources include academic research articles, legal commentaries, textbooks, and reports published by human rights organizations, government and statutory bodies, and non-governmental organizations, including the Human Rights Commission of Pakistan and UNICEF. Relevant laws and literature were searched through electronic databases using keywords such as “Balochistan Child protection Act 2016,” “beggary legislation Balochistan,” “child rights,” and “statutory conflict,”

Study Area:

The study is limited to the province of Balochistan, Pakistan. Because both acts were enacted by the Provincial Assembly and the province have its own institutional arrangements for social welfare and law enforcement.

Data Analysis:

The collected information is analyzed through doctrinal and thematic legal analysis. The relevant laws, academic writings and institutional reports are reviewed and grouped into three main themes. The first theme focuses on the definitions used in child protection and anti-beggary laws and the areas where their legal powers may overlap. The second examines the role and capacity of Child Protection Units in comparison with law enforcement agencies. The third focuses on the difference between a punishment based approach and a child rights based approach that emphasizes protection and rehabilitation.

These themes are then compared to identify the gaps between the legal protections provided on paper and how these laws may actually be implemented in practice in Balochistan.

The provisions are interpreted using literal and purposive rules, harmonious construction, and the principle of *lex specialis derogat legi generali* along with the Constitution of Pakistan and the UNCRC.

The study has some limitations. Since the BPBA 2025 is newly enacted and has no direct case laws the analysis relies mainly on the Act and secondary sources. It also does not include fieldwork or interviews so the findings on institutional capacity in Balochistan may require further empirical research.

Discussion

The section compares the two laws and highlights the main legal, institutional and social issues in the enforcement of Anti-beggary laws in Balochistan Table 1 summarize the Key provisions. The seven headings below follow the three themes in the methodology: definitions and overlapping powers (headings 1 and 2), the role and capacity of Child Protection Units compared with law enforcement (heading 4), and punishment compared with a child rights approach (headings 3, 5, 6 and 7).

Table 1: Key Provisions of the BPBA 2025 Compared with the BCPA 2016

Issue	BPBA 2025	BCPA 2016	Result
Who is covered	Section 2(c)–(d): “Beggar” and “begging” are defined by conduct. Section 2(e) defines a child as under 18, and section 2(l) says “person” includes a child. Only section 5(9) gives children limited protection.	Section 2(1)(e): Defines a child as under 18. Section 5(c) and (e) make a child subjected to neglect or exploitation a child in need of protection. The BCPA does not mention begging by name.	Conflict: The same child is both a “beggar” under BPBA and a child in need of protection under BCPA.
Arrest and first contact	Section 4: A police officer may take any person found begging into protective custody and produce them before the court. No age check and no notice to a Child Protection Officer.	Sections 11 and 12: Reports go to the District Child Protection Unit, and an initial assessment begins within 72 hours (24 hours if significant harm, section 19).	Conflict: police custody versus child protection assessment.

Issue	BPBA 2025	BCPA 2016	Result
Procedure	Section 5: Summary inquiry and declaration that the person is a beggar. Section 5(9): if the person is a child, the court forwards the child to a Juvenile Court and makes no order under section 5(5).	Sections 12–16: assessment, child protection plan, services and supervision order. Removal from the family only by the Court on significant harm (sections 4(5) and 18(4)).	Gap: the child goes to the juvenile justice system, not to child protection. No link between the two systems.
Punishment	Section 6: detention or fine, then imprisonment for repeat cases. Section 9: detention of dependants. Sections 11 and 14: escape and seizure of money. No express safeguard for children in these sections.	Sections 3 and 4: right to life and best interests of the child. The child is protected, not punished	Risk: section 5(9) does not clearly extend to these provisions, so children remain exposed.
Adults who exploit children	Section 12: organisers who cause a child to beg face 3–5 years (up to 7 for more than one child, up to 10 with injury); guardians face up to 3 years (12(2)); repeat offenders get the maximum (12(3)).	Sections 2(1)(f) and (m) and 5(e): protection of children from abuse and exploitation.	Parallel: Shared aim, but criminal route with no link to child protection.

1. Statutory Tension and Legislative Ambiguity:

Table 1 shows a conflict between the BCPA 2016 and the BPBA 2025. Under Sections 2(1)(f), 2(1)(m), and 5(c) and (e) of the BCPA 2016, a child who is neglected or exploited including through begging is a child in need of protection. In contrast Section 2(c), and 2(d) of the BPBA 2025 define begging and beggar mainly by conduct and “person” includes a child (section 2(l)). The only protection for children is in section 5(9) and on the wording of the Act four problems arise. First custody comes first. Under Section 4 police officer may take any person found in begging into protective custody and the Act requires no age check and no notice to a Child Protection Officer at this stage. Second the wording of section 5 shows that the court first has to inquire and declare a person a beggar under Sections 5(1)–(4). Only then does Section 5(9) apply to a person “found to be a beggar as aforesaid.” Third, the protection in Section 5(9) is limited because it only prevents the order mentioned in Section 5(5). Sections 6, 9, 11, and 14 do not provide any specific protection for children. Fourth, Section 5(9) refers

the child to a Juvenile Court, not to a District Child Protection Unit under Section 11 of the BCPA. The BPBA also does not mention the BCPA or a Child Protection Officer. Therefore, while Section 5(9) protects a child from the main orders under Section 5(5), it does not provide the assessment, protection plan, and services available under Sections 12–15 of the BCPA.

At the same time the BPBA 2025 also contains provisions that can support child protection. Section 12 imposes penalties on parents, organizers or other who force child to beg. This is consistent with the BCPA 2016, particularly its provisions relating to protection from exploitation. However the BPBA 2025 does not clearly connect these provisions with the care mechanisms of BCPA 2016. A child rescued from forced begging may therefore be sent to a juvenile court under section 5(9) instead of being referred to child protection unit. Section 9 adds to the risk because the court may order the detention of a person wholly dependent on a detained beggar which can include a child. Two other provisions raise concerns. Section 12(2) punishes a guardian who makes a child beg like an organizer, without clearly distinguishing poverty-driven parents from organized exploiters. Section 8 also allows the court to order a parent to contribute to the maintenance of a detained person.

The JJSA 2018 shows why this is a concern. It deals with children accused of offences and provides Juvenile Courts, age determination, diversion, and rehabilitation centers. These safeguards are part of the criminal justice system. Therefore, a child referred under BPBA Section 5(9) may still be treated as a child in conflict with the law rather than a child in need of protection under BCPA Sections 12–15.

2. Which Law prevails: Lex Specialis or Lex Posterior? :

Two rules of interpretation may apply here. The BCPA 2016 is the special law dealing with children so *lex specialis derogat legi generali* supports giving it priority in cases involving children. On the other hand the BPBA 2025 is the later law and *lex posterior derogat legi priori* generally gives priority to a later law where both laws deal with the same matter. The BPBA also has its own rule for children in section 5(9) so it can be argued that this is the special provisions for children and it prevails over BCPA. However, courts normally first try to interpret laws together and avoid a conflict. Since the BPBA 2025 has no general non obstante clause and does not clearly state that it overrides the BCPA it can be read together with it. Section 2(2) of the BPBA also leaves words not defined in it to their meaning in other laws in force. The BPBA can therefore be read together with the BCPA and when a child is

involved section 5(9) should be read in a way that is consistent with the child protection framework. Because the BPBA sends the child to juvenile court and not to a Child Protection Unit this reading is not certain and a clear amendment is still needed to protect children from arbitrary enforcement.

3. Categorization of Minors: Victim or Offender:

The two Acts treat children found begging different ways. The BCPA treats a neglected or exploited child is treated as a child in need of protection (Section 5(c) and (e)), with assessment and support under Sections 12 to 15. The BPBA defines a “beggar” by conduct and includes child in the word “person” (Section 2(c) and (l)). Section 5(9) avoids punishment under section 5(5) but the Act never describes the child as a victim, even though section 12 punishes the adults who cause a child to beg. Treating an exploited child as a person in conflict with the law may also affect the child’s rights to dignity under Article 14 and protection under Article 35 of the Constitution.

4. Institutional Capacity and Coordination:

Child Protection Units and the Child Protection Commission created under sections 7 and 11 of the BCPA may face financial, administrative and logistical difficulties that limit their services across the province. This is an area for further empirical research because this study does not include fieldwork. Where these bodies are not fully functional, police and courts may deal with children through ordinary procedures. The BPBA also sets out no referral route between the police, the courts, the Social Welfare Department and the Units, so children may be removed from public places without long-term protection and may return to the streets.

5. Socio-Economic Realities:

Child begging is also linked with poverty, displacement, lack of education. Punishing or removing children from the streets does not address these causes, so laws on child begging need to be supported by education, social assistance, and economic support for vulnerable families. Without these measures, punishment alone may not effectively address child begging and exploitation.

6. Constitutional Safeguards:

Article 35 of the constitution of Pakistan places a duty on the state to protect the marriage, family, mother and child and Article 25 A provides for free and compulsory education for children of the relevant age. The BPBA should therefore be applied consistently with these duties as well as Pakistan's commitments under the United Nations Convention on the Rights of the Child (UNCRC).

7. Law in Books and Law in Action:

Overall, the study shows a gap between the protections in the law and their working in practice. The effectiveness of both Acts depends on clear procedures, coordination and functioning institutions. Clear rules on how the two laws apply to children, better coordination between the authorities and stronger child protection services would help to ensure that children involved in begging are protected and not treated only as offenders.

Recommendations

To remove the conflict between the two laws and to protect children this paper recommends the following amendments and reforms.

1. Exclude Children from Criminalization: Section 4 and 5 of the BPBA 2025 should clearly state that children cannot be taken into custody or declared a beggar and section 6, 9, 11 and 14 should state that they do not apply to a child.

2. Give Priority to Child Protection Law: The BPBA 2025 should include a non-obstante clause stating that where a child is involved, the protective provisions of the BCPA 2016 will prevail in case of conflict.

3. Improve First-Contact Procedures: Section 4 of the BPBA 2025 should require the police officer or authorized person to verify the age of an apprehended person. If the person is a child, the child should not be taken into custody but should be referred to a Child Protection Officer or District Child Protection Unit under Sections 11 and 12 of the BCPA 2016 within 24 hours.

4. Provide Diversion to Child Protection instead of Juvenile Proceedings: Section 5(9) of the BPBA 2025 should be amended so that court sends a child to the District Child Protection Units under BCPA and not to a Juvenile court. The child's case should then be assessed under sections 12 to 15 of the BCPA. Removal from the family or alternative care should be used

where the courts find significant harm under section 4(5) and 18(4) of the BCPA and only for the shortest appropriate period in line with Article 37 of the UNCRC. The JJSA already provides change, but it is change within the criminal justice system and does not assess the child's need for protection.

5. Connect Punishment of Exploiters with Child Protection: Section 12 of the BPBA 2025 should be linked with the protection and assessment provisions of the BCPA 2016. Children rescued from forced or organized begging should be treated as victims and referred to a Child Protection Officer. Section 12(2) punishes a guardian in the same way as an organizer. It should allow the court to consider family support and social assistance first where a parent involves a child because of extreme poverty, while the strongest penalties under Section 12(1) and 12(3) should focus on organized exploitation. Section 8, which allows a court to order a parent to contribute to maintenance, should not be applied to the parents of a child found begging.

6. Create a Referral and Coordination System: The police, courts, Social Welfare Department, and District CPUs should follow a clear referral system through standardized procedures. The Child Protection Commission should monitor this coordination under Section 9(1) and (4) of the BCPA 2016. Police and judicial officers should also receive training on child rights and protection.

7. Strengthen Child Protection Institutions: The government should establish and fully staff District Child Protection Units under section 11 of the BCPA and should provide sufficient budget under section 7(3) of the BCPA so that the Commission and the Units can work across Balochistan. Rescued children should also be connected with education under Article 25A of the Constitution and vulnerable families should receive appropriate social support to reduce the economic causes of child begging.

Conclusion

This study examined the legal, institutional and practical issues related to child protection and anti-beggary laws in Balochistan. By comparing the BPBA 2026 with the BCPA 2016 the research shows that child begging and the vulnerability of street children cannot be properly addressed through punishment and ordinary public order measures alone.

The findings show a clear gap between the law as written and its implementation in practice. The Balochistan Child Protection Act 2016 provides a protective approach and recognizes vulnerable children as individuals who need care, protection and rehabilitation. In contrast the Balochistan Prevention of Beggary Act 2026 takes a more restrictive approach. Section 5(9) refers a child to juvenile court while section 4 allows police custody. Sections 6, 9, 11 and 14 provide no clear child safeguards or referral to the BCPA. This may result in children entering the juvenile justice system instead of receiving proper protection and rehabilitation.

This situation also raises constitutional and human rights concerns. When children who may be victims of poverty or exploitation are dealt with mainly through punishment it may not be consistent with the state's responsibilities towards children under Article 14, 25 A and 35 of the constitution of Pakistan. It also needs to be considered in light of Pakistan's obligations under the United Nations Convention on the Rights of the Child (UNCRC).

Therefore, addressing child begging in Balochistan requires more than simply prohibiting begging. There is a need of clearer coordination between the anti-beggary and child protection laws, stronger Child Protection Units, and better cooperation between the police, Social Welfare Department, courts and other relevant authorities. Along with legal and administrative reforms, measure relating to education, rehabilitation, and support for vulnerable families are also important. These steps can help reduce the gap between legal protections and their practical implementation and ensure that vulnerable children receive proper protection, care and access to justice.

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