

**GOVERNMENT OF INDIA  
WOMEN AND CHILD DEVELOPMENT  
LOK SABHA**

UNSTARRED QUESTION NO:6858  
ANSWERED ON:07.05.2010  
FACILITIES FOR CHILDREN OF WOMEN PRISONERS  
Gandhi Shri Feroze Varun

**Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:**

the reaction of the Government over lack of appropriate facilities for children of women prisoners, aimed towards mental and social development, which often does not fall in consonance with the Supreme Court guidelines issued in April, 2006?

**Answer**

MINISTER OF STATE OF THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI KRISHNA TIRATH)

Prison is a State subject under List II of the Seventh Schedule to the Constitution of India. Therefore, Prison Administration is primarily the responsibility of the State Governments. Various administrative and legislative reforms measures initiated by the Government of India are to be implemented by the respective State Governments/UT Administrations.

Hon'ble Supreme Court in the case of R D Upadhyaya Vs. State of Andhra Pradesh (Civil Writ Petition no.559 of 1994) on 13.4.2006 has formulated guidelines for improving the conditions of women prisoners and their accompanying children. The guidelines include providing the children with a healthy and clean environment, nutritious diet, good medical care, adequate clothing, educational and recreational facilities, Children below three years to be kept in a crèche and those between 3-6 years in a nursery. The State Legal service authorities are required to periodically inspect prison to monitor that the directions given by the Supreme Court are followed in letter and spirit.

The Government has issued an advisory on 15.5.2009 to all the States/UTs to take urgent action for implementing the orders of the Supreme Court. The Government has also issued a comprehensive advisory on 17.7.2009 to all the States/UTs on all aspects of prison administration which includes implementation of recommendations of various committees on prison reforms, court judgement , etc.