

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**LOK SABHA**  
**UNSTARRED QUESTION NO. 4264**  
TO BE ANSWERED ON 20.12.2024

**CHILDREN OF PRISONERS**

4264. DR. SHASHI THAROOR:

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

- (a) the number of child care institutions across the States including Special Homes, Observation homes, and Place of safety in compliance with the Juvenile Justice (Care and Protection of Children), Act 2015;
- (b) the details of the sanctioned strength/capacity alongwith the actual strength of the above-mentioned institutions;
- (c) whether the government considers the children of prisoners (CoPs) who are under the age of 18 years, as children in need of care and protection, if so, the details thereof, and, if not, the reasons therefor;
- (d) whether the government has formed any national or model guidelines for the CoPs below the age of 18 year, if so, the details thereof; and
- (e) whether any rehabilitation measures have been taken by the Government to provide education, health and psycho-social support to the CoPs, if so, the details of the rehabilitation/welfare schemes available to the CoPs across the States?

**ANSWER**

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT  
(SHRIMATI SAVITRI THAKUR)

(a) to (e): Ministry of Women and Child Development is implementing a Centrally Sponsored Scheme namely 'Mission Vatsalya', through the State/ UT Governments on pre-defined cost sharing basis between the Central and the State Governments to deliver services for Children in Need of Care and Protection (CNCP) as well as Children in Conflict with Law (CCL). The scheme provides services to the CNCP and CCL category of children for their rehabilitation and social re-integration into the mainstream of the society. These services include both institutional care and non-institutional care services. Further, Mission Vatsalya guidelines provide for establishment of Child Care Institutions (CCIs) with a capacity of 50 children and for North-Eastern States, Himalayan States and Hilly areas in other States, CCIs with a capacity of 25 children or as per the need of the States.

State/UT-wise number of Observation Homes, Special Homes and Places of Safety, along with number of children supported under Mission Vatsalya Scheme (as on 31.03.2024) is at **Annexure**.

The Ministry of Women and Child Development administers the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) which is the primary legislation for ensuring the safety, security, dignity and well-being of children. It defines standards of care and protection to secure the best interest of the child. The Act envisages statutory structures at State and District levels which include State Child Protection Society, Child Welfare Committee, Juvenile Justice Board, District Child Protection Unit and also Child Care Institutions.

Further, the JJ Act, 2015 (as amended in 2021) defines a 'Child in Need of Care and Protection' under Section 2 (14), which is as under :

2(14) 'Child in Need of Care and Protection' means a child —

(i) who is found without any home or settled place of abode and without any ostensible means of subsistence; or

(ii) who is found working in contravention of the provisions of this Act or labour laws for the time being in force or is found begging, or living on the street; or

(iii) who resides with a person (whether a guardian of the child or not) and such person—

(a) has injured, exploited, abused or neglected the child or has violated any other law for the time being in force meant for the protection of child; or

(b) has threatened to kill, injure, exploit or abuse the child and there is a reasonable likelihood of the threat being carried out; or

(c) has killed, abused, neglected or exploited some other child or children and there is a reasonable likelihood of the child in question being killed, abused, exploited or neglected by that person; or

(iv) who is mentally ill or mentally or physically challenged or suffering from terminal or incurable disease, having no one to support or look after or having parents or guardians unfit to take care, if found so by the Board or the Committee; or

(v) 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

(vi) who does not have parents and no one is willing to take care of and protect or who is abandoned or surrendered;

(vii) who is missing or run away child, or whose parents cannot be found after making reasonable inquiry in such manner as may be prescribed; or

(viii) who has been or is being or is likely to be abused, tortured or exploited for the purpose of sexual abuse or illegal acts; or

(ix) who is found vulnerable and has been or is being or is likely to be inducted into drug abuse or trafficking; or

(x) who is being or is likely to be abused for unconscionable gains; or

(xi) who is victim of or affected by any armed conflict, civil unrest or natural calamity;  
or

(xii) who is at imminent risk of marriage before attaining the age of marriage and whose parents, family members, guardian and any other persons are likely to be responsible for solemnisation of such marriage;

All children who are CNCP irrespective whether their parent or parents are prisoners, are covered under Mission Vatsalya.

Sections 27-30 of the JJ Act, 2015 empower the Child Welfare Committees to take decisions with regard to the children in need of care and protection, keeping their best interest in mind. The Committees are also mandated to monitor the functions of the CCIs. Similarly, sections 04-09 of the JJ Act, 2015 empower the Juvenile Justice Boards (JJBs) to take decisions regarding the welfare of children in conflict with law.

Ministry of Home Affairs issued 'Model Prison Manual, 2016' to States/ UTs which, *inter-alia*, provides for taking appropriate steps for welfare of children of women prisoners including their education, health etc.

The Child Care Institutions (CCIs) established under the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Mission Vatsalya scheme support, *inter-alia*, age-appropriate education, access to vocational training, recreation, health care, counselling etc. Support under non-institutional care is provided by way of State sponsorship, foster care, adoption and after care to children in need of care and protection.

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## ANNEXURE

## ANNEXURE REFERRED TO IN REPLY TO PART (a) TO (e) OF THE LOK SABHA UNSTARRED QUESTION NO.4264 FOR ANSWER ON 20.12.2024 BY DR. SHASHI THAROOR REGARDING CHILDREN OF PRISONERS

STATE/ UT-WISE NUMBER OF OBSERVATION HOME, SPECIAL HOME AND PLACE OF SAFETY, ALONG WITH NUMBER OF CHILDREN SUPPORTED UNDER MISSION VATSALYA SCHEME (AS ON 31.03.2024)

S. No.	State	No. of OH	Beneficiaries of OH	No. of SH	Beneficiaries of SH	No. of OH-cum-SH	Beneficiaries of OH-cum-SH	No. of PoS	Beneficiaries of PoS
1	Andhra Pradesh	9	108	2	8	2	73	0	0
2	Arunachal Pradesh	0	0	0	0	1	5	0	0
3	Assam	5	131	0	0	0	0	1	5
4	Bihar	20	892	1	12	0	0	5	250
5	Chhattisgarh	14	301	7	8	0	0	5	85
6	Goa	2	4	2	0	0	0	0	0
7	Gujarat	6	300	0	0	0	0	0	0
8	Haryana	3	94	1	42	0	0	3	125
9	Himachal Pradesh	0	0	0	0	2	40	0	0
10	Jammu and Kashmir	2	68	0	0	0	0	0	0
11	Jharkhand	13	434	1	11	0	0	1	0
12	Karnataka	17	109	1	23	0	0	1	8
13	Kerala	8	18	2	10	0	0	1	8
14	Madhya Pradesh	18	570	3	90	0	0	0	0
15	Maharashtra	53	1910	0	0	0	0	0	0
16	Manipur	4	36	2	2	1	25	1	1
17	Meghalaya	3	15	2	9	0	0	2	10
18	Mizoram	12	179	2	52	0	0	1	12
19	Nagaland	12	34	2	12	0	0	0	0
20	Orissa	0	0	0	0	7	312	1	50
21	Punjab	4	142	2	8	0	0	0	0
22	Rajasthan	40	695	0	0	0	0	12	99
23	Sikkim	3	39	0	0	0	0	0	0
24	Tamil Nadu	10	202	4	32	0	0	2	41
25	Telangana	3	100	1	45	1	41	0	0
26	Tripura	3	9	1	1	0	0	0	0
27	Uttar Pradesh	28	1379	2	5	0	0	1	28
28	Uttarakhand	10	108	2	15	0	0	2	27
29	West Bengal	14	273	0	0	0	0	0	0
30	Andaman & Nicobar Islands	0	0	0	0	1	1	0	0
31	Chandigarh	0	0	0	0	1	25	0	0
32	Dadra & Nagar Haveli and Daman & Diu	0	0	0	0	0	0	0	0
33	Ladakh	2	10	0	0	0	0	0	0
34	Lakshadweep	0	0	0	0	0	0	0	0
35	Delhi	3	91	1	4	0	0	1	32
36	Puducherry	2	5	1	0	0	0	1	0
	<b>Total</b>	<b>323</b>	<b>8256</b>	<b>42</b>	<b>389</b>	<b>16</b>	<b>522</b>	<b>41</b>	<b>781</b>

(OH-Observation Home; SH-Special Home; PoS-Place of Safety)

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