



## GOVERNMENT OF KERALA

Home (M) Department

No. M3/12/2022-HOME

21-06-2022, Thiruvananthapuram

### Circular

Sub: Home Department- Inquest and Postmortem of a dead body involved in unnatural death cases - time limit fixed- reg:

Ref: 1) Judgment dated 16.12.2021 in WP(C) No. 33874/2015 of High Court filed by the Secretary, Kerala Medico Legal Society and another.

The Government of Kerala implemented 24 hour autopsy in all the Government Medical Colleges in 2013. Subsequently vide GO(Ms) No.239/2015/H&FWD dated 26.10.2015 sanction was accorded to conduct night autopsy in the 5 Government Medical Colleges namely, Thiruvananthapuram, Alappuzha, Kottayam, Thrissur and Kozhikode and also in General Hospital, Kasaragod. Challenging the said Government order, the Secretary, Kerala Medico Legal Society and another have filed WP(C) No.33874/2015 before the Hon'ble High Court of Kerala. Upholding the stand taken by the Government in issuing the order under challenge, the Hon'ble High Court of Kerala has disposed off the said writ petition with certain directions to the Government in the proper implementation of GO(Ms) No.239/2015/H&FWD dated 26.10.2015. The directions 4 to 6 of the judgment read as follows:

*“4. The Chief Secretary, Government of Kerala will convene a meeting of the officials of the Home Department including the*

*State Police Chief and the officers of the Health Department to see that the inquest and postmortem of a dead body which is involved in unnatural death cases are completed within a time limit. The Chief Secretary will issue a circular fixing the time limit for conducting the inquest and also fixing a time limit for conducting the postmortem. It should be done within six months from the date of receipt of this judgment and a copy of the same should be produced before the Registrar General of this court.*

*5. The Chief Secretary should order that once an unnatural death is reported, it is the duty of the State machinery to complete the inquest and postmortem within a time frame and the body should be released to the bereaved family, after the inquest and postmortem within a time limit, to be prescribed by the Chief Secretary and it should also be mentioned in the above circular. In the circular, it should be mentioned that disciplinary proceedings will be taken against officers who delayed the conduct of inquest and postmortem within the time limit to be prescribed by the Chief Secretary.*

*6. The Chief Secretary of the State should declare in the circular that the expense for taking the dead body in unnatural cases to the hospital for postmortem and to other places if necessary for conducting the inquest should be at the State expense.”*

In compliance with the directions in the judgment a high level meeting was convened on 26.04.2022 and decisions were arrived at in fixing the time limit for conducting the inquest and postmortem. In these circumstances the following instructions are issued with immediate effect with respect to procedures to be adopted in conducting the inquest and postmortem of a dead body

involved in unnatural death cases.

1. The inquest procedures in unnatural death cases should be completed within 4 hours in general cases, and in exceptional unnatural death cases, an extension of one hour can be provided and the inquest in such cases should be completed within 5 hours.
2. After inquest of the dead body, the postmortem should be completed within 4 to 6 hours on an average in normal conditions, and in exceptional cases/abnormal conditions such as calamities due to heavy flood, natural calamities, pandemics, accidents including mass casualties etc. the autopsy have to be completed within 8 hours.
3. Once an unnatural death is reported, it is the duty of the Police Department/Health Department to complete the inquest and postmortem within the above time frame and the body should be released to the bereaved family immediately after the inquest and postmortem procedures are completed.
4. Disciplinary proceedings will be initiated against the officers who delay the conduct of inquest and postmortem within the time limit prescribed above.
5. The expenses for taking the dead body in unnatural death cases to the hospital for postmortem and to other places if necessary for conducting inquest should be met by the Police Department.

All the concerned must ensure strict adherence to the above directives.

DR V P JOY  
CHIEF SECRETARY

The Advocate General, Kerala (with covering letter)  
The Additional Chief Secretary, H&FW Department.  
The State Police Chief, Kerala.  
The Director of Health Services, Thiruvananthapuram.  
The Director of Medical Education, Thiruvananthapuram  
All Superintendents Of Police/ Commissioners of Police  
Information & Public Relation Department (Web & New Media)

Approved for Issue,

Section Officer.