

**IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT
THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR
&
THE HONOURABLE MR. JUSTICE SYAM KUMAR V.M.**

Friday, the 21st day of November 2025 / 30th Karthika, 1947
WP(C) NO. 36780 OF 2017(S)

SUO MOTU PROCEEDINGS INITIATED AS PER THE
DIRECTION OF THE HONOURABLE SUPREME COURT OF INDIA
VIDE ITS JUDGMENT DATED 15/9/2017 IN WPC 406/2013
TITLED AS "RE-INHUMAN CONDITIONS IN 1382 PRISONS".

RESPONDENTS:

1. THE STATE OF KERALA, REP. BY THE CHIEF SECRETARY TO GOVERNMENT, THIRUVANANTHAPURAM - 695 001.
 2. THE STATE OF KERALA, REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY, HOME DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
 3. THE STATE OF KERALA, REP. BY ITS SPECIAL SECRETARY, DEPARTMENT OF SOCIAL JUSTICE, SECRETARIAT, THIRUVANANTHAPURAM - 695 001.
 4. THE DGP AND STATE POLICE CHIEF, STATE POLICE HEADQUARTERS, VELLAYAMBALAM, THIRUVANANTHAPURAM - 695 010.
 5. DIRECTOR GENERAL OF PRISONS AND CORRECTIONAL SERVICES, PRISONS HEADQUARTERS, POOJAPPURA, THIRUVANANTHAPURAM - 695 012.
 6. THE DIRECTOR, SOCIAL JUSTICE DEPARTMENT, VIKAS BHAVAN, THIRUVANANTHAPURAM - 695 033.
- ADDITIONAL R7 IMPEADED**
7. SANDHYA. J, D/O SIVAKAMI AMMA, AGED 46 YEARS, P-14, PALAYAM POLICE QUARTERS, VIKAS BHAVAN PO, THIRUVANANTHAPURAM.
ADDL.R7 IMPEADED AS PER ORDER DATED 20/03/2018 IN IA 3974/2018 IN WP(C) 36780/2014.

ADDITIONAL R8 & R9 IMPEADED

8. THE KERALA STATE LEGAL SERVICES AUTHORITY,
NIYAMA SAHAYA BHAVAN, HIGH COURT ROAD COMPOUND,
KOCHI – 682 031.
9. THE NATIONAL HUMAN RIGHTS COMMISSION,
GPO COMPLEX, MANAV ADHIKAR BHAWAN, C-BLOCK,
INA, NEW DELHI – 110 023.
ADDL.R8 & R9 ARE IMPEADED AS PER ORDER DATED 27/11/2024
IN WP(C) 36780/2017

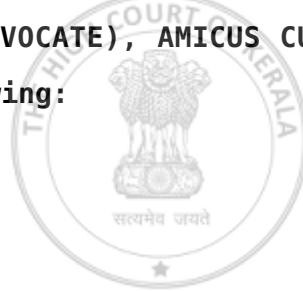
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ADDITIONAL R10 IMPEADED

**10. THE NATIONAL INFORMATICS CENTRE, REPRESENTED BY ITS
DIRECTOR GENERAL, A-BLOCK, CGO COMPLEX, LODHI ROAD,
NEW DELHI - 110 003.**

**ADDL.R10 IS IMPEADED AS PER ORDER DATED 28/10/2025 IN
WP(C) 36780/2017.**

This Suo motu writ petition coming again on for orders upon perusing the petition, this Court's order dated 12/11/2025 and upon hearing the arguments of SRI.T.A.SHAJI, DIRECTOR GENERAL OF PROSECUTION & SRI.P.NARAYANAN, SENIOR GOVERNMENT PLEADER for R1 to R6, M/S. NARAYANAN E, PREETHA K.K, SMRUTHI SASIDHARAN & ATHIRA LAKSHMI, Advocates for R7, M/S. ASHOK SHENOY B, P.S.GIREESH, ARJUN R NAIK, UMASANKER U.U & ADITYA A. SHENOY, Advocates for R8, SRI.K.RAMAKUMAR, SENIOR ADVOCATE a/w M/S. RAMPRASAD UNNI T., S.M.PRASANTH, SHEHIN S. & DEVIKA S, Advocates for R9, DEPUTY SOLICITOR GENERAL OF INDIA for Addl.R10, SRI.S.BIJU, SENIOR PANEL COUNSEL and of SRI. SANTHOSH MATHEW (SENIOR ADVOCATE), AMICUS CURIAE & ADVOCATE MS. APARNA S., the court passed the following:



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Nitin Jamdar, C.J. & Syam Kumar V.M., J.

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Dated this the 21st day of November, 2025

ORDER

Heard Mr. P. Narayanan, learned Senior Government Pleader and Ms. Aparna S., learned counsel representing Mr. Santhosh Mathew, learned Amicus Curiae.

2. We have perused the affidavit filed by the Additional Chief Secretary, Home Department, wherein the Additional Chief Secretary has stated as under:

“4. Pursuant to the directions of this Court from time to time in this regard, the State has taken the following actions:

(a) Based on the proposal from the Technical Cell of the Prison Headquarters, fields for entering nominee/legal heir details and a facility for uploading supporting documents have been incorporated into the e-Prisons software. Data entry work related to this is in progress in prisons. Online training for jail staff was conducted on 08.07.2025 regarding data entry and document uploading related to nominees/legal heirs. In addition, the Prisons Department has issued a circular to all Jail Superintendents directing them to ensure the timely completion of data entry. All data entry queries and technical issues received from prisons are being resolved promptly by the Technical Cell. However, Jail Superintendents have reported difficulties in obtaining nomination forms and in collecting details of foreign prisoners, inmates without known relatives, and mentally ill prisoners.

The statistics of the data entry as on 14.11.2025 in the e-Prison

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software is as follows:

The number of inmates/prisoners whose nominee details have already been entered in the records as of now – 6899

The number of nominee documents already uploaded – 4438

The number of inheritance certificates already uploaded – 31

The number of inmates whose nominee/legal heir details are yet to be entered, along with specific reasons for non-entry – 3412

The data entry related to above matter is progressing well in all prisons. It is possible to complete the data entry in the e-Prison software within 30 days.

b) Instructions have been issued to the Director General of Prisons & Correctional Services and the designated Nodal Officer to prepare a draft Standard Operating Procedure (SOP) for the collection and verification of nominee/legal heir details at the time of admission of prisoners and their periodic verification, within two days. The Standard Operating Procedure (SOP) will be finalized within 2 months positively, after consultation with stakeholder departments and functionaries.

c) The Revenue Secretary and the Land Revenue Commissioner have been directed to appoint a Nodal Officer in each District Collectorate to coordinate with the Prisons Department for processing and issuing legal heir certificates within the minimum stipulated time upon receiving requests from the respective prison authorities. The authority to issue legal heirship certificate is the Tahsildar after due verification process using documents such as the death certificate and proof of identity confirming the relationship between the heirs and the deceased in the absence of a will and this involves time span for publication of gazette notification objections called for etc. Hence Revenue Department has been directed to coordinate with the Prisons Department for early processing and issuance of legal heir certificates. Accordingly, as per Proceedings No. LR/12161/2025-LR9A6 dated 10.11.2025 of the Land Revenue

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Commissioner, the Deputy Collector (General) of each Collectorate has been designated as the Nodal Officer to coordinate with the Prisons Department regarding the issuance of legal heirship certificates to prisoners. The Director General of Prisons & Correctional Services has also issued letters to all District Collectors, the Land Revenue Commissioner, District Police Chiefs, the ADGP (Intelligence), and Superintendents of Jails, instructing them to identify the relatives/legal heirs of deceased prisoners and to take urgent steps to issue legal heirship certificates. So far, legal heirship certificates for 31 deceased inmates have been received.

d) The Prison Headquarters Technical Cell has submitted a proposal to NIC for the inclusion of nominee/legal heir fields in the e-Prisons software. These fields, along with the facility for uploading supporting documents, have since been incorporated. An online briefing was conducted for all e-Prison in-charges and supervisory officers on 08.07.2025. All Heads of Institutions have been instructed to enter the nominee/legal heir details and upload the supporting documents of all prisoners currently lodged in the State's prisons, as well as those who will be admitted in the future. The Director General of Prisons & Correctional Services has also been directed to coordinate with NIC, New Delhi, to carry out the necessary modifications and updates to the e-Prisons software to resolve all technical issues and to submit a compliance report.

This Hon'ble Court, in the interim order issued in Suo Motu Writ Petition No. 867/2024, had directed that the e-Prison software be comprehensively revised and suitably amended in compliance with the orders of the Hon'ble Supreme Court. In pursuance of this directive, a meeting was held on 26.09.2025 between the Technical Cell of the Prisons Department, NIC, and the Judiciary, during which several proposals for modifying the e-Prison software were finalised.

As part of these upgrades, the system for directly receiving Bail Orders/Release Orders, Custody Warrants, Production Warrants etc. from the courts through the e-Prison software (Bail Order

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Management System) has been implemented. In addition, enhancements to the Parole module, Legal Assistance Tracking, Mercy Petition Tracking, Remission, Appeals against Convictions, and API integration with DCMS have all been completed. An online training session on these new features was conducted for all prison officers under the auspices of NIC on 12.11.2025.

e) Jail Superintendents have been instructed to obtain and forward the bank details of legal heirs along with the inheritance/legal heirship certificates of prisoners who died unnaturally in custody, and to take urgent follow-up action to secure the remaining inheritance / legal heir certificates. The Director General of Prisons & Correctional Services has also been directed to ensure that all pending cases relating to the disbursement of compensation recommended by the NHRC are processed and pursued in a time-bound manner.”

3. Two timelines have been provided: first, a period of 30 days for completion of data entry in the e-prison software, and second, finalisation of Standard Operating Procedure within two months. These commitments, made on affidavit by the Additional Chief Secretary, are accepted.

4. Post the petition in the daily board on 5 January 2026 for reporting further progress.

Sd/-
Nitin Jamdar
Chief Justice

Sd/-
Syam Kumar V.M.
Judge

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