

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**LOK SABHA  
UNSTARRED QUESTION NO. 3608**

**TO BE ANSWERED ON THE 10<sup>TH</sup> AUGUST, 2021/ SRAVANA 19, 1943 (SAKA)**

**CHILDREN IN PRISONS**

**3608. SHRI GAURAV GOGOI:**

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the Government maintains any data on the number of (0-6 years) children living in prisons with their mothers in the country if so, the details thereof, age-wise and gender-wise;**
- (b) the details of schemes available for child prisoners, residing inside and outside prisons, national and State-wise;**
- (c) whether the Government has provided any welfare mechanism for education of these children, if so, the details thereof and if not, the reasons therefor;**
- (d) whether the Government has issued any guidelines, on any other provisions for mental health counseling of such children in prisons, if so, the details thereof; and**
- (e) whether the Government has conducted an assessment of the condition of these children in prisons, if so, the details thereof?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS**

**(SHRI AJAY KUMAR MISHRA)**

**(a): National Crime Records Bureau (NCRB) compiles prison statistics reported to it by States and Union Territories (UTs) and publishes the same in its annual publication "Prison Statistics India". The latest published report is of the year 2019. Specific age-wise and gender-wise data of children living with their mothers in prisons is not maintained by NCRB.**

**(b) to (e): 'Prisons'/'persons detained therein' is a 'State subject' as per Entry 4 of List II of Seventh Schedule to the Constitution of India. Administration and management of prisoners is the responsibility of State Governments, who are competent to devise and implement appropriate schemes for the welfare of children of prison inmates. However, the Ministry of Home Affairs (MHA) has been supplementing the efforts of the State Governments by issuing various advisories from time to time. MHA had issued an advisory to all the States and UTs forwarding the guidelines which may be followed by them for the welfare of the children of women inmates. These guidelines, inter-alia, provide that these children should have access to food, shelter, medical assistance, education and recreational facilities, etc.**

**The comprehensive Model Prison Manual 2016 forwarded to all States and UTs in 2016 also has a dedicated chapter on 'Women Prisoners', which provides that prison administration should ensure holistic development of children of women inmates. The Manual provides that the children of women inmates should be provided educational and recreational opportunities and there should be a well-equipped crèche and a nursery school attached to the prison. The Manual further provides that adequate health facilities should also be provided to the children of women inmates and they should be regularly examined by a Lady Medical Officer to monitor their physical growth and may be vaccinated for various diseases.**

**MHA had also forwarded a report titled 'Women in Prisons' prepared by the Ministry of Women and Child Development (MWCD) to all States and UTs for appropriate action. This report was based on jail visits undertaken by the National Commission for Women and other qualitative/quantitative data on women prisoners. The said report, inter-alia, contains specific recommendations for 'children of women prisoners' and 'better living arrangements' for women inmates and their children, etc.**

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