

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA  
UNSTARRED QUESTION NO. 2440**

**TO BE ANSWERED ON THE 22<sup>ND</sup> MARCH, 2023/ CHAITRA 1, 1945 (SAKA)**

**SEPARATE PRISONS FOR WOMEN**

**2440 DR. SANTANU SEN:**

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

- (a) whether Ministry has taken into cognizance that there are only 32 jails exclusively for women in the country, limited to 15 States/UTs;**
- (b) if so, steps taken by Ministry to address this incapacity of women prisons;**
- (c) whether Ministry has reported cases of sexual violence against women prisoners kept in regular jails;**
- (d) if so, details of number of cases, State-wise/UT-wise in last two years;**
- (e) details of steps taken by Ministry to mandate appointment of only women police officers and guard around prison cells for women; and**
- (f) whether Ministry has mandated States for early disposal of cases of women prisoners with children?**

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS  
(SHRI AJAY KUMAR MISHRA)**

- (a) and (b): 'Prisons'/'persons detained therein' is a "State List" subject under Entry 4 of List II of the Seventh Schedule to the Constitution of India. The administration and management of prisons and persons detained therein is the responsibility of respective State Governments. Exclusive**

**women jails are established by the States and Union Territories in accordance with the need and requirement of the same, depending upon the number of women prisoners in a particular State. Besides the exclusive women jails, separate barracks for women inmates are provided in the jails for housing the women prisoners safely and securely.**

**(c) and (d): Specific information in this regard is not available centrally.**

**(e) and (f): The administration and management of prisons is the responsibility of respective State Governments. The comprehensive Model Prison Manual 2016 prepared by the Ministry of Home Affairs and circulated to all States and Union Territories for their guidance has a specific chapter on 'Women Prisoners', which, inter-alia, provides that it is desirable that at least one women's jail be established in each State. While exclusive prisons far from central areas may hinder a woman prisoner's proximity from home, such exclusive prisons may at times be necessary from a safety perspective. The Manual also provides that separate enclosures/ prisons within district or central prisons are also required to be established for housing female inmates where there are no exclusive jails for women. Till separate prisons for women are established, both male and female inmates can be confined in the same prison on the condition that female offenders are to be kept in a strictly secluded female enclosures within the prison**

**complex. The Manual further provides that in a prison for convicted women prisoners, there shall be one post of a lady Superintendent and the women's enclosures attached to the sub-prisons and district prisons should be in the charge of a lady Deputy/Assistant Superintendent and they should be assisted by a female Chief Head Warder, Head Warder and female Warders. The Manual provides that there shall be one post of female DIG attached to the prison Department's Headquarters to look after women prisons, women prison staff and women prisoners.**

**The Manual also provides that to ensure access to justice to all, timely legal aid services should be provided to needy prisoners and assistance of lady members of the district legal aid committee should be made available to women prisoners to help them with their procedural and legal problems. The State Legal Services Authorities have also established Legal Service Clinics in the jails, who provide free legal aid to persons in need, including women prisoners with children. These Legal Service Clinics are managed by Empanelled Legal Services Advocates and trained para-legal volunteers. These clinics have been established to ensure that no prisoner remains unrepresented and legal aid and advice is provided to them.**

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