

**GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO. 1082**

TO BE ANSWERED ON THE 24TH JULY, 2018/ SHRAVANA 2, 1940 (SAKA)

OPEN PRISONS

1082. SHRI KODIKUNNIL SURESH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Government proposes to establish open prisons or semi open prisons across the country;

(b) if so, the details of the objectives and guidelines envisaged in this regard and the details of funds allocated for the same;

(c) whether the Government has discussed the feasibility of establishing such prisons in the country with Directors General or Inspectors General of Prisons of all the States and the Union Territories and if so, the details thereof;

(d) whether the Government is considering to analyse the model of open prison system in Kerala State that has set a model for rehabilitation and reformation of prisoners; and

(e) if so, the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI HANSRAJ GANGARAM AHIR)**

(a) to (c): In the Model Prison Manual, 2016 prepared by the Ministry of Home Affairs and circulated to all States, detailed guidelines have been provided on Open Institutions indicating the categories of prisoners who can be selected for sending to such open institutions, the procedure which

may be followed by the States in identifying such prisoners etc. These guidelines also indicate the categories of prisoners who are not eligible for sending to such open institutions because of their being in dangerous or high risk category etc.

As per Entry 4 in List-II of the Seventh Schedule to the Constitution, the 'prisons' and 'persons detained therein' are State subjects. Therefore, the States are competent to establish open prisons. No funds have been provided to the States by the Ministry of Home Affairs.

A meeting of DG/IG Prisons of all States and UTs was convened by the Ministry of Home Affairs on 13.2.2018 to explore the feasibility of establishing open prisons. The Ministry of Home Affairs had also sought written response from all States and UTs. States and UTs are broadly in agreement with the proposal of setting up Open Jails and consider the concept of Open Jails as a good reformative endeavour and a right step.

(d) & (e): Many States like Kerala, Rajasthan, Maharashtra, Jharkhand, West Bengal etc. have Open Institutions which are considered models of rehabilitation and reformation.