

Thirteenth Kerala Legislative Assembly  
Bill No. 68

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**THE KERALA HIGH COURT SERVICES (DETERMINATION  
OF RETIREMENT AGE) AMENDMENT BILL, 2012**

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AGE) AMENDMENT BILL, 2012

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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 Sixty-second 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, 2012.

(2) It shall come into force at once.—

2. *Amendment of section 2.*—In section 2 of the Kerala High Court Services (Determination of Retirement Age) Act, 2008 (34 of 2008), for the words “last day of the month”, the words “last day of the financial year” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

As per G.O.(P) No.154/2009/Fin. dated 24th April, 2009 all Government employees and teachers attained the age of 55 years during the course of the Financial Year was allowed to continue in service till the end of the financial year. In order to give statutory validity to the above Order, Government amended rule 60 of Part I of the Kerala Service Rules. The Registrar General, High Court of Kerala has requested the Government to extend the above said benefit to the employees of the High Court. For this purpose an executive order will not suffice and therefore an amendment is to be made in the Kerala High Court Services (Determination of Retirement Age) Act, 2008. Government have therefore decided to amend section 2 of the said Act, so as to extend the above said benefit to the employees and officers of High Court also.

The Bill is intended for the above purpose.

## FINANCIAL MEMORANDUM

Clause 2 of the Bill intends to amend the Kerala High Court Services (Determination of Retirement Age) Act, 2008 to extend the benefit of unification of the date of retirement as 31st March of the year as sanctioned to the Government employees and teachers as per G.O.(P) No.154/2009/Fin. dated 24th April, 2009 to the Officers and Servants of the High Court of Kerala. 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.

OOMMEN CHANDY

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