

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V
&
THE HONOURABLE MR. JUSTICE K. V. JAYAKUMAR
Friday, the 13th day of February 2026 / 24th Magha, 1947
WP(CRL.) NO. 867 OF 2024(S)

SUO MOTU

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY TO GOVERNMENT, THIRUVANANTHAPURAM, PIN - 695 001.
2. THE ADDITIONAL CHIEF SECRETARY, HOME(C) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN - 695 001.
3. THE STATE POLICE CHIEF, STATE POLICE HEAD QUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM, PIN - 695 010.
4. THE DIRECTOR GENERAL OF PRISONS, PRISONS HEAD QUARTERS, POOJAPPURA, THIRUVANANTHAPURAM, PIN - 695 012.
5. THE MEMBER SECRETARY, NATIONAL LEGAL SERVICES AUTHORITY, B BLOCK, GROUND FLOOR, ADDITIONAL BUILDING COMPLEX, SUPREME COURT OF INDIA, NEW DELHI, PIN - 110 001.
6. THE MEMBER SECRETARY, KERALA LEGAL SERVICES AUTHORITY, NIYAMA SAHAYA BHAVAN, HIGH COURT COMPOUND, ERNAKULAM, PIN - 682 031.
ADDITIONAL R7 IMPEADED
7. THE NIC, KERALA STATE CENTRE, CDAC BUILDING, VELLAYAMBALAM, THIRUVANANTHAPURAM - 695033, REPRESENTED BY ITS STATE INFORMATION OFFICER.
ADDL.R7 IS SUO MOTU IMPEADED AS PER ORDER DATED 04/09/2024 IN WP(CRL.) 867/2024.

ADDITIONAL R8 IMPEADED*

8. UNION OF INDIA,

REPRESENTED BY THE SECRETARY TO GOVERNMENT OF INDIA,

MINISTRY OF ELECTRONICS AND INFORMATION TECHNOLOGY,

ELECTRONICS NIKETAN, 6, CGO COMPLEX,

LODHI ROAD, NEW DELHI - 110003

*ADDL.R8 IS SUO MOTU IMPEADED AS PER ORDER DATED 30/09/2024 IN WP(CRL.) 867/2024.

P.T.O

This Suo motu writ petition coming again on for orders upon perusing the petition and the affidavit filed in support of WP(Crl.), this Court's order dated 18/12/2025 and upon hearing the arguments of SRI.T.A.SHAJI, DIRECTOR GENERAL OF PROSECUTION, SRI.P.NARAYANAN, ADDITIONAL PUBLIC PROSECUTOR & SRI.SAJJU.S, SENIOR PUBLIC PROSECUTOR for R1 to R4, SRI.LEO LUKOSE, Advocate for R5 & R6 and of SMT. O.M. SHALINA, DEPUTY SOLICITOR GENERAL OF INDIA, SRI.SUVIN R.MENON & SMT.S. KRISHNA, CENTRAL GOVERNMENT COUNSELS for Addl.R7 & Addl.R8, the court passed the following:

P.T.0



**RAJA VIJAYARAGHAVAN V.,
&
K.V. JAYAKUMAR, JJ.**

W.P.(Crl.) No. 867 of 2024

Dated this the 13th day of February, 2026

ORDER

Raja Vijayaraghavan V, J.

This Suo Motu Writ Petition proceedings was initiated pursuant to the orders passed by the Apex Court. The Apex Court noted that despite orders granting bail to the accused by the jurisdictional court, a considerable number of accused were languishing in prison on account of the inability to fulfil the conditions.

2. Thereafter, a series of orders were passed by this Court on various dates.

3. In the order dated 26.06.2025, it was submitted before this Court by the learned Deputy Solicitor General of India (DSGI), that coordinated efforts are presently underway between the National Informatics Center (NIC), the Prison Authorities, the IT team of the High Court of Kerala and the Police Department. This Court noted that the efforts are required to ensure that the e-prison dashboard functions in a streamlined, reliable and comprehensive manner, containing all data that is crucial for the effective monitoring and administration of prisons.

4. On 15.07.2025, pursuant to the directions issued by this Court, the learned counsel appearing for the Kerala State Legal Services Authority (KeLSA) logged into the portal using the credentials of the Member Secretary of the KeLSA. This Court noted to its dismay that the portal is virtually non-functional and no meaningful output was generated in response to any of the queries posed. This Court had highlighted the major deficiencies and thereafter directed the learned DSGI as well as the learned Government Pleader to carry out the interaction with the respective stakeholders and to remedy the situation.

5. Later, by order dated 26.09.2025, this Court has directed that a comprehensive brainstorming session be convened between the officers of the NIC, the IT Directorate, as well as Police and Prisons to identify and rectify not only the deficiencies recorded. The Central Project Coordinator (C.P.C.) of the Kerala High Court was also directed to submit a formal request for the sharing of data. This Court had also directed the NIC to take all necessary measures to provide access and to ensure that the e-Prison module functions seamlessly and that all requisite data is made accessible to the authorized officers of the KeLSA and the District Legal Services Authority (DLSA) for the effective implementation of the directions issued by the Hon'ble Supreme Court.

6. Thereafter, when the matter had come up for consideration on 06.10.2025, this Court had recorded the inputs of all the stakeholders and also reviewed the existing functioning of the e-Prison portal and directions were issued to furnish an action taken report in respect of the matters referred to in the said order.

7. Later, in the order dated 21.10.2025, we noted that the KeLSA had drafted a Standard Operating Procedure (SOP) which provides for a revised comprehensive framework incorporating procedural improvements, fixed timelines and accountability at every stage. The Court directed that the suggestions formulated by the KeLSA are required to be looked into earnestly by the Government. We had also directed the State Government to come out with a modified comprehensive SOP, incorporating all improvements and recommendations suggested by KeLSA, so that a uniform, efficient and time-bound implementation of the “Support to Poor Prisoners Scheme” can be ensured across the State. Thereafter, the matter came up before this Court on 20.11.2025 and on 18.12.2025. On this day, this Court had directed the KeLSA to look into the revised guidelines and SOP issued by the Government of India.

8. We have narrated the sequence of events above, in order to highlight the efforts taken by this Court as well as the stakeholders including KeLSA, NIC, the Prison Department, as well as the Police Department, to come out with a streamlined mechanism to implement the directions issued by the Apex Court.

9. Now the task cut out is (a) to reissue the SOP and (b) complete the e-prison modules with all functionalities. We shall deal with each of the items separately.

A. Reissuance of a comprehensive, integrated SOP incorporating the modifications and improvements proposed in the revised SOP dated 04.02.2026

i) We find that as per judgment dated 08.10.2025 of the Apex Court in M.A. No. 2035/2022 in S.L.P.(Crl.) No. 5191 of 2021, the Apex Court had directed the Union of India to issue modified SOP and guidelines for the implementation of the “Support to Poor Prisoners Scheme”, based on the direction of the said judgment. In compliance with the aforesaid directions, the Government of India has issued revised guidelines and SOP for the “Support to Poor Prisoners Scheme” on 02.12.2025 and directions were issued to all Chief Secretaries to adopt these provisions and initiate necessary actions for implementation in line with the revisions.

ii) On receipt of the communications from the Central Government, the Director (Prison Reforms), a decision has been taken by the State to revise the guidelines and standard operative procedure under the “Support to Poor Prisoners Scheme” in accordance with the instructions issued by the Government of India.

iii) The learned counsel appearing for KeLSA, Adv. Leo Lukose, pointed out that, in the meantime, KeLSA has issued a revised Standard Operating Procedure (SOP) dated 04.02.2026. According to the learned counsel, the revised SOP incorporates all the provisions contained in the guidelines issued by the Union of India and, in addition, introduces several advanced and progressive provisions that are more favourable to prisoners. It is submitted that this exercise was made possible on account of extensive deliberations and coordinated consultations held between KeLSA, the National Informatics Centre (NIC), the Kerala Prisons Department, and the IT Directorate of the High Court of Kerala.

iv) It is further submitted that the State has been able to integrate additional functionalities into the e-Prison module, drawing upon the availability of data from the District Court Management Systems, which is a feature unique to the State of Kerala, as well as from the Integrated Core Policing System (iCoPS), a modernised, indigenous application developed by the Kerala Police, which maintains an advanced criminal database and enables real-time monitoring through an analytics portal. It is stated that the e-Prison module has been developed in close collaboration with NIC and the State Police Department, and that the technological framework deployed enables seamless and efficient data exchange between KeLSA and the Prison Authorities. It is also pointed out that the SOP issued by the Union Government does not make any reference to the e-Prison module, which is already operational and functionally robust within the State of Kerala.

v) It is further submitted that, under the revised SOP issued by KeLSA, the measures to be undertaken by the State Level Oversight Committee, as well as the timelines within which such measures are to be implemented, have been clearly and specifically delineated. According to the learned counsel, such specificity is absent in the SOP issued by the Union Government. He also points out that, insofar as convicted prisoners are concerned, the provisions contained in the revised SOP framed by KeLSA are far more extensive and beneficial than those contained in the Union guidelines.

vi) The learned counsel further submitted that the revised SOP dated 04.02.2026 has been prepared pursuant to detailed stakeholder deliberations and in compliance with the directions issued by this Court in

its order dated 18.12.2025 in W.P.(Crl) No. 867 of 2024. The revised SOP, according to him, incorporates multiple additional safeguards and facilitative measures favourable to prisoners. It is in that backdrop that a request has been made to the State Government by KELSA to revoke G.O.(P) No. 37/2024/Home dated 02.04.2024 and to re-issue a comprehensive, integrated SOP incorporating the modifications and improvements proposed in the revised SOP dated 04.02.2026. The learned counsel has produced a copy of the same along with the additional affidavit filed by respondent No. 6, marked as Exhibit R6(C5).

vii) Having perused the revised SOP prepared by KeLSA, we are of the prima facie view that the same is far more comprehensive, progressive and beneficial in its application. The request made for revocation of G.O.(P) No.37 of 2024, therefore, requires earnest consideration at the hands of the State Government. From the communication dated 14.12.2025 issued by the Additional Chief Secretary to Government to the learned Advocate General, it is evident that the amended SOP is presently undergoing legal vetting at the departmental level to ensure procedural propriety, statutory conformity and to obviate any legal infirmities.

viii) We are therefore of the view that the said SOP deserves to be operationalised and given effect to at the earliest, at any rate within a period of one month from today.

B. Time frame and modalities to complete the e-prison modules with all functionalities

i) By our earlier orders, we had directed the **NIC, Kerala State Unit and Delhi Unit**, the Prison Department, KeLSA, DLSAs and the High Court IT team to ensure that the e-Prison portal is made fully operational with all mandated modules and data fields so as to safeguard the rights of the prisoners and to enable effective judicial and legal sides of oversight.

ii) Today, when the matter was taken up for consideration, the learned counsel appearing for the KeLSA highlighted various issues. We have carefully considered the same. We are of the view that, in order to ensure that the benefits of the e-Prison module are made available to all prisoners languishing in the jails across the State of Kerala, there has to be a coordinated and institutionalised effort between all stakeholders, including the Courts, the Prison Department, the National Informatics Centre (NIC), the Police Department and KeLSA.

iii) In that view of the matter, we deem it appropriate to issue the following directions so as to ensure time-bound completion and operationalisation of the entire e-Prison ecosystem.

a) Completion of Module

- i. The National Informatics Centre (NIC) shall ensure that all modules of the e-Prison Portal, including every field identified in earlier orders of this Court and in the course of stakeholder deliberations, are fully developed, integrated and made operational within a period of two weeks from 13.02.2026.
- ii. The NIC Kerala State Unit and the NIC Delhi Unit shall function in

close coordination and shall, on their own initiative, convene and conduct necessary technical and review meetings for completion of the modules. Such meetings shall be held with the participation of officials of KeLSA, officials of the Prison Department and members of the High Court IT Directorate, wherever their technical inputs are required.

- iii. The NIC shall also be at liberty to seek assistance from its panel advocates and from the learned Government Pleaders and Central Government Counsel appearing in this matter, for the smooth implementation of the directions issued by this Court.
- iv. The Prison Department shall extend full cooperation and technical assistance to the NIC during the aforesaid period. Senior prison officials, well-versed in the Kerala Prison Manual, allied statutory provisions and operational procedures, shall necessarily participate in the coordination meetings to ensure that all modules reflect ground-level realities and functional requirements.
- v. KeLSA shall likewise extend all necessary assistance and cooperation to the NIC and shall actively participate in all joint deliberations so as to ensure that the system adequately addresses legal services requirements and prisoners' rights dimensions.
- vi. The entire module-completion exercise shall be concluded within the aforesaid two-week period. The NIC shall thereafter file a detailed compliance report before this Court on or before 27.02.2026 and shall also demonstrate before this Court, on the said date, that all modules

are fully operational.

b) Training of Stakeholders

- i. We are further of the view that mere activation of modules will not suffice unless all stakeholders are adequately trained in the use and operation of the system. Accordingly, upon the modules becoming fully operational, the NIC Delhi Unit and NIC Kerala Unit, in coordination with the IT Directorate of the High Court of Kerala, shall conduct physical, in-person training programmes for designated data entry operators and responsible officers from all prisons in the State.
- ii. The NIC shall ensure that representatives from every jail in Kerala are present for such training. A jail-wise list of participants shall be prepared and placed before this Court.
- iii. Separate and structured training sessions shall also be conducted for KeLSA officials, Secretaries of the District Legal Services Authorities (DLSAs), and their concerned staff in respect of modules relevant to legal aid services and monitoring functions. Attendance of all concerned officials shall be ensured and a separate participation list shall be filed before this Court.
- iv. Noting that earlier training programmes were conducted in online mode and were found to be ineffective on account of lack of clarity and articulation, we direct that the present training shall be conducted by a competent technical team capable of clearly explaining module

functionalities and data-entry protocols. A trained member of the NIC Kerala Unit shall actively participate in, and if required lead, the training sessions. The NIC Kerala Unit shall provide full logistical and technical support to the NIC Delhi Unit for this purpose.

- v. A consolidated compliance report detailing the dates of training, lists of participants jail-wise and DLSA-wise, and particulars of absentees, if any, shall be filed before this Court within two (2) weeks from the date of first demonstration of the fully operational module, i.e., on or before 13.03.2026.

c) **Data Entry and Affidavits of Compliance**

- i. Upon completion of training, all prisons in the State of Kerala shall complete data entry in all relevant modules and fields of the e-Prison system, insofar as such data is required to be visible and accessible through the KeLSA and DLSA e-Prison Legal Aid Portals, within a further period of two (2) weeks.
- ii. If the Superintendent or Officer-in-Charge of any jail requires clarification regarding the nature or scope of data fields visible to the KeLSA or DLSA portals, such officer shall seek necessary assistance from the concerned DLSA or KeLSA within the said period and ensure that all corresponding fields in the prison portal are fully updated and accurately reflected.
- iii. Each Superintendent / Officer-in-Charge of every jail shall thereafter file an independent affidavit before this Court certifying that data

entry in all modules has been completed, that the data furnished is accurate and up to date, and that no field remains blank or non-functional. If any field remains unfilled, the reasons for the same shall be specifically explained.

- iv. Such affidavits shall be filed jail-wise and shall not be in the form of a consolidated affidavit by the State Government.
- v. Similarly, each Secretary of the District Legal Services Authority shall file an independent affidavit certifying completion and accuracy of data entry from the DLSA end, confirming that no field remains blank or non-functional, and explaining any deficiency, if present.
- vi. These affidavits shall be filed through the learned Government Pleaders / Standing Counsel concerned on or before 30.03.2026.

d) Demonstration before Court of the full functionalities of the modules and the completion of the data entries

- i. Upon completion of the aforesaid steps, the NIC Team shall, on 01.04.2026, demonstrate before this Court the fully operational e-Prison Portal, with all modules activated and data duly populated across all prisons and DLSAs in the State of Kerala.
- ii. In view of the earlier delays noticed, we make it clear that any failure to adhere to the timelines fixed by this Court shall be explained by the concerned officer through an individual affidavit. Any unexplained or wilful non-compliance shall be viewed seriously.

iii. This exercise is directed with a view to ensuring effective implementation of earlier orders of this Court, safeguarding prisoners' rights, and institutionalising accountability across all stakeholder institutions.

Post on 01.04.2026.

Sd/-
RAJA VIJAYARAGHAVAN V,
JUDGE



Sd/-
K.V. JAYAKUMAR,
JUDGE

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APPENDIX OF WP(CRL.) 867/2024

Ext R6(C5)

A true copy of the Revised Standard Operating Procedure (SOP) dated 04.02.2026 prepared by KeLSA in compliance with this Hon'ble Court's direction dated 18.12.2025 .

