

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. Vibhor Mayank, A.C. to A.G.

Dated: 29.07.2026

1. Mr. Vibhor Mayank, learned A.C. to A.G., appears on behalf of the State.
2. The learned Advocate General, through Mr Mayank, welcomed this Court taking up this matter *suo-motu*. He conveyed that all steps are being taken and would be taken in future towards establishing and operating OCIs in the State of Jharkhand.
3. Mr Mayank submitted that in compliance with the order dated 02.07.2026 passed by this Court, the Chief Secretary has filed a comprehensive affidavit. The affidavit details the constitution of the monitoring committee. It also reports the status of OCIs in the State of Jharkhand, along with details of their management and functioning to date.
4. The key points of the affidavit are summarised below for the convenience of reference:

**POINT 1 – Constitution of State Monitoring Committee
[Direction F (ii) and F (v)]**

- The State has formally constituted a State Monitoring Committee for the Management of Reforms and Governance of Open Correctional Institutions, dated

24.06.2026, issued by the Department of Home, Prison and Disaster Management, Government of Jharkhand.

- The Monitoring Committee shall, in terms of Direction F(iv), be responsible for: (A) ensuring compliance with Supreme Court directions; (B) overseeing utilisation, functioning and expansion of OCIs; (C) facilitating timely identification and transfer of eligible prisoners; and (d) Periodically reviewing the progress of OCIs.

POINT 2 – Nomination to the Supreme Court’s High - Powered Committee [Direction D]

- Ms. Vandana Dadel, IAS, Additional Chief Secretary, Department of Home. Prison and Disaster Management, Government of Jharkhand, has been nominated as the State's representative on the High-Powered Committee for Reform and Governance of OCIs, constituted under the Chairmanship of Hon'ble Justice S. Ravindra Bhat (Retd.), vide Memo No. 11/Court Case-65/2024(Part)-2720, Ranchi, dated 07.05.2026.
- Significantly, this nomination was affected on 07.05.2026 prior to this Hon'ble Court's order dated 13.04.2026 calling upon the State to take requisite steps demonstrating the State's proactive and voluntary engagement with the national reform initiative.

POINT 3 – Statutory and Regulatory Framework Already in Place

- **Jharkhand Prisons and Correctional Services Act, 2025, Section 70:** Provides express legislative authority for the establishment and operation of Open Jails (OCIs) in the State, thereby giving independent statutory force to the mandate of the Supreme Court.
- **Jharkhand Jail Manual, 2025, Chapter 92 Rules 1375 to 1392:** Provides a complete operational framework for

Open Jails, covering construction norms, inmate eligibility (outstanding conduct, sentence served, satisfactory police verification, not classified a societal risk), code of conduct, family accommodation, workshops, skills development and counselling, and disciplinary framework.

- Security arrangements for OCIs under Rule 1383 of the Jharkhand Jail Manual, 2025 include fencing, CCTV, armoury, and other necessary provisions. Inmates shall be permitted to reside with families and engage in employment/self-employment.
- The state has statutory and regulatory framework already in place in the form of the Jharkhand Prisons and Correctional Services Act, 2025, and the Jharkhand Jail Manual, 2025
- Security arrangements for OCIs under Rule 1383 of the Jharkhand Jail Manual, 2025, include fencing, CCTV, an armoury and other necessary provisions; they shall be permitted to reside with families and engage in employment.

POINT 4 : Identification of 32.77 Acres of Land and Feasibility Assessment for First OCT at Hazaribagh [Direction A(i) and Direction E]

- A plot of land measuring 32.77 acres adjacent to and parallel to the western perimeter wall of Lok Nayak Jai Prakash Narayan Central Jail, Hazaribagh, has been identified for construction of the State's first OCI, as reported by the Prison and Correctional Services Inspectorate, Jharkhand, in a joint inspection report through Letter No. 1550 dated 01.07.2026.
- **Sanctioned Capacity:** 100 convicted inmates; each inmate to be provided one cottage-type unit with toilet, kitchen, and basic amenities comparable to other Jharkhand prisons.

- **Estimated Annual Expenditure:** Rs. 1,84,97,952/- (for creation of sanctioned posts and operation of the OCI at Hazaribagh).
- The proposal was submitted by Inspector General, Prison and Correctional Services, Jharkhand Shri Sudarshan Prasad Mandal to the Additional Chief Secretary, Department of Home, Prison and Disaster Management, vide Letter No. 1550 dated 01.07.2026.

POINT 5 - Stop-Gap Arrangement: Open/Semi-Open Barracks in All Four Central Jails

- Pending operationalization of the standalone OCI at Hazaribagh, the Prison and Correctional Services Inspectorate, Jharkhand, has directed the Superintendents of all four Central Jails to submit proposals for construction of open/semi-open barracks.
- Proposals have been duly received from all four Central Jails.
- The Standard Operating Procedure for selection of inmates for open barracks and the applicable custodial and security regime is being developed under Chapter 92 of the Jharkhand Jail Manual, 2025, incorporating best practices from States such as Himachal Pradesh. The SOP specifies that: (i) family accommodation shall be denied in open barracks; (ii) contraband restrictions and search/surveillance shall be at parity with cloved prisons.
- All proposals received from the four Central Jails are under active processing by the Department of Home, Prison and Disaster Management, Government of Jharkhand.

POINT 6 - Dedicated Women's Prison with Open Barracks [Direction B]

- A proposal for the construction of an exclusive women's prison with a sanctioned capacity of 198 female inmates has been submitted to the Department of Home, Jail and Disaster Management, Government of Jharkhand, vide Letter No. 1374 dated 09.06.2026. Crucially, the proposal incorporates two dedicated barracks to be established as Open Barracks within the closed prison campus.
 - This directly and expressly responds to the Supreme Court's direction that women prisoners should not be excluded from the transformative benefit of open correctional facilities.
5. A perusal of the affidavit indicates substantial compliance by the Respondent State with the earlier orders passed by this Court. Be that as it may, we direct the Secretaries of DLSA, Hazaribagh, Dumka, Ranchi, and Jamshedpur to examine Point No. 5 during their monthly inspections and submit a status report on the stop-gap arrangements made by the Respondent State in the four central jails before the next date of hearing.
 6. The State Government is likewise directed to submit a status report on the progress of the proposals mentioned above before the next date of hearing.
 7. The Registry is directed to communicate this order forthwith to all concerned.
 8. List this matter on 10.09.2026.

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

(Rajesh Shankar, J.)