

Fifteenth Kerala Legislative Assembly

Bill No. 137

**THE KERALA HIGH COURT SERVICES
(DETERMINATION OF RETIREMENT
AGE) AMENDMENT BILL, 2022**

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BILL

to amend the Kerala High Court Services (Determination of Retirement Age) Act, 2008.

Preamble.—WHEREAS, it is expedient to amend the Kerala High Court Services (Determination of Retirement Age) Act, 2008 for the purposes hereinafter appearing;

BE it enacted in the Seventy third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala High Court Services (Determination of Retirement Age) Amendment Act, 2022.

(2) It shall be deemed to have come into force on the 24th day of April, 2009.

2. *Amendment of section 2.*—In the Kerala High Court Services (Determination of Retirement Age) Act, 2008 (34 of 2008), in section 2, for the words and figures “shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years”, the words, symbols and figures “who are appointed before the 1st day of April, 2013 shall take effect from the afternoon of the last day of the month in which he attains the age of 56 years and those who are appointed on or after the 1st day of April, 2013 and who is a member of National Pension System shall take effect from the afternoon of the

last day of the month in which he attains the age of 60 years or as the case may be, decided by the Government from time to time” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The Kerala High Court Services (Determination of Retirement Age) Act, 2008 (34 of 2008) provides that the compulsory retirement age of an employee of the High Court shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years. Under G.O.(P) No. 170/12/Fin. Dated 22-3-2012 and G.O.(P) No.469/2014/Fin. Dated 31-10-2014, the age of retirement of Government Employees who entered into the service before the 1st day of April, 2013 and those who entered into service on or after the 1st day of April, 2013 has been fixed as 56 and 60 years respectively. In order to keep parity between the retirement age of High Court employees with that of State Government employees, it has been decided to amend section 2 of the Kerala High Court Services (Determination of Retirement Age) Act, 2008 (34 of 2008).

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

Clause 2 of the Bill intends to keep parity between the retirement age of High Court employees with that of the State Government employees. This involves expenditure from the Consolidated Fund of the State and the actual expenditure that may have to be incurred on this account cannot be estimated at this stage due to its recurring nature and variation from year to year.

PINARAYI VIJAYAN.

EXTRACT FROM THE KERALA HIGH COURT SERVICES
(DETERMINATION OF RETIREMENT AGE) ACT, 2008

(ACT 34 OF 2008)

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2. Determination of Retirement Age in High Court Services.—

Notwithstanding anything contained in any other law for the time being in force, or in any rule, or in any judgment, decree or order of any court, the compulsory retirement of an officer or servant of the High Court of Kerala shall take effect from the afternoon of the last day of the month in which he attains the age of 55 years.

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