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Case Brief: Suhas Chakma v. Union of India

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Can a prison system call itself reformatory if it keeps women locked behind closed walls while men walk free in open barracks nearby? In *Suhas Chakma v. Union of India*, the Supreme Court answered this question with one of its most detailed prison reform rulings in recent years.

This case brief on **Suhas Chakma v. Union of India** follows the standard format used in law prep courses, covering the facts, issues, arguments, holding, and ratio of this landmark judgment on Open Correctional Institutions.

Citation and Bench

Case Name: Suhas Chakma v Union of India and Others

Citation: 2026 INSC 198

Court: Supreme Court of India

Decided On: February 26, 2026

Bench: Justice Vikram Nath and Justice Sandeep Mehta (author)

Docket: Writ Petition (Civil) No. 1082 of 2020

Provisions Involved: [Article 14](#), [Article 15](#), [Article 21](#), [Article 22](#), and [Article 39A](#) of the Constitution

Background

This writ petition has produced more than one significant ruling. In an earlier phase of the same case, decided on October 23, 2024 and reported as 2024 INSC 813, a bench of Justices B.R. Gavai and K.V. Viswanathan addressed prison overcrowding and the inadequate availability of free legal aid for prisoners, directing NALSA and State Legal Services Authorities to strengthen their legal aid mechanisms.

The February 2026 judgment, delivered by a different bench, turned to a related but distinct problem, namely the chronic underuse of Open Correctional Institutions, or OCIs, commonly known as open prisons, and the near total exclusion of women prisoners from this reformatory system.

Facts

Suhas Chakma, a human rights activist, filed this writ petition under Article 32 highlighting the dismal state of India's prison infrastructure. As the matter proceeded, the Court's focus turned specifically to OCIs, correctional facilities that allow eligible prisoners to live and work with minimal restriction, based on trust and self-discipline, rather than confinement behind high walls.

The Court examined data from the National Crime Records Bureau's Prison Statistics India, 2023 report, which revealed severe nationwide prison overcrowding. It found that OCIs, despite being recognised as a progressive correctional tool for decades, remained grossly under-utilised, with several States and Union Territories having no functioning OCIs at all.

A particularly stark finding was the near complete exclusion of women prisoners from OCIs across the country. Even where women were otherwise eligible for transfer from closed prisons, state systems routinely failed to create or offer them access to open correctional facilities.

Procedural History

This case built upon the Court's earlier suo motu proceedings in *In Re: Inhuman Conditions in 1382 Prisons* (2018) 16 SCC 636, where the Court had already directed States to adopt Model Rules on open correctional institutions and address overcrowding. The present petition sought to convert those earlier general directions into enforceable, time bound, and uniformly monitored action.

The Bench also drew on the petitioner's related prayer, originally made in the context of *In Re: Contagion of COVID-19 Virus in Prisons*, seeking to make the pandemic era High Powered Committees for prison decongestion a permanent feature of India's correctional system.

Issues

1. **Whether the chronic under-utilisation of Open Correctional Institutions, and the complete absence of such institutions in several States and Union Territories, violates prisoners' rights under Article 21.**
2. **Whether the exclusion or under-representation of women prisoners from Open Correctional Institutions amounts to unconstitutional gender discrimination under Articles 14 and 15.**
3. **Whether existing eligibility criteria for transfer to OCIs are unduly restrictive, and whether rehabilitative avenues within these institutions are adequate.**
4. **What mechanism can ensure uniform governance standards and sustained compliance across every State and Union Territory.**

Arguments of the Petitioner

The petitioner argued that open prisons represent a scientifically validated, cost effective, and dignity preserving alternative to closed incarceration, yet remain neglected due to administrative inertia rather than any genuine policy objection. He relied on prior studies, including a Bureau of Police Research and Development report and a Rajasthan State Legal Services Authority study, to demonstrate that open prisons cost significantly less to run per prisoner while delivering superior rehabilitative outcomes.

On the exclusion of women, the petitioner argued that this was not a coincidental gap but a structural pattern of gender discrimination, since most State Model Rules either failed to address women's eligibility meaningfully or simply never built women's OCI facilities at all.

Arguments of the Respondents

The States and the Union, while not opposing the principle of expanding OCIs, generally cited administrative, financial, and infrastructural constraints as reasons for slow implementation of the Court's earlier 2018 directions. Several States pointed to logistical difficulties in creating separate, secure, yet genuinely open facilities specifically for women prisoners, given their comparatively smaller numbers in the overall prison population.

Holding

The Supreme Court issued a wide ranging and highly structured set of binding directions, organised around distinct thematic heads.

1. Exclusion of women from OCIs is unconstitutional gender discrimination. The Court held, at paragraphs 53 to 54 of the judgment, that the exclusion of women from OCIs, or the failure to transfer them despite being eligible, amounts to **blatant gender discrimination, violative of Articles 14 and 15(1)**, and also infringes their right to live with dignity under Article 21. Denial of access to OCIs, the Court held, deprives women prisoners of equal opportunity for rehabilitation and cannot be sustained in a constitutional order committed to equality and dignity.

2. Open prisons are a constitutional necessity, not an aspirational ideal. At paragraph 39, the Court articulated a broader penological philosophy, holding that dignity, self-respect, and social reintegration within prisons are constitutional necessities. It emphasised that meaningful work, vocational training, payment of wages, humane living conditions, and the maintenance of family ties must guide correctional policy, and that open and semi-open institutions, premised on trust and self-discipline, naturally align with this constitutional vision.

3. Under-utilisation and absence of OCIs must be remedied. The Court directed every State and Union Territory lacking functional OCIs to establish them, and directed those with existing but under-utilised facilities to undertake a comprehensive assessment of their prison infrastructure within three months to identify expansion opportunities.

4. Eligibility criteria must be rationalised. The Court held that unduly strict eligibility conditions for transfer to OCIs, along with inadequate rehabilitative avenues once inside these institutions, undermined the entire purpose of the open correctional model, and directed States to review and liberalise these criteria.

5. Common Minimum Standards to ensure uniformity. Recognising the lack of uniform governance and management standards for OCIs across different States, the Court constituted a national **High Powered Committee under Justice S. Ravindra Bhat (Retired)** to draft Common Minimum Standards applicable nationwide.

6. Structured compliance and monitoring mechanism. The Court directed that the implementation protocol be submitted before a Monitoring Committee constituted in each State and Union Territory within three months, and directed every High Court to monitor state level

compliance through suo motu proceedings and State Monitoring Committees, ensuring sustained judicial oversight beyond the life of this single judgment.

Ratio Decidendi

Correctional policy that excludes or substantially under-represents women from rehabilitative institutions like Open Correctional Institutions, while making such facilities meaningfully available to men, constitutes direct gender discrimination under Articles 14 and 15, and simultaneously violates the right to live with dignity under Article 21, since rehabilitation and equal opportunity for reintegration are inseparable components of a dignified prison experience.

Where a correctional reform has already been directed by the Court in earlier proceedings but remains unimplemented due to administrative inertia, courts may constitute a dedicated oversight body and a multi-tiered monitoring structure, spanning High Courts, State Monitoring Committees, and a national expert committee, to convert prior directions into enforceable, time bound compliance.

Illustration

Suppose two prisoners, a man and a woman, are convicted of similar offences in the same State and both qualify under the general eligibility norms for transfer to an open correctional institution. If the State has built an OCI only for male prisoners, and has made no comparable facility available to the woman despite her eligibility, this judgment makes clear that such a gap is not a mere administrative oversight. It is unconstitutional gender discrimination, and the State is now bound to remedy this exclusion as part of a structured, court monitored compliance process.

Why This Case Matters

Suhas Chakma v Union of India is significant because it moves prison reform jurisprudence beyond general statements of principle into a detailed, enforceable, and gender conscious framework. By expressly invoking international instruments like the UN Standard Minimum Rules for the Treatment of Prisoners, commonly called the Nelson Mandela Rules, and the UN Rules for the Treatment of Women Prisoners, commonly called the Bangkok Rules, the Court situated Indian prison reform within a global human rights context.

The judgment also builds on a long line of precedents recognising prisoners' fundamental rights, including *D. Bhuvan Mohan Patnaik v State of Andhra Pradesh* (1975) and *Francis Coralie Mullin v Administrator, Union Territory of Delhi* (1981), while adding a sharp and specific gender equality dimension that had been largely overlooked in earlier open prison jurisprudence like *Rama Murthy v State of Karnataka* (1997).

Conclusion

Suhas Chakma v Union of India stands as a powerful reaffirmation that constitutional guarantees of equality and dignity do not stop at the prison gate. By holding that the exclusion of women from Open Correctional Institutions amounts to unconstitutional discrimination, and by building a detailed, monitored framework to expand and standardise open prisons nationwide, the Supreme Court has pushed India's correctional system closer to the rehabilitative, dignity centred vision the Constitution demands.