

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
RAJYA SABHA
QUESTION NO 21.04.2010
ANSWERED ON
REFORMS TO HELP WOMEN PRISONERS .

2841

SHRI SYED AZEEZ PASHA

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

- (a) whether Government proposes any reform to help women prisoners in various parts of the country;
- (b) whether it is a fact that troubled and problematic conditions prevail in women prisons all over the country;
- (c) whether any interim relief will be given by way of better condition, better treatment, stricter supervision for all women prisoners in the country;
- (d) whether it is also a fact that in the last five years no attention has been paid to the plight of women in Indian prisons; and
- (e) the steps proposed to announce a new code for treatment of women prisoners in the country?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS

(SHRI AJAY MAKEN)

(a) to (e): Prisons is a State subject as per entry 4 of List II of the Seventh Schedule to the Constitution of India. The administration and management of prisons is primarily the responsibility of the State Governments.

In order to reduce overcrowding and improving the condition of prisons, prisoners including women prisoners and also to ensure certain basic minimum standards for keeping the prisoners in a healthy and hygienic conditions, the Central Government had started a scheme of modernization of prisons in the year 2002-03 at a total cost of Rs 1800 crore on a cost sharing basis of 75:25 between the Central

and State Government respectively. The scheme envisages construction of additional jails, repair and renovation of existing jails, improvement in sanitation and water supply and construction of living accommodation for prisons staff. The scheme has since ended on 31.3.2009.

Moreover, the Government of India had prepared and circulated the Model Prison Manual for superintendence and management of prisons in 2003 to all the States/UTs for its adoption. The Manual has specific chapter on treatment of women prisoners which includes providing various basic facilities to the women prisoners and their children living with them.

The Hon'ble Supreme Court of India vide its order dated 13.4.2006 in the case of R.D. Upadhyaya vs State of Andhra Pradesh (Civil Writ Petition No.559 of 1994) had formulated guidelines for improving the conditions of women prisoners and the children accompanying them.

The Hon'ble court had directed the State Governments/UTs to follow the guidelines in letter and spirit. The guideline includes providing requisite medical and other facilities to the pregnant women prisoner, child birth in prison, women prisoner accompanying their children etc.

The Government of India has issued an advisory on 15.5.2006 to all the States/UTs to take urgent action for implementing the said orders of the Supreme Court.

The Government of India 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 including recommendations given by the National Expert Committee on women prisoners headed by Mr. Justice Krishna Iyer for improvement of living conditions of women prisoners.