

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

UNSTARRED QUESTION NO:6103  
ANSWERED ON:03.05.2013  
CHILDREN IN CUSTODY OF FOREIGN CHILD PROTECTION AGENCIES  
Pradhan Shri Nityananda

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

- (a) whether a large number of Indian children are forcibly kept in custody by foreign child protection agencies;
- (b) if so, the details thereof and the reaction of the Government thereon; and
- (c) the appropriate action taken or proposed to be taken by the Government for the safety, security and repatriation of such children?

**Answer**

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

(a) to (c): The Government in the Ministry of Women and Child Development does not maintain data relating to number of Indian children forcibly kept in custody by foreign child protection agencies.

The issue of child custody by foreign child care authorities is a complex one that has legal implications and impinges on the right of a sovereign State in ensuring that those who stay in that country as also those who are visiting the country, abide by the laws of the land. Government of India can only intervene in genuine and deserving cases where at least one of the parents as well as the child/children are Indian nationals or Person of Indian Origin (PIO)/ Overseas Citizenship of India (OCI) card holders.

Every Indian Mission/Post abroad has a Community Welfare/Consular Wing, which has a Nodal Officer to look after the welfare of Indian nationals abroad. In some media highlighted child custody cases, it has turned out that both the child and the family have obtained the nationality of a foreign country, which naturally limits the ability of the concerned Indian Mission to intervene in the matter. However, in all cases of child custody, Indian Missions abroad have acted promptly and have provided assistance to the concerned families.