

## WRITTEN ANSWERS TO STARRED QUESTIONS

**GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS**

**RAJYA SABHA  
STARRED QUESTION NO.\*369**

**TO BE ANSWERED ON THE 06<sup>TH</sup> APRIL, 2022/ CHAITRA 16, 1944 (SAKA)**

**TRANSGENDER PEOPLE CURRENTLY AS INMATES IN JAILS**

**369. SHRI SUSHIL KUMAR MODI:**

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

**(a) whether Government is considering to implement infrastructure requirements for jails in line with the Transgender Persons (Protection of Rights) Act, 2019 to cater to the needs of transgenders;**

**(b) if so, the details and expected implementation guideline;**

**(c) the details of number of trans men and trans women people currently as inmates in jails, State-wise;**

**(d) the number of jails which have separate wards, shower and washroom facilities for transgender people, State-wise; and**

**(e) the measures currently in place in jails to respect the privacy and dignity of trans inmates in the processes of searching, medical examinations, etc, the details thereof?**

**ANSWER**

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

**(a) to (e): A Statement is laid on the Table of the House.**

**STATEMENT REFERRED TO IN REPLY TO RAJYA SABHA STARRED QUESTION NO. 369 FOR 6<sup>TH</sup> APRIL, 2022**

**(a) to (e): 'Prisons'/'persons detained therein' is a "State List" subject as per Entry 4 of List II of the Seventh Schedule to the Constitution of India. Administration and management of prisons and inmates is, therefore, the responsibility of respective State Governments, who are competent to establish appropriate infrastructure in jails to cater to the needs of transgenders, in line with the Transgender Persons (Protection of Rights) Act, 2019, as per local requirements. State Prison authorities have the responsibility to ensure privacy and dignity of transgender persons in the process of their search and medical examination, etc. The Ministry of Home Affairs (MHA) has issued a detailed advisory to the States and Union Territories (UTs) on 10.1.2022 inter-alia advising them for ensuring the safety of transgender persons and to protect them against any form of exploitation. The States and UTs have been advised to make necessary arrangements for providing suitable accommodation and other facilities to transgender persons in prisons and to ensure that their search is conducted by a person of their preferred gender or by a trained medical professional or a trained para-medic. It has been further advised that the person conducting the search must ensure the privacy and dignity of the**

**person being searched. This advisory is available on MHA's website ([www.mha.gov.in](http://www.mha.gov.in)).**

**National Crime Records Bureau (NCRB) compiles prison statistics reported to it by the States and Union Territories (UTs) and publishes the same in its annual publication "Prison Statistics India". The latest published report is of the year 2020. State/UT-wise details of number of transgender inmates lodged in the jails of the country as on 31.12.2020 are given in Annexure. Specific data of trans men and trans women, and jails with separate wards, facilities for transgender people, etc. is not available centrally.**

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**State/UT-wise details of number of transgender inmates lodged in the jails of the country as on 31.12.2020**

<b>S. No.</b>	<b>State/UT</b>	<b>Number of transgender inmates</b>
1	ANDHRA PRADESH	2
2	ARUNACHAL PRADESH	0
3	ASSAM	0
4	BIHAR	2
5	CHHATTISGARH	2
6	GOA	1
7	GUJARAT	14
8	HARYANA	6
9	HIMACHAL PRADESH	0
10	JHARKHAND	0
11	KARNATAKA	0
12	KERALA	1
13	MADHYA PRADESH	7
14	MAHARASHTRA	8
15	MANIPUR	0
16	MEGHALAYA	0
17	MIZORAM	0
18	NAGALAND	0
19	ODISHA	0
20	PUNJAB	2
21	RAJASTHAN	1
22	SIKKIM	0
23	TAMIL NADU	8
24	TELANGANA	0
25	TRIPURA	0
26	UTTAR PRADESH	8
27	UTTARAKHAND	1
28	WEST BENGAL	2
29	A & N ISLANDS	0
30	CHANDIGARH	0
31	DNH & DAMAN DIU	0
32	DELHI	5
33	JAMMU & KASHMIR	0
34	LADAKH	0
35	LAKSHADWEEP	0
36	PUDUCHERRY	0
	<b>TOTAL</b>	<b>70</b>