

GAHC010248322025



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**THE GAUHATI HIGH COURT**  
**(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)**

**Case No. : PIL/58/2025**

1.STUDIO NILIMA- COLLABORATIVE NETWORK FOR RESEARCH AND CAPACITY BUILDING AND ANR  
A REGISTERED SOCIETY UNDER SOCIETIES REGISTRATION ACT, 1960  
BEING A NON-PROFIT ORGANIZATION WITH ITS REGISTERED OFFICE AT  
1A, DAMAYANTI MANSION, DIGHALIPUKHURI EAST, GUWAHATI, ASSAM-  
781001, REPRESENTED BY ITS CO-FOUNDER AND DIRECTOR, MS.  
ABANTEE DUTTA, DAUGHTER OF LATE SHRI NILAYANANDA DUTTA,  
RESIDENT OF 3 C, DAMAYANTI MANSION, DIGHALIPUKHURI EAST,  
GUWAHATI, ASSAM-781001

2: MS ABANTEE DUTTA  
CO-FOUNDER AND DIRECTOR  
DAUGHTER OF LATE SHRI NILAYANANDA DUTTA  
RESIDENT OF 3 C DAMAYANTI MANSION  
DIGHALIPUKHURI EAST GUWAHATI ASSAM-78100

VERSUS

1.THE STATE OF ASSAM AND 5 ORS.  
REPRESENTED BY THE CHIEF SECRETARY, GOVERNMENT OF ASSAM,  
ASSAM SECRETARIAT, DISPUR, GUWAHATI, ASSAM- 781006.

2:THE PRINCIPAL SECRETARY TO THE GOVERNMENT OF ASSAM  
HOME AND POLITICAL DEPARTMENT  
ASSAM SECRETARIAT DISPUR GUWAHATI ASSAM- 781006

3:THE SECRETARY TO THE GOVERNMENT OF ASSAM  
HOME (B) DEPARTMENT ASSAM SECRETARIAT  
DISPUR GUWAHATI ASSAM- 781006.

4:THE INSPECTOR GENERAL OF PRISONS ASSAM  
ASSAM PRISON HEADQUARTERS KHANAPARA GUWAHATI  
ASSAM- 781022.

5:THE ASSAM STATE LEGAL SERVICES AUTHORITY  
REPRESENTED BY ITS MEMBER SECRETARY  
GAUHATI HIGH COURT GUWAHATI ASSAM - 781001.

6:THE MINISTRY OF HOME AFFAIRS  
GOVERNMENT OF INDIA REPRESENTED BY THE SECRETARY TO THE  
GOVT. OF INDIA MINISTRY OF HOME AFFAIRS  
NORTH BLOCK NEW DELHI- 11000

For the Petitioner(s) : Mr. A. Atreya, Advocate.  
For the Respondent(s) : Ms. S. Sarma, Government Advocate, Assam for  
respondent Nos.1 to 4.  
: Ms. P. Chakraborty, Advocate for Assam State Legal  
Services Authority/respondent No.5.  
: Ms. J. Samah, Central Government Counsel.

**- B E F O R E -**

**HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR**

**HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY**

**26.11.2025**

*(Ashutosh Kumar, CJ)*

This is a Public Interest Litigation (PIL) filed by an NGO working on prison reforms since 2017.

The petition highlights that hundreds of poor prisoners and under-trials in Assam remain in jail even after the Courts have granted them bail only for the reason that they cannot afford to pay the surety amount or furnish solvent surety.

The grievance of the petitioners is that despite a fully-funded Central Government Scheme and repeated and binding directions of the Supreme Court, the Scheme, namely, "Support to Poor Prisoners" has not been implemented properly. As a result, the poor jail inmates

continue to lose their liberty for months and even years after being granted bail.

The petitioners demand a direction from us to make the Scheme functional in every district of Assam and ensure that regular meetings of the Committees are held; and the Central funds are released to the eligible prisoners so that they come out of the jail, regain their liberty and the directions of the Supreme Court are complied with.

Ms. P. Chakraborty, learned Advocate, who appears for the Assam State Legal Services Authority seeks some time to file the response affidavit indicating in detail as to the bottlenecks in the proper implementation of the Scheme and the measures taken by the Legal Services Authority for removing those obstacles.

Let such affidavit be filed positively by the next date.

Re-notify on **04.02.2026**.

**JUDGE**

**CHIEF JUSTICE**

**Comparing Assistant**