

TUESDAY, THE 6TH DAY OF OCTOBER 2026

WP(C) No. 8600 of 2025

KERALA STATE LEGAL SERVICES AUTHORITY (KELSA)

VS

GOVERNMENT OF KERALA & OTHERS

ADVS FOR PETITIONER/S:

SMT. PARVATHI A. MENON

ADVS FOR RESPONDENT/S:

GOVERNMENT PLEADER, SHRI.SAJITH KUMAR V., SC, ALL INDIA COUNCIL FOR TECHNICAL EDUCATION - AICTE, SMT.NISHA GEORGE, SHRI.S.KRISHNAMOORTHY, SC, S.KRISHNAMOORTHY, SC, UNIVERSITY GRANTS COMMISSION - UGC, ANTO(Party-in-person), SMT.KAVYA VARMA M. M., SRI.GEORGE POONTHOTTAM (SR.), DIRECTOR GENERAL OF PROSECUTION, P.NARAYANAN, SPL. G.P. TO DGP AND ADDL. P.P. , SHRI.SAJJU.S., SENIOR G.P., SHRI.K.JAJU BABU, ADVOCATE GENERAL

W.P.(C.) Nos.8600 of 2025 & 15346 of 2024

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TUESDAY, THE 6TH DAY OF OCTOBER 2026

WP(C) No. 15346 of 2024

SHAMSUDEEN,

VS

STATE OF KERALA & OTHERS

ADVS FOR PETITIONER/S:

SHRI.KALAM PASHA B.

ADVS FOR RESPONDENT/S:

GOVERNMENT PLEADER, SHRI.SAJITH KUMAR V., SC, ALL INDIA
COUNCIL FOR TECHNICAL EDUCATION - AICTE, SRI.S.RAJEEV,
SMT.NISHA GEORGE, SC, APJ ABDUL KALAM TEHNOLOGICAL
UNIVERSITY, SHRI.SAURAV SHAJI, SHRI.K.B.ARUNKUMAR,
SHRI.S.KRISHNAMOORTHY, SC, S.KRISHNAMOORTHY, SC,
UNIVERSITY GRANTS COMMISSION - UGC, SRI.ADITYA THEJUS
KRISHNAN, SMT.POOJA K.S., SHRI.MUHAMMED AZHARUDEEN A.,
SRI.V.VINAY, SRI.M.S.ANEER, SHRI.SARATH K.P.,
SHRI.ANILKUMAR C.R., SHRI.K.S.KIRAN KRISHNAN,
SHRI.PRERITH PHILIP JOSEPH, SHRI.K.JAJU BABU, ADVOCATE
GENERAL

Soumen Sen, C.J. & C. Jayachandran, J.

W.P.(C.) Nos.8600 of 2025 & 15346 of 2024

Dated this the 6th day of October, 2026

Appearance:

For the Petitioner : Ms. Parvathi A. Menon
For the Respondents : Mr.Jaju Babu, AG, assisted by
Ms.R.Remma, Spl.G.P.
Mr.S.Krishnamoorthy, SC, UGC
Mr.Thoufeek Ahamed for R10 and
Ms.Kavya Varma M.M. For R13
and R14 in W.P.(C) No.8600 of
2025

ORDER

Soumen Sen, C.J.

The legislature is yet to amend the Kerala Prohibition of Ragging Act, 1998, consequent upon the proposed Anti-Ragging and Student Welfare Guidelines, 2026, prepared by the Committee and directed to be followed till legislation is made.

2. Ms. Parvathi A. Menon, the learned counsel appearing for the Kerala State Legal Services Authority (KeLSA), has submitted that certain amendments may be

required to be carried out in the Act itself, which may not have been properly considered while preparing the Guidelines by the Committee constituted by the Government of Kerala on 20th July 2026. One of such proposal which appears to have some relevance is with respect to the expression “within, or without, any educational institution” in Clause 6 of the Guidelines, whereas, the expression “within or outside” would make it more clearer. The other suggestions relate to enhancement of the punishment and re-classification of the offence as cognizable and non bailable.

3. In answer, the learned Advocate General would submit that Clause 6 of the Guidelines, which employs the expression “within, or without, any educational institution”, can be modified as “within or outside” so as to bring clarity. However, the question of enhancement of punishment and reclassification of the offence as cognizable and non-bailable cannot be incorporated in the Guidelines. The same requires amendment to Section 4 of the Kerala Prohibition

of Ragging Act, 1998, which will be considered at the time of promulgation of the Amendment Act.

4. We are confident that the legislature, while finalising the Bill, shall take into consideration the issues raised by the KeLSA, which appear to be relevant. The Guidelines shall be notified with the change that the expression “within, or without, any educational institution” shall be replaced with the expression “within or outside, any educational institution”.

5. The State Government shall notify the Guidelines within two weeks from the date.

6. The matter stands adjourned to 2nd December, 2026.

Sd/-

Soumen Sen
Chief Justice

Sd/-

C. Jayachandran
Judge