

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 2202**

TO BE ANSWERED ON THE 31ST JULY, 2018/ SHRAVANA 9, 1940 (SAKA)

WELFARE OF CHILDREN RESIDING IN JAILS

**2202. SHRIMATI SUPRIYA SULE:
 SHRI SATAV RAJEEV:
 DR. HEENA VIJAYKUMAR GAVIT:
 SHRI DHANANJAY MAHADIK:
 SHRI P.R. SUNDARAM:
 DR. J. JAYAVARDHAN:
 SHRI MOHITE PATIL VIJAYSINH SHANKARRAO:
 SHRIMATI RANJANBEN BHATT:**

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) the policies formulated by the Government for the education and care of children below six years staying inside the prison with their mothers;**
- (b) whether children staying with their mothers in jails are denied basic facility and if so, the details thereof and the reasons therefor;**
- (c) whether the Government is seriously contemplating to shift these children to open jails and if so, the details thereof;**
- (d) whether the Government has formulated any social security scheme applicable to children housed in prison with their mothers and children of prisoners outside the prison;**
- (e) if so, the details thereof and if not, the reasons therefor;**
- (f) whether some States have formulated specific schemes to deal with these challenges; and**
- (g) if so, whether the Government will encourage other States to formulate specific schemes to deal with challenges faced by children residing in Jails with their mothers?**

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a) to (g): ‘Prisons’ and ‘persons detained therein’ is a State subject under List II of the Seventh Schedule to the Constitution. Prison Administration is therefore the responsibility of State Governments. The State Governments are competent to take appropriate decisions for the welfare and education of children staying with their mothers in prisons, including the decision to shift such prison inmates with children to open jails and formulation of appropriate social security schemes etc.

The Ministry of Home Affairs has issued several advisories to the State Governments and Union Territories from time to time, inter-alia, sharing the guidelines issued by the Hon’ble Supreme Court on facilities for the children of women prisoners; recommendations of the National Expert Committee on Women Prisoners and sharing the best practices adopted all over India in the matter of female prisoners and welfare of their children.

Besides the advisories issued from time to time, the Ministry of Home Affairs had also prepared a Model Prison Manual 2016 and has circulated it to all States and Union Territories. The Model Manual provides detailed guidance to States to adopt the best practices provided in the Manual. The Manual has dedicated chapters on ‘Welfare of Prisoners’, ‘After-care and rehabilitation’ and ‘Women Prisoners’ etc.