

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

STARRED QUESTION NO:219
ANSWERED ON:03.12.2002
CHILDREN OF WOMEN PRISONERS
IQBAL AHMED SARADGI;PRABHA RAU

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Supreme Court has sought from the Union and State Governments information about their stand on suggestions made by the Tata Institute of Social Sciences (TISS) to ameliorate the conditions of children living in jails alongwith their mothers;
- (b) if so, the details thereof;
- (c) whether the Supreme Court had given any time limit for Union and State Governments to respond to the recommendations;
- (d) if so, the details thereof;
- (e) whether the Union and State Governments have already conveyed their decision to the Supreme Court; and
- (f) if so, the final decision of the Supreme Court in the matter?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I.D. SWAMI)

(a) to (f): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (f) OF LOK SABHJA STARRED QUESTION NO. 219 FOR DECEMBER, 2002 REGARDING CHILDREN OF WOMEN PRISONERS.

(a) to (f): The Supreme Court vide its Order dated 29.08.2002 in I.A No. 1 & 7 in Writ Petition (Civil) No. 559 of 1994 R.D. Upadhayay Vs. State of A.P. & Ors. directed as under:-

‘ Having heard Mr. Ranjit Kumar for some time on the question as to what direction can be given for the children of women undertrial prisoners and the women convicts, who are lodged in the jail, we think it appropriate to have the response of the Union of India as well as all the State Governments, who are parties before us and represented by the counsel. Mr. Ranjit Kumar places before us a full action projecct prepared by Tata Institute of Social Science. Copy of that report be served on the counsel appearing for all the States, Union Territories as well as Union of India to have the response of the respective States, Union Territories and Union of India. Copy of the report be prepared by the Registry and be served on all the counsel within a week from today. The response of each of the States, Union Territories as well as Union of India be filed within four weeks thereafter...’

The responses from the States of Manipur, Rajasthan, Punjab and Maharashtra, Union Territories of Daman & Diu and Andaman & Nicobar, have so far been filed. The matter is still pending for disposal before the Court.