

ACT 34 OF 2008

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

An Act to determine the retirement age of the officers and servants of the High Court of Kerala.

Preamble.—WHEREAS, it is considered necessary to determine the retirement age of the officers and servants of the High Court of Kerala on par with the officers and servants of other services of the State;

BE it enacted in the Fifty-ninth 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) Act, 2008.

(2) It shall be deemed to have come into force on the 1st day of January, 2007.

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 ¹[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 she or 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 the National Pension System shall take effect from the afternoon of the last day of the month in which she or he attains the age of 60 years or as the case may be, decided by the Government from time to time]

3. *Special Provision for payment of Salary.*—Notwithstanding anything contained in section 2, the officers or servants of the High Court of Kerala, if any, continued in service beyond the age of 55 years will be eligible for the salary and allowances for the period during which they actually worked till the

* Received the assent of the Governor on the 26th day of December, 2008 and published in the Kerala Gazette Extraordinary No. 2746 on 27th December, 2008.

1 Substituted by Act 12 of 2023 (w.e.f. 24-04 -2009).

22nd day of October, 2007, but their such service shall not be counted for any other service benefits or pensionary benefits.

4. *Repeal and Saving.*—(1) The Kerala High Court Services (Determination of Retirement Age) Ordinance, 2008 (32 of 2008) is hereby repealed.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 said Ordinance shall be deemed to have been done or taken under this Act.