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# **LIFE OF THE INCARCERATED WOMEN INSIDE THE PRISONS OF INDIA**

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## **ABSTRACT:**

Prisons are buildings where people are held legally as a punishment for crimes they have committed. They are basically the reformation houses for the criminals. Despite having separate prisons for male and female prisoners, comparatively speaking women prisons are lesser in number and also lack in basic facilities and health care needs than the male prisons. Women prisoners are underrepresented in any prison system and their special health needs are ignored. Many women prisoners are not even aware of their basic legal and fundamental rights. This is one of the major issues in India and all over the world which requires immediate and necessary attention.

Major contributions of this research is towards the chronic health related problems of the female inmates that were left untreated due to the lack of basic gender specific health care facilities in the prisons which led to the death of the prisoners. This paper sheds light on the current situation of the women prisoners in India. Apart from health related problems the female prisoners face many other issues such as lack of infrastructure, poor treatment of jail staffs and so on which causes both physical and mental illnesses to the inmates which are also highlighted in this paper. The key findings of this study includes the major issues faced by the female prisoners, the statistical data of death rate of female prisoners due to lack of health care facilities in the past decade, the major provisions brought by the Indian government and the international agreements for the protection of the rights of the female prisoners. From the findings of the study it can be safely assumed that despite the provisions and other agreements the improvement is not satisfactory for which few recommendations have also been brought forth in this paper.

**KEY WORDS:** Women, Prisoners, health, chronic illnesses, death rate, provisions

## **INTRODUCTION:**

According to the 2022 statistics China had the highest number of prisoners worldwide with almost 1.7 million people in prison. It was followed by the USA with around 25,000 fewer prisoners. Brazil followed in third and then comes India. But worldwide, El Salvador had the highest rate of incarceration at 605 prisoners per 100,000 residents as of Dec 2022. When it came to women prisoners, Hong Kong had the largest number of female prisoners of 2022 followed by the USA. Despite having inmates in both the genders it is common knowledge that the population of female prisoners constitute a minority compared to the male prisoners. “In India there are totally 1319 prisons consisting of 564 sub-jails, 424 district jails, 48 central jails, 88 open jails, 41 special jails, 32 women jails, 19 borstal school and 3 other than the above jails.”<sup>1</sup>. The lack of basic health care facilities in the prisons are very insufficiently recognized. Prison health is an inevitable part of public health. Both men and women need health care facilities but it is necessary to recognize that women inmates shall need gender specific health care. Women are prone to become subjective to many diseases than men including reproductive health issues. 50.5% of female inmates are of age 30-50 and 31.3% of female inmates are of age 18-30. So basically majority of female inmates require reproductive health care facilities to survive in the prison. Undiagnosed or poorly diagnosed and the lack of treatment for any of the health issues of the inmates followed by suicide due to mental illness and depression or torture of the prison staffs are the main reasons for the increased unnatural death rate in prison. There are several provisions recognized in the Indian Constitution that provides the basic rights of prisoners. But many of the inmates are unaware of their rights and so the overall health scenario of the prisons especially the female prisons in India is not very promising. Thus this study endeavors to make people aware of the current condition of the female prisons and the brutal reality of the lives of the female inmates in India.

## **METHODOLOGY**

This study is based on the quantitative research methodology using secondary data sources to extract information. The quantitative data of crimes by women and the occupancy rate of female prisoners in India are derived from the NCRB – the analysis is primarily on the basis of the NCRB’s “PRISON STATISTICS INDIA” annually published report. The secondary data sources includes books such as from the “of women ‘inside’” and “Memoirs from the women’s prison ” and various newspaper articles for the statistical datas.

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<sup>1</sup> Prison Statistics India,2021 (27<sup>th</sup> edition, NCRB (Ministry of Home Affairs), 18/8/2022)

### **AIM:**

The aim of this study is to strongly emphasize the need for gender specific health care in prisons in India.

### **OBJECTIVE:**

The main purpose of this study is to answer the questions that are followed:

- What are the main problems faced by women in prisons?
- Why is it important to have special health care facilities for the female inmates?
- What can be done to improve the current situations of the female inmates?

## **BACKGROUND AND THE PORTRAIT OF THE FEMALE**

### **PRISONERS IN INDIA:**

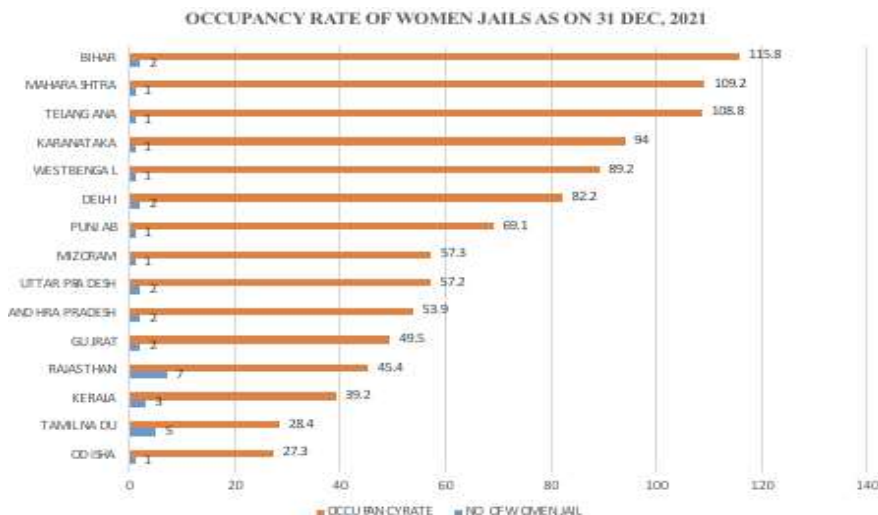
Prisons and their administration are state purposes as set out in **list II and schedule VII** of the Indian constitution. 15 States/ UTs are the only states to constitute women prison in India. There are only 32 women's prisons in India with a maximum capacity of 6767 women<sup>2</sup>. As per the **National Crime Records Bureau(NCRB)**, the number of female prisoners in India as of the end of the year 2021 was 22918 while the 32 existing prisons for women in the country is just enough to accommodate only 6767 female prisoners out of which,, 1650 were women inmates had their children with them on the prison grounds, 1418 inmates along with 1601 children were remanded prisoners and 216 were convicted inmates with their 246 children.<sup>3</sup>

According to the NCRB record dataset it is stated that 21 States/UTs in India surprisingly do not have any independent women's prisons at all. According to the data provided by the NCRB records, the country's women only prisons capacity is 3.39 times smaller than the actual number of female prisoners in the country which is 22918 prisoners compared to the prison's capacity of accommodating 6767 prisoners. Even though it has the capacity of 6767 only 3808 prisoners of the total 22918 women prisoners, including 5 transgender inmates who are housed in the women's prisons and the rest of the female inmates being held in the conventional prisons in various states. In addition the data specifies that 7051 women prisoners are accommodated in 148

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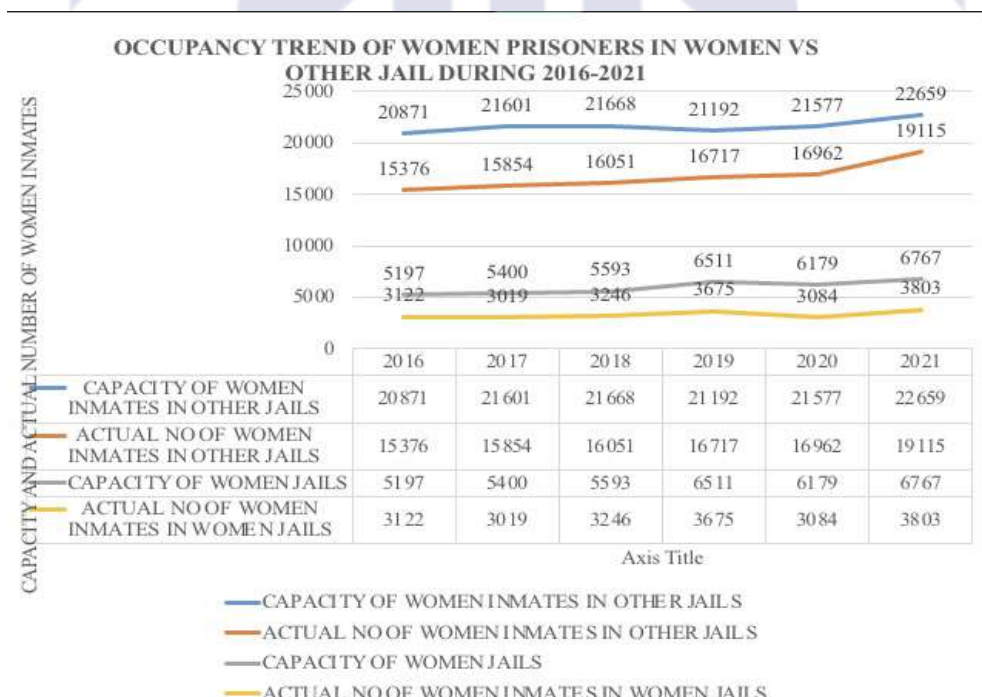
<sup>2</sup> Shivani at Joshi, "State of women prisons in India: inadequate space or absolute lack of it", The Statesman (September 21, 2022)

<sup>3</sup> Prison Statistics India,2021 (27<sup>th</sup> edition, NCRB (Ministry of Home Affairs), 18/8/2022)



Source: National Crime Records Bureau’s report on Prison Statistics India of the year 2021 central jails in the country and 424 district jails accommodates 10622 prisoners and 564 sub-jails holds 1181 female prisoners within them and 62 female inmates in 88 prisons and 235 prisoners are housed in 41 special prisons. This is the result of inadequate housing facilities for women prisoners which is one of the biggest problems faced by female incarcerates in India.

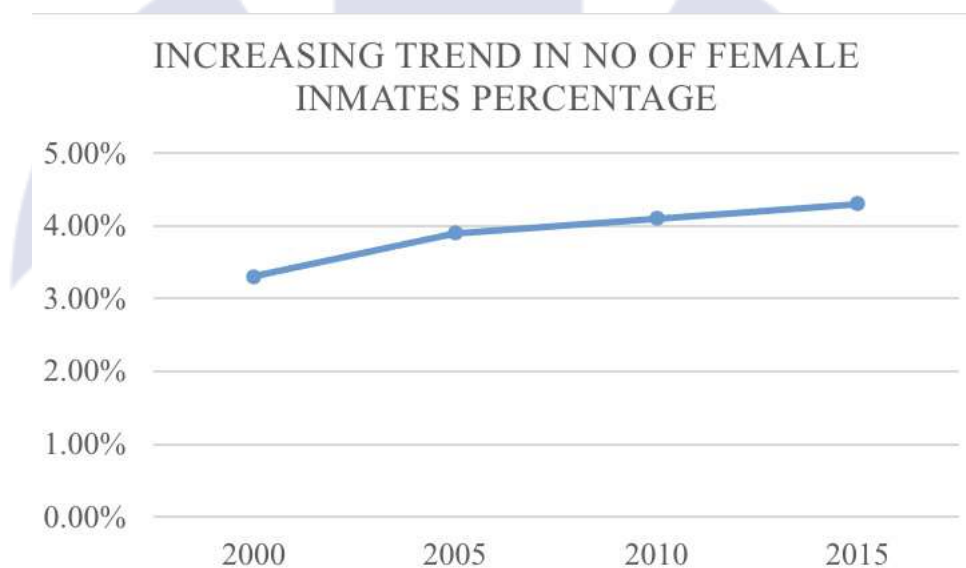
Due to the increasing number of female inmates in undersized prisons with less occupancy capacity, the inmates are forced to live in cramped conditions because of inadequate space or with no access at all which is one of the biggest problems for the female inmates in India



Source: NCRB’s report on Prison Statistics India of the year 2021

among the others. **The state of Uttarakhand, which has the highest percentage of women in India (178.8%), ironically does not have independent prisons for female prisoners.**

According to the NCRB's report on **Prison Statistics India 2015**, there were a total number of 4,19,623 persons in jail in India at the end of 2015 and the percentage of female incarcerated in India was 4.3% with a total number of 17,834 women. According to the data gathered from the report of Prison Statistics India 2015 of NCRB, it can be very easily recognized that there was an **increasing trend** in the number of women prisoners in India from **2000 to 2015**<sup>4</sup>. The number of women prisoners in India has been gradually increasing, for example, 3.3% of women prisoners in the year 2000, which increased to 3.9% in the year 2005, which further raised to a rate of 4.1% in the year 2010 and 4.3% in the year 2015. Though the women prisoners population constitutes a minority when compare to the enormous amount of male prisoners, the number of women inmates are increasing faster than the male prison population. In 2020, India recorded a **10% increase** in the arrests of women since 2015 according to the Prison Statistics India report of NCRB.<sup>5</sup>



Source: "Women in prisons India", Ministry of women and child development-Government of India

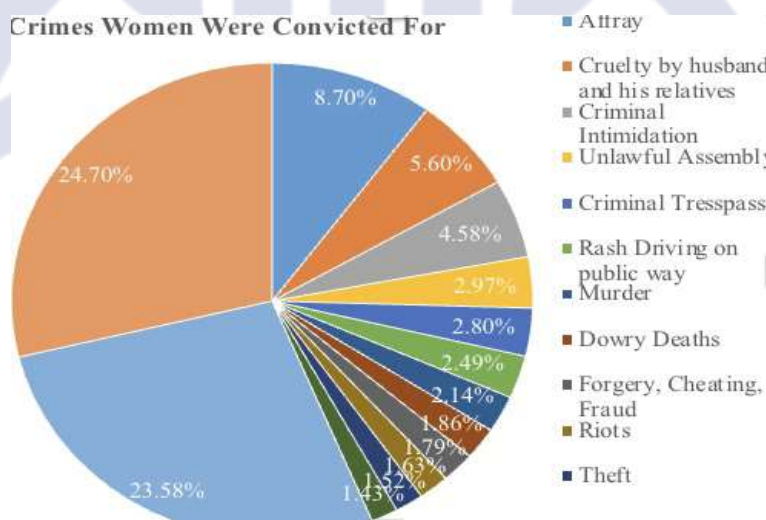
<sup>4</sup> Prison Statistics India, 2021 (27<sup>th</sup> edition, NCRB (Ministry of Home Affairs), 18/8/2022)

<sup>5</sup> 'Women in Indian prisons do not get gender specific services, lack of basic sanitation, hygiene facilities' (March 27, 2019) Sabrang India

## COMMON CRIMES OF THE FEMALE INMATES

As per the Prison Statistics India report, most females are incarcerated under **IPC and SLL offences**. Crimes against the human body, crimes against the state, crimes against property and public peace, crimes relating to the documents and property marks and various other miscellaneous IPC crimes are the main categories for which the women are incarcerated under the IPC with **crimes against the human body** being the major category of crime for which the females are incarcerated in India mostly and those crimes are committed commonly due to the prevailing dowry problems and due to the mental and physical abuse of the husband and his family and this is one of the major reason for the most female incarcerated persons to be mentally unstable and traumatized than the male inmates for allegedly committing the crime of, the offences against the human body (injury), 41829 women were arrested and 3168 women were convicted in the year 2020.

Under the category of common crimes under SLLs, 91% of women were incarcerated for liquor and narcotic drugs- related offenses as per the NCRB report of the year 2020.<sup>6</sup>



Source: Prison statistics India,2020 NCRB report

## ISSUES FACED BY WOMEN PRISONERS IN INDIA

In India, the increase in the number of women prisoners over the past decade without further improvement in coping with the growing population has made the situation of the women prisoners dire along with various other issues they are forced to face inside the prisons

<sup>6</sup> Prison Statistics India,2020 (26<sup>th</sup> edition, NCRB ( Ministry of Home Affairs ), 27/12/2022)

## **1. LACK OF FEMALE PRISONS:**

According to the data provided in this report it is clearly understood that there is no enough prisons for female inmates which leads to overcrowding in prisons. Because of the lack of number of female independent prisons, many inmates are housed in common prisons. Female inmates residing in common prisons face serious problems of discrimination, sexual abuse, lack of specific health care facilities such as reproductive health products.

## **2. POOR LIVING STANDARDS:**

**“We began our life in prison by repairing the state of toilets”- El Saadawi.<sup>7</sup>**

The living standard in prisons are a nightmare. The food provided in prisons not only lacked nutrition but they were also in edible most of the time such as worm-infested breads. There were no clean clothes for the inmates. Their basic hygiene needs such as taking a bath daily is considered a luxury. The cells are the habitation of all insects. The inmates are living a sub human existence which violates their right to human dignity.

## **3. PRISON STAFFS:**

The National Model Prison Manual of the year 2016 has stated that every 6 prisoners must have a guarding officer appointed especially for them, and every prison shall have an executive staff, administrative staff, medical staff, social and educational staff, and other staffs to look over the proper functioning in the prisons. According to the NCRB report of the year 2015 only **8.28%** of the total women jail officers were appointed. Almost all prisons in our country are severely understaffed.

## **4. SANITATION, HYGIENE AND HEALTH:**

According to the National prison manual, **every prisoner is entitled to have 1 toilet and a bathing cubicle for them** which cannot be found in the prisons of our country. Due to the less number of toilets and bathrooms and more population of the prisoners, the risk of transmission of diseases are highly possible and the misplaced toilets in typical prisons increase the risk of sexual abuse of female inmates. Lack of access to hygiene products put many prisoners at a risk of contracting fatal diseases. Concerns about the mental health of the inmates have also not been adequately addressed. Most of the prisons, do not have separate wards for women inside the

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<sup>7</sup> Nawal El Saadawi, Memoirs from the women's prison (1<sup>st</sup> edition, university of California press, 27<sup>th</sup> March,1998)

hospitals and female medical officers especially gynecologists.

## **5. LACK OF LEGAL AID**

Majority of the female inmates are illiterate and females of the backward and downtrodden communities. **Article 39A** of the constitution of India provides for free legal assistance to the poor and vulnerable members of the society and guarantees justice for all<sup>8</sup> The **HC of Rajasthan** has laid down the conditions for premature release of the prisoners<sup>9</sup>. To be aware of such provisions knowledge of legal aid is necessary.

## **6. CUSTODIAL RAPE AND TORTURE:**

Custodial rape and torture by the officials are reported all across the country. But filing of official reports of such cases are rare because of the fear of retaliation as the victims will have to continue to stay in the same space as their perpetrators and so the weaker prisoners surrender to the powerful authorities and the authorities in the most cases are not punished even if an official report is made. To raise voice against such heinous crimes the **hon'ble Supreme Court** has emphasized that it should not seek cooperation unless the prosecutor's statements are unreliable and moreover no woman is expected to plead falsely accused of rape and it should be justified if there was a delay in making the complaints there should be no room for lighter sentences when it comes to sentencing<sup>10</sup>. **"No woman shall be arrested after sunset and before sunrise and the presence of a lady Constance is mandatory."** held the **hon'ble Supreme Court**<sup>11</sup>. A more recent case of violence and sexual assault is the **Byculla tragedy** in Mumbai jail, where Manjula Shetty, a 38 years old convict died after being brutally raped and beaten to death by the prison officials for complaining about the food shortages and so the inhumane treatment of the female inmates prevails.<sup>12</sup>

## **7. CIRCUMSTANCES OF THE CHILDREN OF THE INMATES:**

According to the Prison Manual, children of the female prisoners who are below the age of six with no other legal guardians to take care shall live with their mothers. They should be provided with education and other facilities. There is no adequate accommodation. The children are not

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<sup>8</sup> Constitution of India, 1950

<sup>9</sup> Pilli ram v. state of Rajasthan and Ors.1992 (2) WLN 444

<sup>10</sup> State of Maharashtra v. CK Jain 1990 AIR 1658(1)

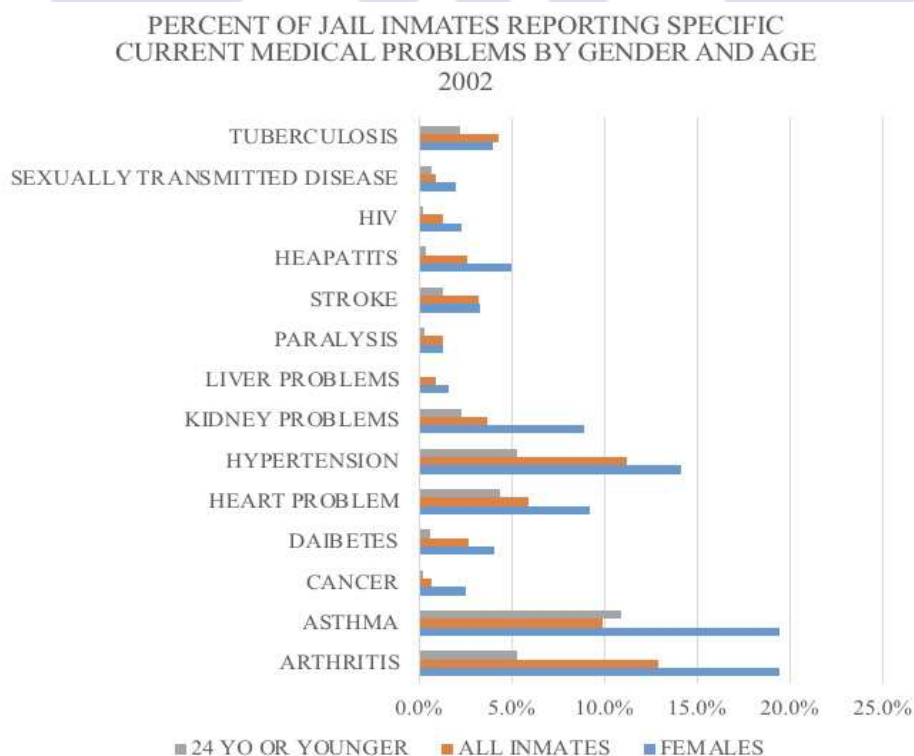
<sup>11</sup> Christian community welfare council of India v. Government of Maharashtra AIR 2004 SC7

<sup>12</sup> Moushumi Das Gupta, "Parliamentary panel finds inhuman conditions inside Mumbai's Byculla jail" (Aug 21,2017), Hindustan Times

provided with proper nutritional food and health care facilities. The **Bombay High Court** has made it abundantly clear that it is all the more obligatory on the part of the state to look into the matter and answer especially in the light of **Juvenile Justice Act 2015**, since the enactment clearly indicate how the children who are in need of care and protection must be segregated from children who are in conflict with law and separate shelters have to be provided with proper infrastructure for the development of the children in order to have a healthy development. In order to look after the children who are released from the prison, the hon'ble Supreme Court suggested to appoint a committee to look into this issue in great depth.<sup>13</sup>

### **NEED FOR GENDER SPECIFIC HEALTH CARE IN PRISONS:**

Why is it necessary to recognize the importance of gender specific health care needs in prison? The most common diseases or health issues excluding reproductive health problems are cancer, heart problems, HIV/AIDS, arthritis, asthma, sexually transmitted diseases and so on and according to the data of **Bureau of Justice Statistics**, it was collected that female inmates are significantly higher in rate than the male inmates in incurring these diseases either after incarceration or already reported to have these diseases.



Source: Bureau of Justice statistics special report

<sup>13</sup> Re-inhuman conditions in 1382 prisons v. state of Assam and Ors WP©406/2013

## **COMMON FEMALE SPECIFIC DISEASES:**

There are certain diseases that affects only women and some of them are Endometriosis, Uterine fibroids, gynecologic cancer which includes squamous cell carcinoma, epithelial ovarian carcinoma, endometrial cancer, vulval squamous cell cancer and vaginal squamous cell cancer. HIV/AIDS or other sexually transmitted diseases are not gender specific diseases but they are more common in women than in men. Interstitial cystitis and Polycystic Ovary Syndrome(PCOS) and other female reproductive organ diseases.

## **PREGNANCY HEALTH CARE NEEDS:**

Pregnancy issues are very important to be taken care of as it not only involves the life of the mother but also the child. Previously existing health conditions can worsen during pregnancy, threatening the lives of both the mother and the child. Asthma, diabetes and depression are diseases that can cause severe harm to the mother and the child if not properly treated. Many abortion, stillbirths and infant mortality has happened in the prisons due to the improper care of the inmates.

In many cases, most of the female prisoners either give birth in prisons or their children live with them inside the prison. So it is important to take care of the nutrition and the health of the children and also special care should be provided to the mothers who gave birth or have infants with them. According to a **special report on the USA women jails**, there was a woman named Swayzer who was pregnant and only a few weeks away from the due date. She has been diagnosed of schizophrenia and bipolar disorder, she told a jail staff that she had stopped taking medications and she was assigned to “Special Needs Unit”. She was also instructed to take regular health checkups but she was moved before 48 hours due to inadequate cells in that unit and 5 days later, an officer making rounds noticed acting bizarre and then the guard smelled something funk and on inspection Swayzer was found with her baby bundled in her arms and dead which was a tragedy<sup>14</sup>. Thus it is really important to have a gynecologist in every prison to help women inmates with their reproductive health issues apart from a general physician (woman doctor) to diagnose and treat other diseases.

A case concerned the medical care of the applicant, who received an injury to her spinal cord,

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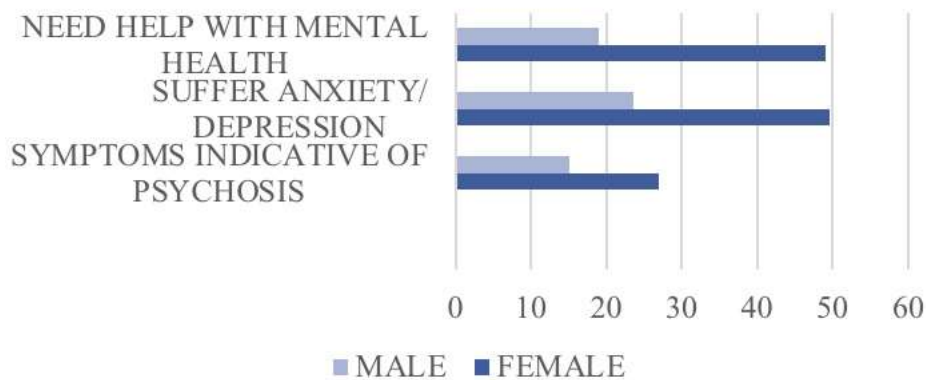
<sup>14</sup> Peter Eisner, Linda So, Jason Szep and Grant Smith, ‘ As more women fill America’s jails, medical tragedies mount’ (Dec 16, 2020) Reuters investigates

suffered from spastic paraplegia and she later contracted hepatitis C virus during her custodial sentence. Despite making various complaints, the condition of her detention was not improved and the court held that it was a violation of **Article 3 of the US constitution**.<sup>15</sup>

### **MENTAL ILLNESS AND DEPRESSION:**

Apart from the reproductive health issues, pregnancy and maternity issues women suffer mental illness, depression and anxiety in a larger rate than the male inmates which leads them to cause self harm. Anxiety and depression are causes due to natural harmonic fluctuations which is more common in women than in men due to premenstrual syndrome. After giving birth many mothers go to depression and even perinatal depression causes similar shifts. Perimenopause and menopause can greatly affect the emotions of women causing depression and no matter the intensity of symptoms, psychiatric care is very important in order to not escalate the situation. In Nepal before the 2002 amendment women were incarcerated for abortion (even natural) and still births under infanticide. They were given death sentences in some cases. The conditions of those women who had abortion or delivered a still born baby are very fragile both mentally and physically and special care by the psychiatrists should be given to them accordingly so that they don't cause self harm.

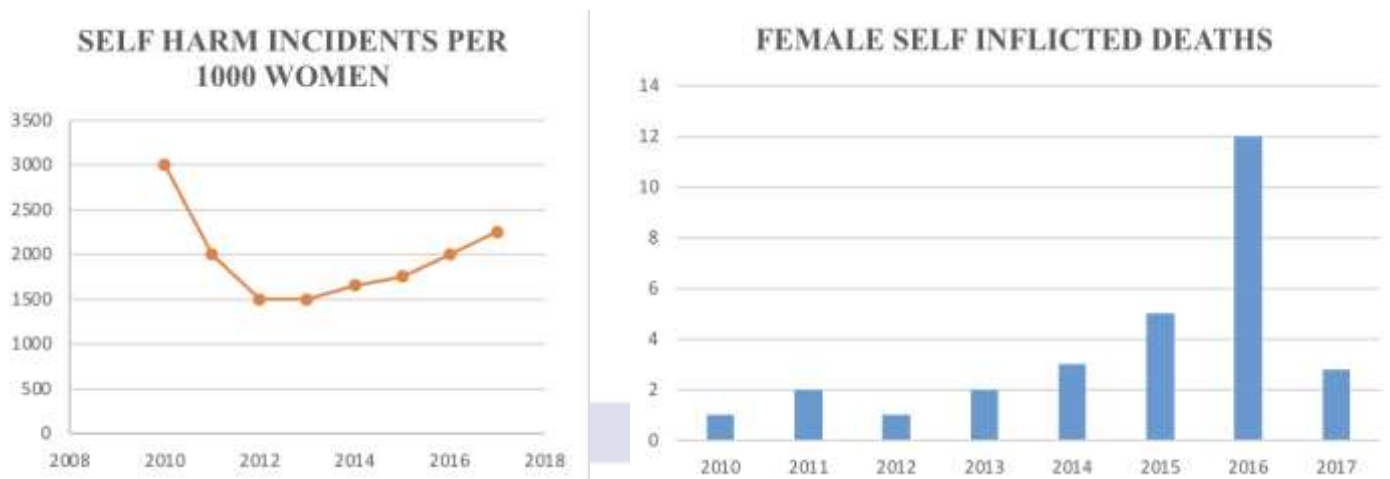
MENTAL HEALTH ISSUES  
AFFECTING MALE AND FEMALE  
PRISONERS



Source: Jessica Labhart, 'why doesn't prison work for women' (sept29,2018) BBC News article Women incarcerates are mostly exposed to violence, abuse and sexual assault than the male prisoners and so they suffer from mental illness in higher rate than the male inmates.

<sup>15</sup> Machina vs The republic of Moldova 69086/14

Imprisonment generates new mental health problems and exacerbates the existing ones which increases the rate of self inflicted deaths in prisons and so those prisoners should be monitored properly. Drug addicts should also be treated appropriately<sup>16</sup>



Source: Emilia Bona, 'The brutal reality of life inside a women's prison: former inmates describe how it's really like,' (Aug 26, 2018) Liverpool echo (UK news article)

### **PROVISIONS RELATING TO WOMEN IN PRISONS:**

In India, the rules of incarceration for both men and women are governed under:

1. Indian Penal Code, 1860
2. Prison Act, 1894
3. Prisoners Act, 1900
4. Identification of Prisoner's Act, 1920
5. Exchange of Prisoner's Act, 1948
6. Transfer of Prisoner's Act, 1950
7. Prisoner (Attendance in Court) Act, 1955
8. Probation of Offenders Act, 1958
9. Code of Criminal Procedure, 1973
10. Repatriation of Prisoners Act, 2003
11. Model Prison Manual, 2003
12. Model Prison Manual, 2016

<sup>16</sup> McGlinchey and others vs the United Kingdom 50390/99

Apart from these there are various **committees** set up to improve the conditions of the prisons and some of them are:

1. All India Jail Manual Committee, 1957
2. All India Prison Reforms Committee, 1980-1983
3. All India Group on Prison Administration, Security and Discipline, 1986
4. Working Group on Prisons, 1972

All these committees were set up to examine and review the conditions of the prisons, its management and administration and has suggested various measures for the improvement.

“The **National Expert Committee on Women Prisoners, 1987**” which was headed by the justice **Krishna Iyer** has made various suggestions for the improvement of the conditions of the women inmates:

1. All the women inmates shall be made aware of the rights provided to them under the law.
2. The female inmates should be inspected only by the female officers.
3. The inmates shall receive a comprehensive medical examination by the female doctors as soon as they enter the prison.
4. They should be able to have contact with the outside world.
5. They should be allowed to keep their children with them up to 6 years of age
6. A special staff member of the public prosecutor’s office should be available to handle the cases of the women prisoners.

**The Model Prison Manual of 2016 has provided the following guidelines:**

1. Each and every state shall have at least one independent women prison for the female incarcerates.
2. The shall have special facilities such as reproductive health care, pregnancy and childbirth facilities.
3. They shall be given education and vocational training as of male prisoners.
4. The prisoner’s identity and profile shall be maintained properly.
5. Day and night inspections should be made regular.
6. Pregnant women during the admission in prison shall undergo a gynecological checkup and shall be treated appropriately.
7. Appropriate arrangements should be made to allow a female inmate to deliver her baby in the hospital.
8. Children of the inmates if below the age of 6 shall be allowed to stay with their mother.

9. Adequate clothing, accommodation and food with proper nutrition shall be administered to the prisoners and their children.
10. To ensure justice, free legal aid services shall be provided to the inmates and one lady superintendent shall be appointed in every prison

## **INTERNATIONAL RULES RELATING TO THE** **PRISONERS' RIGHTS:**

There are several conventions and rules to regulate the conditions of the prisons:

1. International Covenant on Civil and Political Rights
2. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
3. Standard Minimum Rules for Treatment of Prisoners
4. Nelson Mandela Rules
5. Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment
6. Basic Principles for the Treatment of Prisoners

All these international conventions not only prohibits the inhumane treatment of prisoners without exception but also **protects their religious beliefs** and has laid down guidelines to treat the prisoners with dignity.

The **United Nations Human Rights (UNHR)** has also provided various rules for the treatment of women prisoners. There are a total of **70 rules in 4 sections**.<sup>17</sup>

### **SECTION I – “GENERAL RULES FOR APPLICANTS”**

- Rules 1-5 deals with basic principles, admission, registration, allocation and personal hygiene
- Rules 6-9 provides health care services.
- Rules 10 and 11 deals with gender specific health care facilities.
- Rules 12 and 13 deals with mental health and care.

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<sup>17</sup> The United Nations General Assembly, ‘United Nations Rules for the treatment of women prisoners and non custodial measures for the women offenders’ (Dec 21,2010) UNHR instruments

- Rules 14-16 covers HIV prevention, treatment, abuse treatment and self harm prevention.
- Rules 17 and 18 deals with preventive health care services.
- Rules 19-25 deals with safety and security.
- Rules 26-28 deals with contact with outside world.
- Rules 29-35 deals with institutional personnel and training.
- Rules 36-39 deals with Juvenile female prisoners.

## **SECTION II – “SPECIAL CATEGORIES”**

- Rules 40 and 41 deals with classification and allocation.
- Rules 42-47 deals with prison regime.
- Rules 48-52 deals with pregnant women, breast feeding mothers and mothers with children.
- Rule 53 deals with foreign nationals.
- Rules 54-56 deals with minorities and indigenous prisoners.

## **SECTION III – “NON – CUSTODIAL MEASURES”**

- Rules 57-62 deals with general provisions.
- Rule 63 deals with post – sentencing dispositions.
- Rule 64 is about pregnant women and women inmates with children.
- Rule 65 deals with juvenile female offenders.
- Rule 66 deals with foreign nationals.

## **SECTION IV – “RESEARCH, PLANNING AND BLOOMING”**

- Rules 67-69 deals with the research, planning and evaluation.
- Rule 70 is about raising public awareness, information sharing and training.

## **RECOMMENDATIONS TO IMPROVE THE CURRENT SITUATION OF THE FEMALE PRISONERS:**

This study has provided with few suggestions to improve the conditions of the female prisons and the standard of living of the female prisoners

**1. ADOPTION AND IMPLEMENTATION OF THE ALREADY EXISTING PROVISIONS:**

As mentioned in this study there are several provisions provided not only by the Indian constitution but also by the UNHR and other international organizations for the improvement of the conditions of the female prisoners. The mere adoption and proper implementation of those provisions are more than enough to bring about a significant change in the conditions of the female prisoners.

**2. ADHERING TO “THE NATIONAL MODEL PRISON MANUAL” OF THE YEAR, 2016:**

“The National Model Prison Manual, 2016,” has provided with the guidelines for the minimum standard of treatment and welfare of the prisoners along with the specific measures for the gender sensitive training for the prison staffs. The hon’ble Supreme Court had also ordered the Ministry of Home Affairs and the States to work toward implementing the guidelines of the “National Model Prison Manual, 2016.”

**3. ESTABLISHMENT OF COMMITTEES:**

National and state committees should be established to examine and review the conditions of the prisoners at a regular interval and should ensure the adopted provisions are implemented properly and there are no misuse of power by the staffs and no prisoners are subjected to cruelty and torture in the prisons.

**4. REDRESSAL OF GRIEVANCES:**

At a regular interval of time the grievances of the female inmates should be listened to and necessary steps shall be taken by the appropriate committees and the authorities appointed by the government of India to redeem the situation if deemed necessary to be addressed.

**5. PUBLIC AWARENESS:**

The public should be aware of everything that happens inside the prisons, both good and bad, that can be enclosed to the public. When everything is made out to be in public, the happening of misconducts will automatically reduce and the people in power will no longer be smug about abusing their power and go unnoticed and unpunished.

## 6. HEALTH CARE PROVISIONS:

As per the existing health care provisions, it would do good if the basic necessities of women such as nutritious food, good accommodations, healthy environment, basic reproductive health products are made available properly. Regular monthly checkups for all female inmates by the female doctors should be made mandatory. Appointment of at least 1 female gynecologist along with female nurses are very important. Appointment of a female psychiatrist for each prison is also mandatory as the study shows the rate of mental illness and depression in female inmates are comparatively higher than in the male prisoners and so it is necessary to monitor such inmates to prevent self harm or harm to others. Post natal and pre natal care should be given properly and breast feeding mothers should be given appropriate cells with all the facilities to ensure the health of both the mother and the baby.

## 7. EDUCATION AND VOCATIONAL TRAINING:

Regular legal aid classes should be administered in order to make them aware of their rights under the law. Female inmates who gave birth recently and the breast feeding mothers should be given choice to choose appropriate work for themselves.

## 8. CHILDREN OF THE INMATES:

Crèche should be made available for the babies of the inmates. They should be allowed contact with the outside world. “ Their mother’s are the prisoners not them” and so they should be treated like any other normal children. After their release the government shall appoint appropriate committees to take appropriate measures to look after those children who cannot be left to fend for themselves. While inside the prison, the environment should not affect the mentality of the children because that can scar them for their lives. Appropriate teams shall be appointed by the government in the prisons to monitor the situation of the children of the inmates inside the prisons in order to ensure that they are provided with proper food , health care facilities, accommodation, education and so on.

## 9. PROHIBITION OF VIOLENCE:

Violence inside the prisons due to discrimination or abuse of power should be severely condemned and the perpetrators should be punished accordingly.

## **CONCLUSION:**

Women generally suffer due to the double standards in the society. The women of our society are treated ironically as theoretically they are perceived as goddesses and are idolized. But that is not the reality, is it? The deeply rooted patriarchy and the misogynistic tendencies lead the society to treat women as outcasts and someone below them. This situation is not so different inside the prisons. In fact the stigma is heightened drastically in the prisons as the women who commits crime or who are convicted are considered evils and deviants.. And so they are brutally discriminated, violated, isolated and subjected to cruelty inside the prisons.They are treated sub humanely. They are not provided even with the basic needs, let alone specific health care and other facilities. **Is it really appropriate to throw the female prisoners in common jails where there are not only male prisoners but also male staffs? Are they actually safe in there? Will there be any available reproductive health care facilities for that small community of the female prisoners?** The glaring answer for all these questions is simply no. But nothing was brought to rectify the situation, in fact they are not even properly addressed. Because of the lack of specific health care facilities for women inmates there have been so many prison deaths, abortion, still births, suicides and self harming. Apart from this the amount of torture and custodial rape cases are mounting. But they are neglected.

Thus the aim of this study is to emphasize the need for gender specific health care facilities inside the prisons and to make people aware of the issues of the female inmates, the inhumane treatment of them, the situation of the children of the inmates and so on, in order to encourage comprehensive researches on this subject like this study which I hope shall have an optimistic effect on the genesis of any improvement schemes for the prison system.

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