

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(PIL) No. 2273 of 2026

Court on its own Motion

Versus

The State of Jharkhand Respondent

CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE RAJESH SHANKAR

For the State: Mr. Piyush Chitresh, A.C. to A.G.

02/Dated: 13.04.2026

1. Mr. Piyush Chitresh learned A.C. to A.G., at our request, appears on behalf of the State.
2. This is a *suo motu* writ petition, in the nature of a continuing mandamus, in accordance with the judgment and order dated 26.02.2026, issued by the Hon'ble Supreme Court in Writ Petition (C) No. 1082 of 2020.
3. The operative portion of the above judgment and order, as contained under the caption of "Compliance and Monitoring", is transcribed below for the convenience of reference:-

"F. Compliance and Monitoring

*It is evident that the directions issued by this Court vide order dated 8th May, 2018 in **In Re: Inhuman Conditions in 1382 Prisons** have not, thus far, yielded any meaningful or positive results. In order to ensure that the present judgment does not suffer the same fate, it is imperative to exhort the High Courts to assume an active role in overseeing and ensuring effective implementation of the directions issued herein. With the aforesaid objective in view, we proceed to issue the following directions: -*

- (i) *For ongoing compliance and monitoring, all the High Courts are directed to register a suo motu writ petition, as a continuing mandamus, for the purpose of monitoring compliance with the present judgment within their respective jurisdictions, particularly with respect to the establishment, functioning and expansion of OCIs.*
- (ii) *To facilitate effective implementation at the executive level, every State and Union Territory shall constitute a Monitoring Committee for the Management of OCIs, to be headed by the Executive Chairman of the State Legal Services Authority or his nominee (including a former Judge of the High Court), with the following Members:-*
 - a. Home Secretary of the State/Union Territory (or his nominee not below the rank of Additional Secretary); and*
 - b. A senior officer of the Prisons Department not below the rank of Deputy Inspector General, to be nominated by the Home Department of the State or Union Territory.*
- (iii) *Where the Chairperson of the Monitoring Committee is a nominee of the Executive Chairman of the State Legal Services Authority, such nominee shall be entitled to appropriate remuneration and logistical support, as may be determined by the Executive Chairman, State*

Legal Services Authority in consultation with the State Government.

(iv) The State Monitoring Committees shall be responsible for :-

a. Ensuring compliance with the directions issued by this Court;

b. Overseeing the utilization, functioning and expansion of OCIs;

c. Facilitating the time identification and transfer of eligible prisoners from closed prisons to OCIs; and

d. Periodically reviewing progress and addressing systemic impediments in the implementation of the directions issued by this Court.

*(v) Each State and Union Territory shall constitute the aforesaid Committee within a period of **four weeks** from the date of this judgment.*

*(vi) The State Committees shall submit status reports to the concerned High Court on regular **quarterly intervals**, detailing the steps taken towards compliance with the directions issued herein, the utilization and expansion of OCIs, and any difficulties encountered in implementation of the directions issued by this Court. The first such status report shall be placed on record before the concerned High Court **on or before 21st August, 2026.***

*(vii) The High Courts, through their respective Registrar General, shall compile and forward consolidated report to this Court **once every year**, summarizing the compliance status of States and Union Territories, progress achieved, best practices identified, and persistent gaps requiring policy or executive intervention. The first such consolidated annual report shall be placed on record before this Court **on or before 31st March, 2027**.*

This multi-tiered monitoring mechanism ensures institutional accountability, continuous judicial oversight, and effective translation of constitutional directives into operational outcomes, thereby preventing stagnation in implementation and reinforcing the transformative objectives of this judgment.”

4. Further, in terms of above referred judgment and order, and to facilitate effective implementation at the executive level, we direct the State of Jharkhand to constitute a Monitoring Committee for management of Operational Correctional Institutes (OCIs) to be headed by the Executive Chairperson of the State Legal Services Authority or his nominee (including a former Judge of the High Court), with the following members:-
 - a. Home Secretary of the State (or his nominee not below the rank of Additional Secretary); and
 - b. A senior officer of the Prisons Department not below the rank of Deputy Inspector General, to be nominated by the Home Department of the State.

5. As indicated above, the Monitoring Committee for the management of OCIs must be constituted within four weeks from today.
6. Before this date, the State, through its Home Secretary, must file a compliance report, *inter alia*, reporting compliance with the constitution of the Monitoring Committee, *indicating* the status of OCIs in the State of Jharkhand, and furnishing all details regarding their management and functioning to date. The affidavit must also indicate the feasibility of having more than one OCI in Jharkhand.
7. We post this petition for further consideration on 11.06.2026 at 2:15 p.m.
8. The registry is to immediately furnish the relevant case papers to Mr. Piyush Chitresh, learned A.C. to A.G.

(M. S. Sonak, C.J.)

(Rajesh Shankar, J.)

April 13, 2026

Manoj/Sharda/Cp.1