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**REPORT OF THE SUBJECT COMMITTEE**  
**ON**  
**THE KERALA HIGH COURT (AMENDMENT) BILL, 2018**  
**AND**  
**THE BILL AS REPORTED BY THE SUBJECT COMMITTEE**

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## SUBJECT COMMITTEE XIV

(HOME AFFAIRS)

(2016-2018)

### **Composition**

*Chairman:*

Shri Pinarayi Vijayan,  
Chief Minister

*Special Invitee:*

Shri A. K. Balan,

Minister for Welfare of Scheduled Castes, Scheduled Tribes, Backward  
Classes, Law, Culture and Parliamentary Affairs

*Members:*

Shri V. S. Achuthanandan

Shri James Mathew

Dr. M. K. Muneer\*

Shri K. M. Mani

Shri C. K. Nanu

Shri Oommen Chandy

Shri A. Pradeepkumar

Shri Raju Abraham

Shri R. Ramachandran

Shri Ramesh Chennithala

*Legislature Secretariat:*

Shri V. K. Babu Prakash, Secretary

Shri A. Shajahan, Joint Secretary

Shri Raju, K. A., Deputy Secretary

Shri P. V. Chandradas, Under Secretary

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\*Nominated as a Member as per Bulletin Part II, No. 264, Dated 12-6-2017.

**THE KERALA HIGH COURT (AMENDMENT) BILL, 2018**

*(Report of the Subject Committee)*

Subject Committee XIV (Home Affairs) to which The Kerala High Court (Amendment) Bill, 2018 (Bill No. 140) was referred, considered the Bill clause by clause and now submits its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala High Court (Amendment) Bill, 2018 was published as a Gazette Extraordinary dated May 28, 2018. The Bill was introduced in the Assembly on June 11, 2018 and was referred to the Subject Committee on the same day.

3. The Committee considered the Bill clause by clause at the meeting held on June 12, 2018 and the Committee recommends to adopt the bill without any modification.

Thiruvananthapuram,  
12th June, 2018.

PINARAYI VJAYAN,  
*Chairman,*  
*Subject Committee XIV.*

# THE KERALA HIGH COURT (AMENDMENT) BILL, 2018

(As reported by the Subject Committee)

A

## BILL

*further to amend the Kerala High Court Act, 1958.*

*Preamble.*—WHEREAS, it is expedient further to amend the Kerala High Court Act, 1958 for the purposes hereinafter appearing;

BE it enacted in the Sixty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala High Court (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 15th day of December, 2017.

2. *Amendment of section 3.*—In the Kerala High Court Act, 1958 (5 of 1959) (hereinafter referred to as the principal Act), in clause (13) of section 3,—

(i) in sub-clause (b), for the words “one lakh rupees”, the words “forty lakh rupees” shall be substituted;

(ii) after sub-clause (g), the following sub-clause shall be inserted, namely:—

“(h) from an award passed by the Motor Accidents Claims Tribunal.”.

3. *Special provision in respect of pending appeals, suits and other proceedings.*—Notwithstanding anything contained in the principal Act or any other law for the time being in force, or in any judgment, decree or order of any court, the provisions of sub-clauses (b) and (h) of clause (13) of section 3 of the principal Act as amended by this Act shall apply to all suits, appeals and other proceedings and the applications for compensation under the Motor Vehicles Act, 1988 (Central Act 59 of 1988), as the case may be, instituted prior to the date of commencement of this Act and are pending disposal and all appeals pending before a Bench of two Judges of the High Court as on the said date, where the amount or value of the subject matter of suits or other proceedings involved

does not exceed forty lakh rupees, and all appeals from the awards passed by the Motor Accidents Claims Tribunals, shall be transferred to, and disposed of by the Single Judge:

Provided that the said provision shall not apply to appeals pending before a Bench of two Judges under section 5 of the principal Act.

4. *Repeal and saving.*—(1) The Kerala High Court (Amendment) Ordinance, 2018 (22 of 2018) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala Legislature,  
Thiruvananthapuram,  
12th June, 2018.

V. K. BABU PRAKASH,  
*Secretary.*