

TRHC010020552025



**HIGH COURT OF TRIPURA
AGARTALA**

Suo Moto WP(C) No.01 of 2026

Court on its own motion

V E R S U S

The State of Tripura

.....Respondent(s).

For Court on its own motion: XXXX

For Respondent(s) : Mr. S M Chakraborti, Advocate General,
Mrs. Pinki Chakraborty, Advocate.

**HON'BLE THE CHIEF JUSTICE MR. M.S. RAMACHANDRA RAO
HON'BLE MR. JUSTICE BISWAJIT PALIT**

Order

26.08.2026

We have perused the minutes of the meeting held on 22.06.2026
by the State Level Monitoring Committee.

The minutes of the said meeting indicates that the following was
proposed in the said meeting:-

*“2. After a thorough and thoughtful deliberation, the Committee
comes to following observations / resolutions:-*

*(i) It is resolved to undertake a detailed study of OCI in those
States, where it is already functioning. In this regard, States like
Telangana, Rajasthan, etc. are worth mentioning.*

*(ii) The Committee is of unanimous opinion that there is
necessity to ensure special precautionary measures while
establishing OCI in the State of Tripura, considering its special
geographical location, sharing of International boundary with
Bangladesh, easy access to international corridors, etc.*

TRHC010020552025



(iii) It is informed by the Additional Secretary, Home Department that the government is already in active consideration for the establishment of OCI in the State of Tripura.

(iv) It is further informed that the State Government has to make provision for huge expenses, which are likely to be incurred in establishment of OCI from its available limited resources and therefore, government would be considering the establishment of OCI in a phased manner in the light of the direction issued by the Hon'ble Supreme Court of India.

(v) The committee is well aware and conscious that the High Power Committee has been mandated by the Hon'ble Supreme Court of India to formulate Common Minimum Standards, various guidelines, etc. and upon completion of necessary assessment by the High Power Committee, as laid down in the Judgment, each State and Union Territory has to prepare separate, time-bound action plan in accordance with the directions in the Judgment.

(vi) It is therefore, decided to proceed with the matters requiring guidelines/clarifications from the High Power Committee only after receiving of suitable instructions therefrom.

(vii) It is however, decided that the matters requiring immediate compliance shall be done with priority and further, the Home Department along with the I.G. Prisons, shall initiate the preparatory work, like collection of complete data and

TRHC010020552025



information of the existing prisons in the State, for future course of action. The meeting ended with thanks to the Chair.”
(emphasis supplied)

It appears that though the copy of the judgment of the Supreme Court in ***Suhas Chakma vs. Union of India and others***¹ was communicated by the Supreme Court itself to all the State Governments through the Chief Secretaries and also the Director General/ Inspector General of Prisons of all States, and would have reached the State of Tripura and its Director General/ Inspector General of Prisons also, the State Government appears to have not noticed that the Supreme Court in its judgment at para E., page 127 has directed the following:-

“E. Expansion of Open Correctional Infrastructure

(i) All States and Union Territories shall, in addition to optimally utilising existing OCIs, take proactive and time-bound steps to expand open correctional infrastructure by (a) establishing new OCIs, and (b) creating open and semi-open barracks within existing closed prisons, wherever feasible.

(ii) Each State and Union Territory through its Prisons and Correctional Services Department shall undertake a comprehensive assessment of its prison infrastructure within a period of **three months** from the date of this judgment to:-

a. identify locations suitable for the establishment of new OCIs;
and

¹ WP(C) No.1082/2020 dt.26.02.2026

TRHC010020552025



b. identify closed prisons where open or semi-open barracks can be created without compromising safety or security.

(iii) Upon completion of the aforesaid assessment, each State and Union Territory shall prepare separate, time-bound action plans clearly indicating timelines, budgetary provisions and capacity targets for:-

a. the establishment of new OCIs and/or expansion of existing OCIs; and

b. the creation and operationalization of open and semi-open barracks within closed prisons.

*(iv) The action plans prepared in this regard shall clearly indicate timelines, budgetary provisions and capacity targets, and shall be placed before the Monitoring Committee constituted in each State and Union Territory under **Direction F**, within a period of **three months** from the date of this judgment, which in turn shall ensure faithful, effective and timely implementation of the said action plans.*”(emphasis supplied)

As per this direction, the comprehensive assessment of the prison infrastructure in the State of Tripura was to be done within a period of 3 (three) months from the date of the judgment i.e. within 3 months from 26.2.2026 i.e., by 26.05.2026, and the State was supposed to identify locations suitable for the establishment of new Open Correctional Infrastructure (OCIs) and also identify closed prisons where open or semi-open barracks can be created without compromising safety or security.

TRHC010020552025



It was also directed that the State would prepare separate time-bound action plans clearly indicating timelines, budgetary provisions and capacity targets for establishment of new OCIs and expansion of existing OCIs and the creation and operationalization of semi-open barracks within closed prisons. These plans were also to be placed before the State Level Monitoring Committee in the State of Tripura within 3 months from the date of the judgment of the Supreme Court.

Unfortunately, the State Government has not done any assessment of the type directed by the Supreme Court or made any action plan within the time frame indicated by the Supreme Court i.e., by 26.5.2026 , and has instead proposed a study of Open Correctional Infrastructure in other States in the State Level Monitoring Committee.

This is unfortunate. The necessary speed and urgency with which the matter requires to be considered seems lacking. Such a laid back attitude is not warranted.

It is not open to the State Government to now commence the making of a study of Open Correctional Infrastructure (OCIs) in other States as that will delay the implementation of the Supreme Court directions unduly. Such information can also be sought from the other States online and considered, if found necessary.

TRHC010020552025



The respondents shall, therefore, ensure the compliance of para (E) of the judgment of the Supreme Court in ***Suhas Chakma*** (1 supra) on or before **25th September, 2026**.

List the matter on **28.09.2026**.

(BISWAJIT PALIT, J) (M.S. RAMACHANDRA RAO, CJ)



Manti D'Barma