

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**LOK SABHA**  
**UNSTARRED QUESTION NO. 1257**  
TO BE ANSWERED ON 22.12.2017

**SAFETY OF CHILDREN**

1257. SHRI ANURAG SINGH THAKUR:

Will the Minister of Women & Child Development be pleased to state:

- (a) the number of children above 6 years whose parents are incarcerated and have no family member or guardian to take care of them;
- (b) whether the Government has implemented any scheme for their safety, security, basic needs and to check if these children are not being victimised or becoming criminals like their parents and if so, the details thereof; and
- (c) the other measures taken by the Government in this regard?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT  
(DR. VIRENDRA KUMAR)

- (a) The details regarding the children above six (06) years whose parents are incarcerated and have no family member or guardian is not maintained centrally in the Ministry of Women and Child Development.
- (b) & (c): Prison is a State subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India. The administration and management of prison is primarily the responsibility of the State Governments. The Ministry of Home Affairs has also issued a comprehensive advisory dated 15<sup>th</sup> May, 2006 on 'Facilities to the children of women prisoners-Guidelines issued by the Supreme Court – regarding', which provides inter-alia, for steps to be taken by the States/UTs for providing education and recreation for children of female prisoners and also providing for crèches and nursery attached to the prison for women to look after children of women prisoners – children below three years of age shall be allowed in the crèches while those between three and six years of age shall be looked after in the nursery. Apart from above, the Central Government has enacted the Juvenile Justice (Care and Protection of Children) Act, 2015, which has replaced the Juvenile Justice (Care and Protection of Children) Act, 2000. The new Act has come into effect from 15.01.2016. As per Section 2 (14) (i), (v), (ix) and (x) of Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act), a child who is found without any home or settled place of abode and without any ostensible means of subsistence; or who has a parent or guardian and such parent or guardian is found to be unfit or incapacitated, by the Committee or the Board, to care for and protect the safety and well-being of the child; or who is found vulnerable and is likely to be inducted into drug abuse or trafficking; or who is being or is likely to be abused for unconscionable gains,

respectively, is included as a “ child in need of care and protection.” The primary responsibility in execution of the JJ Act lies with the State Governments. However Central Govt is executing a scheme namely ICPS (now “Child protection Services” ) for providing financial assistance to State Governments/UT Administrations, on sharing pattern, for execution of the Act and with the objective to create a safe and secure environment for overall development of children in need of care and protection, including children whose parents are incarcerated/orphan/destitute/neglected/abandoned/surrendered etc. These include placement in Children Homes if there is no family to look after the said child, or sponsorship support if the child is living with family (financial support for education) to ensure that their education can continue in an undisturbed manner. Once placed in a children’s home the said child would receive multiple kinds of care and support including food, education, medical attention, vocational training, counseling etc. so that despite their disturbed family circumstances they can continue to develop to their full potential.

\*\*\*\*\*