

2025 LiveLaw (SC) 1176

**IN THE SUPREME COURT OF INDIA
VIKRAM NATH; J., SANDEEP MEHTA; J.**

Writ Petition(s)(Civil) No(s). 182/2025; 02-12-2025

SATHYAN NARAVOOR *versus* UNION OF INDIA & ORS.

Constitution of India – Article 32 – Public Interest Litigation – Rights of Prisoners – Persons with Disabilities (PwD)– Rights of Persons with Disabilities Act, 2016 – Extension of Guideline - Petition seeking legal framework and facilities for PwD inmates (undertrials or convicts) in prisons across India - Petitioner alleged deficient prison manuals regarding accessible infrastructure (ramps), mobility, and healthcare, violating the Rights of Persons with Disabilities Act, 2016 - Supreme Court observed that most issues were addressed in the precedent of *L. Muruganantham v. State of Tamil Nadu and Others* - Supreme Court directed that the 15 specific directions issued in *L. Muruganantham* (including prompt identification of PwD at admission, accessible infrastructure, universal accessibility audits, and healthcare equivalent to the community) shall now be extended to all States and Union Territories *mutatis mutandis*. [Relied on *L. Muruganantham v. State of Tamil Nadu and Others*, 2025 SCC OnLine SC 1444; Paras 6-8]

Additional Directions for PwD Inmates – Held in addition to the *L. Muruganantham* guidelines, the Court issued further directions - i. Grievance Redressal: States and UTs must establish an independent and accessible mechanism for complaints regarding neglect or abuse; ii. Inclusive Education: Facilities must be created to ensure PwD inmates have meaningful access to education without discrimination; iii. Penalties for Contravention: Section 89 of the RPwD Act (imposing fines for contravention) shall apply to prison establishments nationwide; iv. Assistive Devices: States must report on structured mechanisms for providing and maintaining mobility aids and support equipment while balancing security concerns; v. Enhanced Visitation: Inmates with benchmark disabilities are entitled to enhanced visitation rights to ensure family support and emotional well-being - Held that all States and Union Territories directed to file a comprehensive compliance report within four months. [Paras 10, 11]

For Petitioner(s): Mr. Kaleeswaram Raj, Adv. Mr. Mohammed Sadique T.a., AOR Ms. Thulasi K Raj, Adv. Ms. Aparna Menon, Adv. Ms. Chinnu Maria Antony, Adv.

For Respondent(s): Mrs. Aishwarya Bhati, A.S.G. Ruchi Kohli, Adv. Chitrangda Rashtravara, Adv. Alankar Gupta, Adv. Shashwat Parihar, Adv. Dr. N. Visakamurthy, AOR Mr. C. K. Sasi, AOR Dr. Kk Geetha, Adv. Ms. Meena K Poulouse, Adv. Mr. Naveen Sharma, AOR Mrs. Swati Bhushan Sharma, Adv. Mr. S.k. Sharma, Adv. Mr. Sanatan Ghosh, Adv. Ms. Payal Gola, Adv. Ms. Ankita Sharma, AOR Mr. Arjun D. Singh, Adv. Ms. Ishika Neogi, Adv. Ms. Disha Singh, AOR Ms. Eliza Bar, Adv. Ms. Deepanwita Priyanka, AOR Mr. Shishir Kumar Jha, Adv. Mr. Ninad Laud, Adv. Mr. Guruprasad Naik, Adv. Mr. Dcosta Ivo Manuel Simon, AOR Mr. D K Thakur, Adv. Mr. Rajeev Kumar Gupta, Adv. Mr. Tavleen Singh, Adv. Ms. Vallabhi Shukla, Adv. Mr. Bimlesh Kumar Singh, AOR Mr. Narendra Kumar, Adv. Ms. Shattika Halder, Adv. Mr. Aaditya A Pande, AOR Mr. Siddharth Dharmadhikari, Adv. Mr. Shirang B. Varma, Adv. Mr. Bharat Bagla, Adv. Mr. Sourav Singh, Adv. Mr. Aditya Krishna, Adv. Mr. Adarsh Dubey, Adv. Ms. Chitransha S. Sikarwar, Adv. Mr. Avijit Mani Tripathi, AOR Mr. T.k. Nayak, Adv. Mr. Vikas Bansal, Adv. Mr. Ramendra Mohan Patnaik, AOR Mr. Shovan Mishra, AOR Ms. Bipasa Tripathy, Adv. Mr. Shlok Luthra, Adv. Mr. Siddhant Sharma, AOR Mr. Vikram Choudhary, Adv. Mr. Padmesh Mishra, A.A.G. Mr. S. Udaya Kumar Sagar, AOR Mr. Sameer Abhyankar, AOR Mr. Krishna Rastogi, Adv. Mr. Aryan Srivastava, Adv. Ms. Tulika Mukherjee, AOR Mr. Dev Aaryan, Adv. Ms. Devina Sehgal, AOR Mr. Yatharth Kansal, Adv. Mr. Shuvodeep Roy, AOR Mr. Deepayan Dutta, Adv. Mr. Saurabh Tripathi, Adv. Mr. Kunal Mimani, AOR Mr. Parag Chaturvedi, Adv. Mr. Bhuvan Kapoor, Adv. Mr. Varun Chugh, Adv. Indira Bhakar, Adv. Mr. Krishna Kant Dubey, Adv. Mr. Shashwat Parihar, Adv. Mr. Mukesh Kr. Verma, Adv. Mr. Santosh Ramdurg, Adv. Mr. Shreekanth N. Terdal, AOR

ORDER

Mehta, J.

1. Heard.

2. The instant petition under Article 32 of the Constitution of India, in the nature of public interest litigation, has been filed by the petitioner seeking exhaustive directions for providing appropriate legal framework and facilities to persons with disabilities¹ who are undergoing incarceration in the prisons either as undertrials or convicts.

3. The petitioner has raised specific grievances that the prison system all over the country is not extending to the PwD inmates the requisite facilities mandated for addressing their specific needs. Instead, these prisoners are being housed under the same conditions as non-PwD inmates, thereby subjecting them to identical treatment in total disregard to their specialized requirements. The petitioner claims that the prevailing prison manuals of most of the States across the country are deficient in incorporating mandatory provisions relating to ramps, accessible infrastructure, and other essential accommodations for PwD, which is in direct contravention of the statutory mandate of Rights of Persons with Disabilities Act, 2016². This omission causes issues of basic mobility healthcare and numerous other issues to such prisoners within prison premises, thereby violating the mandate of RPwD Act.

4. The States and the Union Territories have been impleaded as party respondents in the writ petition. Notice of the petition was issued to the respondents. Response to the notice has been filed by the Union of India through Department of Empowerment of persons with Disabilities³ and by the States of Goa, Punjab and Haryana and Union Territory of Daman and Diu and Dadra and Nagar Haveli.

5. We have heard and considered the submissions advanced by Mr. Kaleeswaram Raj, learned counsel representing the petitioner and Ms. Aishwarya Bhati, learned ASG representing the Union of India and the respective counsel representing the States and Union Territories.

6. Majority of the issues agitated in this petition have already been addressed by this Court with exhaustive directions given and framework established in *L. Muruganantham v. State of Tamil Nadu and Others*⁴, wherein this Court took note of the precise issue as to whether appropriate facilities were being made available to prisoners with disabilities during their incarceration in prisons situated within the State of Tamil Nadu, and accordingly issued the following directions to the authorities for immediate and time-bound compliance:-

“35. In light of the foregoing findings and in furtherance of Articles 14 and 21 of the Constitution of India, the RPwD Act, 2016, and India's international obligations under the UNCRPD, the following directions are issued for immediate and time-bound compliance:

(1) All prison authorities shall promptly identify prisoners with disabilities at the time of admission. Each prisoner shall be given an opportunity to declare any disability and provide information about their specific needs.

¹ For Short 'PwD'.

² For short 'RPwD Act'.

³ For short 'DEPwD'.

⁴ 2025 SCC OnLine SC 1444

- (1.1) All rules, regulations, and essential information about prison life shall be provided to such prisoners in accessible and understandable formats (e.g., Braille, large print, sign language, or simplified language).
- (2) All prison premises shall be equipped with wheelchair-friendly spaces, accessible toilets, ramps, and sensory-safe environments to ensure universal accessibility.
- (3) All prisons shall designate and maintain dedicated spaces for physiotherapy, psychotherapy and other necessary therapeutic services.
- (4) A State-level access audit of all prisons in Tamil Nadu shall be completed within six months by an expert committee comprising officials from the Social Welfare Department, the Department for the Welfare of Differently Abled Persons, and certified access auditors.
- (4.1) Periodic audits shall thereafter be conducted and updated regularly in accordance with the Harmonized Guidelines and Standards for Universal Accessibility in India (2021).
- (5) The prison authorities shall ensure complete compliance with Sections 40 and 45 of the RPwD Act, 2016, Rule 15 of the 2017 Rules and the Harmonized Guidelines, 2021 in all prison infrastructure and services.
- (6) The State shall provide healthcare for prisoners with disabilities equivalent to that available in the community, including access to physiotherapy, speech therapy, psychiatric services, and assistive devices (such as wheelchairs, hearing aids, and crutches).
- (7) All prison medical officers shall be adequately trained and sensitized to address disabling conditions, ensuring provision of appropriate accommodations and treatment without discrimination or bias. Furthermore, regular awareness and sensitization programmes shall be conducted in all prisons.
- (8) Every prisoner with a disability shall be provided a nutritious and medically appropriate diet, tailored to their specific health and dietary needs.
- (9) Lifesaving treatments, including regular and need-based physiotherapy and psychotherapy must be made available onsite or through linkage with government health facilities.
- (10) All prison staff shall undergo comprehensive training on the rights of persons with disabilities. This training shall include:
- awareness of equality and non-discrimination principles
 - proper handling of disability-related challenges
 - use of appropriate language and behaviour, as per the UN Handbook on Prisoners with Special Needs.
- (11) The State Prison Manual shall be reviewed and appropriately amended within six months to ensure conformity with the RPwD Act, 2016 and the UNCRPD.
- (11.1) A specific section must be incorporated to prohibit discrimination against prisoners with disabilities and promote equal treatment and reasonable accommodation.
- (11.2) The revised Manual shall be prominently displayed in every prison establishment.
- (12) The State shall undertake periodic consultations with civil society organisations working in the disability sector to develop inclusive policies and identify accommodations based on real needs.
- (13) The State shall constitute a monitoring committee to conduct periodic inspections and submit compliance reports every three months.

(14) The State shall maintain and update disaggregated data on the disability status of prisoners, including records on accessibility, reasonable accommodations, and medical requirements.

(14.1) This is to ensure compliance with Article 31 of the UNCRPD and the RPwD Act, 2016.

(14.2) The data shall be made available in the public domain, subject to privacy safeguards.

(15) The Director General of Prisons shall file a comprehensive compliance report before the State Human Rights Commission within three months from the date of this judgment, detailing all steps taken in furtherance of these directions.”

7. We, *prima facie*, feel that the issues raised by the petitioner in this writ petition have been ventilated by the salutary directions extracted above.

8. However, Mr. Kaleeswaram Raj, learned counsel appearing for the petitioner, has placed written submissions highlighting some additional issues being faced by prisoners with disabilities and seeking following directions to ensure compliance, along with the directions already given in *L. Muruganantham (supra)*: -

(1) The directions and guidelines laid down in the judgment of *L. Muruganantham (supra)* should be made applicable to all the States and Union Territories alike;

(2) An adequate complaint redressal mechanism does not exist for prisoners with disabilities, making them vulnerable to systemic neglect and abuse;

(3) An opportunity to seek inclusive education should be provided to prisoners with disabilities;

(4) Section 89 of the RPwD Act, which reads as below, should be made applicable *mutatis mutandis* to prisoners, and that appropriate steps be undertaken to ensure widespread awareness of this provision so as to adequately sensitise and educate all stakeholders: -

“89. Punishment for contravention of provisions of Act or rules or regulations made thereunder.— Any person who contravenes any of the provisions of this Act, or of any rule made thereunder shall for first contravention be punishable with fine which may extend to ten thousand rupees and for any subsequent contravention with fine which shall not be less than fifty thousand rupees but which may extend to five lakh rupees.”

(5) There should be a mechanism to provide assistive aids necessary for daily activities of the prisoners with disabilities;

(6) Enhanced visitation rights should be provided to PwD inmates so that their needs are properly addressed.

9. We have considered the above submissions advanced by Mr. Kaleeswaram Raj, learned counsel representing the petitioner. Learned counsel for the Union of India and respective States do not object to the inclusion of more directions in addition to those already given in *L. Muruganantham (supra)*.

10. In view of the aforesaid discussion, we hereby direct that, in addition to the salutary directions set out in *L. Muruganantham (supra)*, the following directions shall also be read in conjunction with the mandate of the said judgment: -

A. The directions issued by this Court in *L. Muruganantham (supra)* shall be extended to all the States and the Union Territories, to ensure that the principles are adopted *mutatis mutandis* within their prison systems as well.

B. Every State and Union Territories shall establish a robust, independent and accessible grievance redressal mechanism specifically designed for prisoners with disabilities. The said mechanism shall ensure prompt registration, effective monitoring and timely resolution of complaints, so as to safeguard inmates from systemic neglect, abuse and discriminatory practices.

C. Appropriate facilities shall be created to ensure that prisoners with disabilities have meaningful access to inclusive education within the prison system. No inmate shall be deprived of the opportunity to pursue educational programmes solely on account of disability, and suitable adjustments shall be made to facilitate their effective participation.

D. Section 89 of the RPwd Act shall *mutatis mutandis* be made applicable to prison establishments across the country. All prison authorities shall take adequate steps to disseminate awareness of the obligations flowing from the said provision to all officers, staff, legal-aid personnel, and other stakeholders.

E. Learned counsel appearing for the petitioner has sought directions for the provision of appropriate assistive devices, mobility aids, and other support equipment to prisoners with disabilities. However, considering the crucial issue relating to prison security and the practical modalities of implementation, we, for the present, deem it appropriate to call upon all States and Union Territories to indicate in its compliance report the structured institutional mechanism proposed to ensure the regular availability, maintenance, and secure provision of assistive devices, mobility aids, and other disability-support equipment for prisoners with disabilities. The affidavit shall clearly outline the procedures, infrastructure, procurement systems, supervision protocols, and security measures by which such assistive aids will be made accessible to inmates, enabling them to carry out their daily activities with dignity without compromising institutional safety.

F. Prisoners with benchmark disabilities shall be entitled to enhanced visitation provisions, in order to ensure sustained family support, emotional well-being, and continuous monitoring of their special needs. The specific modalities for such visitation shall be framed by the concerned departmental head of each State and Union Territory so as to balance security considerations with the imperative of accessibility and humane treatment.

11. All States and Union Territories are hereby directed to place on record a comprehensive compliance report before this Court within four months from today, indicating the measures undertaken for effectuating the directions issued in *L. Muruganantham (supra)* as well as those mandated herein. The report shall clearly set out the steps adopted, the progress achieved, and the modalities evolved for ensuring faithful implementation of the aforesaid directions in the prisons located within their jurisdictions.

12. List on 7th April, 2026 for receiving of the compliance report of the States and Union Territories.