THE HIGH COURT OF KERALA

HCKL/9098/2026-IT-TC3-HC KERALA

Kochi -682031
Date: 09-10-2026

NOTICE

It has been decided by the High Court that the Family Court, Thiruvananthapuram shall commence functioning as a Digital Family Court with effect from 12.10.2026.

It is hereby notified that the Standard Operating Procedure (SOP) relating to the Production , Return and Retention of Original Documents in Courts and Tribunals shall govern the functioning of the Digital Family Court, Thiruvananthapuram, consequent upon the conversion of the Family Court, Thiruvananthapuram into a Digital Family Court.

The same is enclosed herewith for information and strict compliance. This SOP is supplemental to the Civil Rules of Practice, 1971 (Kerala) and the Criminal Rules of Practice, Kerala, 1982.

(By Order)
Digitally signed by
Nixon M joseph
Date: 09-10-2026
15:29:53
Nixon M Joseph
REGISTRAR (DISTRICT JUDICIARY)

Encl:- Standard Operating Procedure (SOP) for Production Return and Retention of Original Documents in Courts and Tribunals

To:- Principal District Judge ,Thiruvananthapuram
Family Court Thiruvananthapuram
SSO ,Thiruvananthapuram
The Advocate General, Ernakulam.
The Director General of Prosecutions & State Public Prosecutor,Ernakulam.
The Additional Advocate General, Ernakulam.
The Additional Director General of Prosecutions, Ernakulam.
The Deputy Solicitor General of India, Ernakulam.
The President, Kerala High Court Advocates' Association, Ernakulam.
The Chairman, Bar Council of Kerala, Ernakulam.

Copy to The State Attorney, Advocate General's Office, Ernakulam.
The Secretary, Kerala High Court Advocates' Association, Ernakulam.
The President, Kerala High Court Advocates' Clerks' Association, Ernakulam.
The Director of the Kerala Judicial Academy, Athani.
The Additional Director of the Kerala Judicial Academy, Athani.
The Member Secretary, Kerala State Legal Services Authority, Ernakulam.
The Director, Kerala State Mediation and Conciliation Centre, Ernakulam.
The File/Stock File

Standard Operating Procedure (SOP) for Production, Return and Retention of Original Documents in Courts and Tribunals

The Electronic Filing Rules for Courts (Kerala), 2021 (for short 'the Rules'), lays down the procedure to be followed for electronic filings in the Courts in Kerala. As of now, the documents in use are mostly physical documents and in electronic filing, only a digitally converted copy can be uploaded. In order to address the practical difficulties in handling the issues in the transition stage of a digital ecosystem, a Standard Operating Procedure is highly necessary. This SOP outlines the procedure for the production, retention and return of original documents in the Courts and Tribunals and also the requirement of production of copies in certain cases. It applies to such Courts and Tribunals as decided by the High Court from time to time.

1. **Scope:** This SOP applies to all stakeholders involved in the filing, verification, and management of original documents in the Courts and Tribunals, as decided by the High Court from time to time.

2. **Definitions:** For the purpose of SOP, "documents" shall be classified into the following three types:

    a. **Natively Digital Document (Born Digital)**:
    A document that is originally created, generated, and stored in a digital format, without any paper-based or physical precursor.

        Provided that a certified copy issued in digital form under any Rules or procedure prescribed by the High Court shall also be deemed to be a natively digital (born digital) document.

b. **Physical Document**:

A document that exists in a tangible, non-digital form, such as paper, parchment, or any other physical medium.

c. **Digitally Converted Copy**:

A digital version of a physical document that has been subsequently converted into a digital format, either in whole or in part, through scanning, imaging, or any other method of digital reproduction.

d. 'High Court' means the High Court of Kerala.

e. "API" means **Application Programming Interface**, a set of defined protocols, tools, and standards used for enabling automated, secure, and real-time exchange of data between the District Court Case Management System (DCMS) and other integrated digital platforms, including those of law enforcement agencies such as Police, Excise, etc.

f. All the terms used in this SOP shall have the respective meanings assigned to them by Rule 2 of the Rules (unless the context or subject-matter otherwise requires).

3. General Principles:

a. The practice of physical filing of electronically filed pleadings and other documents, as stipulated in Clause 22 of the SOP published as per O.M. No. ECC4/11101612017(II) dated 31.12.2021 is dispensed with, subject to the conditions laid down hereinafter.

b. On electronically filing the digitally converted copy of physical documents, including pleadings, the e-filer, including investigating agencies, shall mark in the e-filing portal/API whether such digitally

converted copy of the document is so generated from the original physical document or a copy of the physical document.

c. When natively digital documents, including pleadings, are filed, the e-filer, including investigating agencies, shall mark in the e-filing portal/API that such documents are natively digital.

d. The documents uploaded shall be complete and readable. When the document is not legible, a typed copy of the document duly certified by the respective party/Advocate or party-in-person, as the case may be, has to be uploaded, and that shall be produced along with the original as per Clause 4 of this SOP.

e. When a particular portion or paragraph of the document uploaded is not legible or readable, the respective party/Advocate or the party-in-person, as the case may be, has to upload a typed copy of that portion or paragraph, and that shall be produced along with the original as per Clause 4 of this SOP and shall give an undertaking that a typed copy of that document shall be produced as and when directed by the Court/Tribunal.

f. When a particular portion or paragraph of the document uploaded is not legible or readable and the respective party/Advocate or party-in-person, as the case may be, is not in a position to provide a typed copy of the same, since it is not readable, and the said portion or paragraph of the document is not required for the adjudication of the *lis*, the e-filer (including investigating agencies)/Advocate or party-in-person, as the case may be, shall give an undertaking that the said portion or paragraph of the document which is not legible or readable is not required for the adjudication of the *lis* and will not be relied upon.

4. **Verification of Original Physical Documents:**

    a. The original physical documents of documents which are marked as 'digitally converted documents' in the e-filing portal shall be produced by the e-filer after the registration of the case before the Chief Ministerial Officer/the Officer responsible for scrutiny of filings, for verification.

    b. After verification, the original physical document may be returned to the e-filer on such a request by the e-filer, and it shall be marked in the system. In all other cases, it shall be retained by the Court/Tribunal.

5. **Preservation of Disputed or Original Physical Documents:**

    Responsibility for producing such originals lies with the party as per Rule 8(3) of the Rules.

6. **Power of Court/Tribunal to Require Production:**

    a. The SOP does not affect the power of the Court/Tribunal to direct the production of original documents for verification, either *suo motu* or upon application by a party.

    b. At the time of evidence, the e-filer tendering documentary evidence based on a digitally converted document shall produce and tender the corresponding original physical document, if it is not in the custody of the Court/Tribunal, unless otherwise directed by the Court/Tribunal.

    c. In the case of filing of a digitally converted document and if the original physical document is in the custody of the e-filer and it is one found to be impounded at the appropriate stage as per the Kerala Stamp Act, 1959, the

Court/Tribunal shall direct the e-filer concerned to produce the original document under the provisions of the Kerala Stamp Act, 1959.

7. **Production of Reports and other Documents by Commissioners, third parties etc.**

   a. A Commissioner, including an advocate Commissioner/*Amicus Curiae* appointed by the court, shall e-file the reports, documents, including witness depositions or such other documents as required by the court. However, except in a natively digital form of documents, the original physical document shall be produced in court.

   b. The reports or documents submitted by third parties or witnesses in physical form shall be digitally converted by the court concerned, upload to the case, and keep the original physical document as per this SOP and dealt with as per the existing Rules.

8. **Handling of Original Physical Documents Upon Production:**

   a. On production of the original physical document, the Court may return the original after verification with the digitally converted document corresponding to the original **as per sub-clause b of clause 4 of this SOP** or retain the original for future reference by creating a physical file.

   b. The production, return or retention of original physical documents with dates shall be recorded in the information tab of the portal pertaining to the case.

   c. If the natively digital document or digitally converted document, subject to the rules of evidence, is marked as an exhibit; such marking shall be made with such identifiers as may be required by the Rules of Practice on

the natively digital document or digitally converted document, as the case may be, but without affecting the integrity of the document.

9. Return of Original Documents:

a. The original physical documents retained by the Court, but which have not been tendered in evidence, as well as those which have not been admitted in evidence, though tendered, and not required to be retained for any proceedings, shall be returned to the person who produced them as per the Rules prescribed in this regard.

b. The general procedure for return of original physical documents, including its destruction shall be as per the Rules of Practice or special rules, if any, made; however, the application, memo, etc., shall be in electronic form, and the action taken thereon shall be marked in the information tab of the portal pertaining to the case.

10. Use of Natively Digital and Digitally Converted Documents in Appeals, etc.

a. The Trial Court Records (TCR) in any appeal, revision, or other proceedings arising out of the case to which this SOP apply shall mean the natively digital documents, including pleadings or digitally converted copy of physical documents, including pleadings, as the case may be, e-filed in the case/proceedings.

Provided that the Appellate/Revisional or other Higher Court may require the production of original physical documents, including pleadings, to decide the proceeding before it.

b. The electronic transmission of the Trial Court Records, as stipulated in clause (a), shall be sufficient to comply with the requirement of sending the Trial Court Records.

c. Clause (b) above, subject to such variations as may be required, shall apply to second appeals and revisions up to the High Court.

11. Production of Copies for Service of Process:

a. As of now, it shall be mandatory for the e-filer to produce as many number of true physical copies of electronically filed documents and pleadings after registration of the proceedings, for service of process to the opposite party/ies, if any law or Rules require that the service of such process shall be accompanied by copies of pleadings or documents or both.

b. However, when digital transmission and service of processes, pleadings and documents to the opposite party/ies is enabled and is approved as the primary mode of service, this requirement shall be modified.

12. Certified Copies of Digitally Converted Documents, including Pleadings:

a. When certified copies of digitally converted documents are issued, they shall contain a statement that the copy is generated from the digitally converted document filed in court/tribunal.

13. Maintenance of Physical Records received as Physical Filing under Rule 10 of the Rules, and in exempted cases:

a. The physical file received in a case/proceedings permitted under Rule 10 of the Rules shall be kept and dealt with as if it were a case file of any

other physically filed case. However, the e-filer shall comply with the requirement of uploading the pleadings and other documents in compliance with the SOP issued as per O.M. No. ECC4/11101612017(II) dated 31.12.2021.

b. As per Notice No. HCKL/1104/2022-ECC4 dated 04.08.2023, the e-filing of all exemption petitions (absent applications), petitions for pleading guilty, Vakalaths/Memorandum of Appearance filed in pleading guilty cases, advance petitions and adjournment applications in criminal courts, warrant recall petitions, memos/lists of sureties, affidavits of sureties for bail/release of properties, lists of documents, summons/notice forms, witness batta deposit memos, other memos, cheque applications, and process memos was made optional and not mandatory. Such physical records shall be kept in a file prepared for the case.

c. Such documents, if required to be part of the case records, shall be numbered, uploaded and updated into the portal by the Courts/Tribunals concerned.

d. The disposal of such physical records shall be as per the prevailing Rules in this regard.

14. Power to Amend/Modify or Alter the SOP:

a. The High Court of Kerala retains its power to amend, modify, or alter in full or any portion of this SOP as and when so required.