

"Crimes against health" and forced beggary in Bangladesh: human capital loss and analysis of the legal framework

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A- Conception and study design; B - Collection of data; C - Data analysis; D - Writing the paper; E- Review article; F - Approval of the final version of the article; G - Other (please specify)

Abstract

Background: Good health is a prerequisite for performance and income, while illness is the main cause of poverty. But in Bangladesh, a terrible criminal gang or 'syndicate' has been formed by capitalizing on this concept, which is using poverty and illness as a 'product' to run an illegal trade worth crores of taka. This gang hires children, deliberately starves them to create malnutrition, and even commits heinous 'health crimes' such as mutilation or mutilation to gain sympathy.

Economic and Social Context: The investigation shows that this begging trade is a huge shadow economy. In the capital, Dhaka, alone, illegal transactions totaling about 200 million taka are carried out every day, divided among local influential people, dishonest policemen, and the syndicate. However, the victims engaged in begging are deprived of the money collected in the name of treatment and lead an inhumane life. From an economic perspective, by crippling healthy people, the state is losing its huge 'human capital' or human resources, which is a major obstacle to the country's GDP growth and poverty alleviation.

Legal analysis and recommendations: Despite the existence of the Children's Act 2013 and the Prevention of Violence against Women and Children Act 2000 in Bangladesh, this crime is not being eradicated due to a lack of practical implementation. To address this crisis, the article provides a comparative analysis of the international legal framework. In particular, it has been recommended to confiscate the assets of the syndicate on the model of the UK's 'Modern Slavery Act 2015' (considering begging as modern slavery), Poland's Penal Code 189-A (exploitation by harm to health), and the US's 'RICO Act'. It has been proposed to rehabilitate victims by establishing a 'Victim Rehabilitation Fund' along the lines of the European model, using confiscated assets.

Conclusion: Law is not only a tool for maintaining peace, but it is also the foundation for building the structure of society and the future. Proper legal reform and its strict implementation will not only curb organized crime but also play a strong role in poverty alleviation by ensuring health protection.

Keywords: Health injustice, forced begging, syndicate crime, waste of human resources, legal reform, Bangladesh.

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Received: 08.02.2026

Accepted: 05.03.2026

Progress in Health Sciences Vol. 16(1) 2026 pp

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INTRODUCTION

It is difficult to earn money by working if you are not in good health. And not being able to earn money is a cause of poverty. But in Bangladesh, there is such a horrible crime ring that lures victims with the promise of income or through fear, rents or kidnaps children and makes them beg while they are sedated. And this is done regularly.

The matter becomes even more terrible when parents themselves knowingly rent a child for 40 to 50 taka (about \$0.33 - \$0.42 USD) a day or themselves engage in begging by doing such heinous things with their child. It has been seen that the child is not given any food so that he does not defecate; instead, just enough water is provided to keep him alive.

Furthermore, in many cases, it is seen that the child is starved and displayed in public for the purpose of begging so that people, out of pity for the child, donate something.

Beginning in this way, they earn a substantial amount of money, which is enough to run a family comfortably. Even then, the child is kept on a starvation diet so that he suffers from malnutrition and maintains a skeletal body to be displayed for begging.

Even though they beg by claiming that the money will be used for treatment, the victims are not treated at all. This happens although the money raised is often much higher than the actual cost of treatment.

Another terrible aspect is that for the purpose of begging, disabilities or limb losses are inflicted intentionally. This is done so that by attracting people's attention or sympathy, better and faster alms are obtained. Even genitalia are sometimes severed. Disabled people are also widely used for this purpose.

Inhumane torture is regularly used to force children into begging. There are also cases of children dying from overdoses of sleeping pills, starvation, and brutal torture. Most of these incidents remain hidden from the public eye and the media. Since the country is populous and law enforcement is not strict, these incidents easily go unnoticed. When a child is sleeping or lying in a weak or unconscious state, and the person with them identifies themselves as the guardian, it is generally difficult to verify this because there is no legal framework that can prevent it.

This beginning trade is controlled by criminal gangs or syndicates. Some law enforcement officers and influential figures in the area are involved with them. These begging trades are run in specific areas by paying them regular bribes or extortion fees.

A study has shown that in Dhaka, the capital of Bangladesh alone, about 200 million taka (about \$1.67 million USD) is traded every day. In a whole month, it stands at about 6000 million taka. Since this

study is quite old, the current amount is estimated to be even higher. There are more than 200,000 beggars in Dhaka alone. These beggars have at least 50 organizations called Bhikshu Kalyan Samiti (Beggars' Welfare Association). Beggars have to register with these associations for 200 to 300 taka (about \$1.65 - \$2.50 USD). Every day, beggars pay 30 to 40 taka (about \$0.25 - \$0.33 USD) to these associations. The syndicates that control them manage between 300 to 2,000 beggars each. Every day, money deposited with them ranges from 50,000 taka to 5 lakh taka (about \$416 - \$4,166 USD). On various religious days or occasions, the beggar trade and the number of beggars increase several times.

It is not only children who are widely used in the beggar trade. From newborns to the elderly, men, disabled, and sick people, no one is spared from exploitation. There is virtually no precedent where those who are kidnapped are not tortured or forced to beg.

Although the Bangladesh Children Act 1974 states that using children for begging is a punishable crime, there is no practical implementation of this. The state does not even have proper information about how many children there are. There is no specific allocation for them in the budget. According to Section 71 of the Bangladesh Children Act 2013, employing children for begging is punishable, but in Bangladesh, it is going on openly, even in front of law enforcement agencies. Although the Prevention of Women and Children Repression Act 2000 mentions punishment for mutilating children for the purpose of begging, there is no precedent for its implementation to date.

There are many laws in developed countries that, if implemented in Bangladesh, can easily eliminate this problem. For example, the Modern Slavery Act 2015 of the United Kingdom considers forcing children to beg as a serious human rights violation instead of a common crime. But in our country, it is still treated as a very common matter. However, it should be viewed strictly as exploitation that harms health, similar to the Polish Penal Code (Article 189a - Trafficking in Human Beings).

The syndicates and criminal circles that exist outside the spot but control everything by giving orders, as well as the influential people and the section of the police who get a share of the money, can be brought under the scope of laws like the RICO Act (Racketeer Influenced and Corrupt Organizations Act), USA. Their illicit money and assets can be confiscated, and the beggars under their control can be rehabilitated. Alternatively, we can look at the State-Funded Victim Compensation Scheme prevalent in various European countries. There, if someone is disabled as a crime victim, the state compensates them,

and the money is recovered by confiscating the criminal's assets.

From these funds, a Victim Rehabilitation Fund can be established to provide treatment, education, and rehabilitation for children and people with disabilities.

But if these children had grown up healthy and received proper education, wouldn't they have been involved in productive work? This would have added more income to the country's GDP. Similarly, wouldn't the able-bodied men or women who are being forced into begging by being disabled or injured also participate in productive work and play a role in eliminating poverty?

Undoubtedly, these criminal gangs are emboldened to do all this only when the laws of the country are inadequate or have no practical application. In other words, if a proper legal framework and strict application of the law can stop this unjust injury, disability, or amputation, then it can also play a vital role in eliminating poverty.

CONCLUSION

Law is not limited to maintaining peace; its scope is wider and can control the structure and future of society. Just as proper and appropriate law can protect against health injustice, it can also play a role in eliminating poverty. This is such a detailed discussion that it is not limited to a single topic.

There are many other issues to discuss beyond this, such as how the law can alleviate poverty by protecting the health system.

This is just one of the ongoing research topics that pave the way for discussion of related issues.

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Conflicts of Interest

The authors declare no conflict of interest.

The authors declared that the work was not created using artificial intelligence tools.

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