

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 2448**

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

UNDERTRIAL WOMEN INMATES IN JAILS

2448 SHRI RAJEEV SHUKLA:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether there is any proposal for relaxation in provisions of the Code of Criminal Procedure to allow bail to undertrial women inmates in jails who have spent one third of their maximum possible sentence in detention and if so, the details thereof;

(b) whether Government is working on a timeframe for release of women prisoners after bail is granted but surety is not produced; and

(c) if so, the details thereof and if not, the reasons therefor?

ANSWER

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

(a) to (c): '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 prisoners is primarily the responsibility of respective State Governments. Prisoners are granted bail in accordance with the provisions of law and on the orders of the Court.

Strengthening and improving the Criminal Justice System, including revision/making any new provision in the Code of Criminal Procedure, etc., is a continuous process undertaken by the Government on a periodic basis.

The Government of India has already initiated the process of a comprehensive review of the criminal laws, Code of Criminal Procedure, Indian Penal Code, etc., in consultation with all stakeholders.