



CASE COMMENT: SUHAS CHAKMA v. UNION OF INDIA: A STEP TOWARDS REFORMATIVE PRISON JUSTICE

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INTRODUCTION

Under Article 21 of the Indian Constitution, an individual is given the right to life and to live with dignity.¹ Does a person lose their right to live in humane conditions when they become a prisoner, and are under trial? The Supreme Court interpreted this right broadly over the years and stated that every individual has the right to live with dignity, including prisoners. This right is equally important for undertrial detainees, for whom it's more unfair to lose their human rights even without being found guilty. This principle was also recognised by the Supreme Court in *Sunil Batra v. Delhi Administration*,² where the Court held that prisoners continue to enjoy fundamental rights even during imprisonment. Therefore, the state has a duty to ensure humane living conditions and an opportunity for rehabilitation for prisoners and undertrial detainees.

In many reports, it is found that prisons in India have severely bad conditions. There are poor sanitation facilities, a lack of accommodation, and insufficient medical facilities, etc. In most cases, violence becomes prevalent in prison because of a lack of proper surveillance, and it leads to pushing the prisoner to adapt for survival, which completely turns against the very purpose of reformatory punishment and instead worsens the physical and mental condition of the prisoner.

The modern theory of punishment is turning towards a reformatory method of punishment, where the aim is to make a responsible member of society after completion of their sentence. The open prison concept allows the selected prisoners to live with less restriction while

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¹ Constitution of India, art 21.

² *Sunil Batra v Delhi Administration* (1978) 4 SCC 494.

ensuring discipline and responsibility. This method is beneficial for society and the legal system.

In *Suhas Chakma v. Union of India* (2026)³, the Supreme Court's emphasis on prisoners' rights while indicating the need for expansion of the open prison method and recognising the protection of the dignity of prisoners under Article 21. Court highlight on reformatory theory and humane conditions for prisoners.

Judgement is important because it creates attention towards the poor administration of Indian prisons and the need for better implementation of the reformatory punishment method. It questions the state's responsibility and need for effective reforms in this matter. This case comment aims to analyse the judgment, constitutional principle and evaluate the impact of prisoners' reforms.

BACKGROUND AND FACTS OF THE CASE

The case of *Suhas Chakma v Union of India* addresses the poor prison conditions in India. Overcrowding in prisons, inadequate medical facilities, lack of proper sanitation, poor infrastructure and incapacity in maintaining rehabilitation facilities for prisoners are the focused areas of the petition. It raises concerns regarding the implementation of reforms and guidelines suggested by the court in earlier judgments. The petition was filed by human rights activist Suhas Chakma under Article 32⁴ for the inhuman conditions of prisoners across different states.

The petition also emphasises the expansion of open prisons. Such prisons aim to help prisoners reform themselves and gradually reintegrate into society. The open prisoner concept supports the modern reformatory theory. Many states failed to maintain open prisons even after court directions. The places where it is established also have limited facilities. Concern for Lack of opportunity for women prisoners in such institutions are also raised. Petitioner emphasises a sense of uniform policies in the system. Considering all these issues, the petitioner claims a violation of the dignity and fundamental rights of prisoners protected under Article 21⁵ of the Constitution.

³ *Suhas Chakma v Union of India* 2026 SCC OnLine SC 317.

⁴ Constitution of India, art 32.

⁵ Constitution of India, art 21.

During the proceedings, the Supreme Court discussed the importance of a performative justice system and humanely condition of prisoners. The court also examines the ineffective implementation of the open prison and the violation of prisoners' rights.

ISSUES BEFORE THE COURT

1. Whether the poor condition of prisons and the insufficient necessary facilities violate the dignity and fundamental rights of prisoners under Article 21 of the Constitution.
2. Does the ineffective implementation and failure in the expansion of the open prison system, including women prisoners, affect the reformatory approach of the criminal justice system?
3. Can an open prison fulfil the purpose of an effective mechanism for the rehabilitation and reintegration of prisoners into society?

JUDGMENT AND REASONING OF THE COURT

The Supreme Court, in its October 2024 and February 2026 give important directions regarding prisoners' rights. Court emphasis on free legal aid services and open correctional institutions. Multiple factors, including overcrowding, inadequate medical services, and the absence of rehabilitation, violate the fundamental rights of prisoners protected under Article 21 of the Constitution.

The Court recognise under articles 21 and 39-A⁶ that free legal aid is an important constitutional principle. They emphasise that implementation policy, rights and guidelines should not remain merely on paper, and therefore they are required to inform accused persons about their right to free legal aid.⁷ The court also directs NALSA to strengthen legal aid defence counsel and spread awareness regarding legal aid services.

The court highlighted the expansion of open prisons as it helps in reducing overcrowding issues and improving prison administration. Supreme direct all the states and union territories for the expansion of the open prison system. They were also directed to provide equal opportunities to women prisoners and remove restrictive conditions for them in the open prison system.

⁶ Constitution of India, arts 21, 39-A.

⁷ *Hussainara Khatoon (1) v State of Bihar* (1980) 1 SCC 81.

To form uniform guidelines and standards for open prisons across the country, the Supreme Court formed a High-Powered Committee headed by former Supreme Court Judge Justice S. Ravindra Bhat. Through a recent judgement, the Supreme Court re-established prisoners' and undertrial detainees' right to dignity, humanely condition, legal assistance and rehabilitation system during imprisonment.

CRITICAL ANALYSIS

The judgment in *Suhas Chakma v. Union of India* took the reform-oriented approach focused on improving prisoner conditions and established an effective rehabilitation system. Similar concerns relating to overcrowding, poor sanitation, and prison administration were earlier highlighted in *Rama Murthy v. State of Karnataka*,⁸ where the Supreme Court recognised the requirement for effective prison reforms and improvement of prison conditions.

The highlighted direction by the court is the expansion of open prisons and the creation of a high-powered committee to establish uniform guidelines. This is the practical step, as it helps to bring uniformity among states and promote a rehabilitation system instead of punishments only. However, the effectiveness of this reform depends upon the actual implementation of the policies by state cooperation. Since prison reforms fall under state control, the earlier reforms also lacked in the implementation part. Every state's condition and society are different; thus, imposing uniformity may ignore the actual needs of a particular place. The effectiveness and success of judgment can be analysed through implementation, which will be possible only through strong enforcement mechanisms.

Another major aspect is the court's direction towards women prisoners in open prisons. The Court directed states to remove the restrictive majors and ensure equal access for women prisoners. This is a progressive step, as women prisoners were ignored in such reforms. But practically, states can face difficulties in the implementation part due to factors like security concerns and limited facilities, which need consideration while implementing the reform. For successful enforcement, the government also need to invest in gender sensitive prison infrastructure and needs, otherwise the actual direction and purpose may remain merely on paper.

⁸ *Rama Murthy v State of Karnataka* (1997) 2 SCC 642.

The court also directed authorities to spread awareness about the free legal aid among prisoners. These are necessary steps as most of the prisoners belong from economic weaker sections and the uneducated one not even aware of their legal rights. The importance of legal aid and protection of undertrial prisoners was also recognised in *Hussainara Khatoon v State of Bihar*, where the Supreme Court emphasised that access to legal assistance is an essential part of Article 21. However, the awareness is not enough to actually help them; the actual access to services at ground level also needs monitoring. Therefore, when monitoring of enforcement improves, this direction may achieve its full purpose.

The key issue raised in this petition was regarding the actual implementation of reforms. India's prison reform history shows a gap between judicial decisions and ground realities. To address this gap, the court has created the Committee and issued structural guidelines, which is a positive institutional approach. There are reasons like lack of funds, administration delay, and weak enforcement mechanisms, which lead to ineffective implementation of reforms. The court has provided the guidelines and steps to avoid them, but the real effectiveness lies in the state execution authority.

This judgment also shows us the increasing role of the judiciary in policy formation. On one side, the intervention of the judiciary is necessary to protect fundamental rights when enforcement action is weak. On the other side, it indicates a lack of strong administrative actions. For long-term solutions, the legislative, executive and prison administration need coordination rather than continuous judicial interventions. Thus, the judgement is progressive as it promotes dignity, equality, legal rights of prisoners and a rehabilitation approach. However, its true impact will depend upon implementation and actual administrative practice of these judicial reforms.

RECOMMENDATIONS AND WAY FORWARD

This judgement shows that reforms cannot succeed just by court order, it needs proper laws, policies and action by the government.

First, the Model Prisons and Correctional Services Act, 2023⁹ should be considered by states in a fixed timeline to ensure minimum standards for prison reform are maintained across the country, while still maintaining the flexibility according to local needs.

⁹ Model Prisons and Correctional Services Act 2023.

Secondly, the eligibility guidelines proposed by states should undergo regular review and proper implementation in order to create a fair environment for open prisons.

To improve the infrastructure, sufficient funding is required. Without proper financial support, the healthcare and infrastructure reforms cannot be implemented. Independent prison bodies are needed at the state level to publish regular reports regarding prison conditions. International standards such as the OPCAT¹⁰ framework may be used as guidance while developing such mechanisms.

Hence, prison reforms need a balanced approach of financial, administrative, legal and continuous monitoring support.

CONCLUSION

This judgment is a crucial step in the area of prisoners' rights reforms. It tries to shift the approach from punitive to reformatory. Its emphasis on humane condition and the constitutional rights of prisoners. The gap between judicial reforms and actual implementation is exposed, and measures taken to avoid that gap. However, along with infrastructural reforms, there is equally need for psychological counselling and mental health support within prisons to achieve the rehabilitation goal. This helps in reducing violence in prison and supports the reformatory approach of punishment. Overall judgement is a progressive step to recognise the dignity and humane condition of prisoners. However, long-term goals can be achieved only through continuous monitoring and proper enforcement policies.

¹⁰ Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 2006