

News

Appeal against CMO in Kerala High Court about access to data about government employees.



Prior to the 2026 assembly elections, the Chief Minister's Office sent out bulk WhatsApp messages to petitioners praising government accomplishments, prompting the filing of the plea.

According to a petition submitted to the Kerala High Court, the Chief Minister's Office (CMO) illegally obtained the personal data of citizens and government workers, including email addresses and mobile numbers, in order to send unsolicited messages highlighting the

accomplishments of the State government in advance of the 2026 assembly elections. [Dr Rasheed Ahammed P & anr v State of Kerala and ors]

Anil Kumar KM, a clerical assistant in the general administration department, and Dr. Rasheed Ahammed P, an associate professor and syndicate member of the University of Calicut, have filed the petition.

The bulk messages that the CMO sent to government workers on WhatsApp in an attempt to highlight the accomplishments of the State government ahead of the May 2026 Legislative Assembly Elections have angered both petitioners.

The plea claims that official databases, specifically the Service Payroll Administrative Repository for Kerala (SPARK), an e-governance platform that houses service records and salary information of State government employees, were the source of the contact information for the government employees and other officials.

Initially, this information was solely provided for administrative uses, like credit alerts, salary, and other service perks.

In order to sway public opinion prior to the assembly elections, the petitioner has argued that the personal information gathered under SPARK and other government programs appears to have been combined and sent to the CMO via organizations like the Kerala State IT Mission. Bulk messages were then sent to the personal WhatsApp accounts of government employees and other citizens.

According to the plea, residents' phone numbers were being unlawfully taken and used for publicity without their agreement. Since the State government's official databases also contain their information, it's possible that even members of the judiciary received such messages.

Since the personal information given to government initiatives is only intended for administrative purposes, the petitioners contend that gathering citizens' contact information without their agreement violates their right to privacy under Article 21 of the Constitution. Giving the CMO access to such information for marketing purposes would be a privacy violation. Since the data was used under the guise of an epidemic, the Chief Minister's office's illegal and unauthorized access to the individual data would allow for profiling, tracking, and surveillance of a person much beyond the initial purpose for which the data is allegedly used.

The Chief Minister's Office itself commits a grave constitutional violation of informational privacy and autonomy when it engages in or authorizes such acts without legal permission, approval, or safeguards. The petition further stated, **"It is an unlawful act."**

Therefore, the petitioners have also accused the CMO of lacking transparency, legal justification, or approval before using government employee data for campaign messaging, citing the Digital Personal Data Protection Act, 2023 (DPDP Act).

They have asked the Court to prevent State government officials, including as Chief Minister Pinarayi Vijayan, from obtaining or utilizing citizens' email addresses, mobile numbers, and other personal data for comparable purposes.

They have also requested an order prohibiting the CMO from sending any more communications, as well as compensation for the exploitation of their data.

Advocates Kavya Varma M, AL Navaneeth Krishnan, and Nisha George made the plea.