

**THE TELANGANA PUBLIC EMPLOYMENT
(REGULATION OF AGE OF
SUPERANNUATION) ACT, 1984.
ACT NO. 23 OF 1984.**

(UPDATED UP TO AMENDMENT ACT NO. 10 OF 2024)

THE TELANGANA PUBLIC EMPLOYMENT (REGULATION OF AGE
OF SUPERANNUATION) ACT, 1984.

(ACT NO. 23 OF 1984.)

INDEX

Section

Contents

No.

1. Short title, application and commencement. 2. Definitions.
3. Age of superannuation.
4. Act to override other laws.
5. Validation.
- 5-A. Savings.
6. Removal of doubts.
7. Amendment of Fundamental Rules.
8. Amendment of Hyderabad Civil Service Rules.

THE TELANGANA PUBLIC EMPLOYMENT (REGULATION
OF AGE OF SUPERANNUATION) ACT, 1984.

ACT NO. 23 OF 1984.

1. (1) This Act may be called the Telangana Public Employment (Regulation of Age of Superannuation) Act, 1984.

Short title,
application and

(2) It shall apply to-

(i) persons appointed to public services and posts in connection with the affairs of the State;

(ii) officers and other employees working in any local authority, whose salaries and allowances are paid out of the Consolidated Fund of the State;

(iii) persons appointed to the Secretariat staff of the Houses of the State Legislature; and

(iv) every other officer or employee whose conditions of service are regulated by rules framed under the proviso to article 309 of the Constitution of India immediately before the commencement of this Act, other than the village officers and law officers; whether appointed before or after the commencement of this Act.

1. The Andhra Pradesh Public Employment (Regulation of Age of Superannuation) Act, 1984 received the assent of the Governor on the 20th May, 1984. The said Act in force in the combined State as on 02.06.2014 has been adapted to the State of Telangana vide, the

TelanganaAdaptationofLawsOrder,2016issuedinG.O.Ms.No.45, Law (F)Department,dated01.06.2016(w.e.f.01.06.2016).

2.SubstitutedbyG.O.Ms.No.45, Law(F)Department,dated01.06.2016.

2

[ActNo.23of1984]

(3)Clause(i)ofsection7shallbedeemedtohave comeintoforceonthe29thApril,1969andtheremaining provisionsshallbedeemedtohavecomeintoforceonthe 10thApril,1983.

3[(4)Sub-section(1A)ofsection3shallbedeemedto havecomeintoforceon26thDecember,1992.]

Definitions. 2.

InthisAct,unlessethecontexttoother-wiserequires,

(1)“FundamentalRules”meanstheFundamental RulesapplicabletotheGovernmentemployeesas amended,fromtimetotime,bytheGovernment;

(2) “Government”meanstheGovernmentof 4Telangana;

(3)“Governmentemployee”includesallcategoriesof officersandemployeesreferredtoinsub-section(2)of section1;

(4)“HyderabadCivilServicesRules”meansthe HyderabadCivilServicesRulesapplicabletothe GovernmentemployeesoftheerstwhileGovernmentof Hyderabadappointedpriortothe1stNovember,1956and allottedtothe“TelanganaStateasamendedfromtimeto timebytheGovernment;

(5)“LastGradeService”meanstheserviceconstituted bythe“TelanganaLastGradeServiceRules,1961and includesthepostsandservicesspecifiedinsubsiary definition(iii)underrule9oftheFundamentalRules;and alsoincludestheserviceswhicharetreatedas‘inferior’underHyderabadCivil ServicesRules; * *

3.AddedbyActNo.26of1998.

4.SubstitutedbyG.O.Ms.No.45, Law(F)Department,dated01.06.2016.

[ActNo.23of1984]

3

(6)“Localauthority”meansinrelationtolocalarea comprisedwithinthejurisdictionofaMunicipalCorporation, theconcernedMunicipalCorporationandinrelationtoany otherlocalarea,theconcernedMunicipalCouncil,5 6Zilla PrajaParishad,PanchayatSamithiorGramPanchayat;

(7)“State”meanstheStateof^Telangana;

3. (1)EveryGovernmentemployee,notbeingaworkman andnotbelongingtoLastGradeServiceshallretirefrom serviceontheafternoonofthelastdayofthemonthin which,heattainstheageof7 8 9 10 [sixtyoneyears]:

Ageof
superannuation.

8[ProvidedthattheProfessors,AssociateProfessors andAssistantProfessorsofGovernmentMedicalColleges, GovernmentDentalCollegesincludingSemi-Autonomous andAutonomousMedicalCollegesshallretirefromservice ontheafternoonofthelastdayofthemonthinwhich he/sheattainstheageof65(sixtyfive)years.]

9[Provided further that, the teaching faculty in Ayurveda, Unani and Homeopathy Government Colleges shall retire from service on the afternoon of the last day of the month in which he/she attains the age of sixty five (65) years.]

10[Provided also that, the Director of Medical Education and the Additional Director of Medical Education and

5. Substituted by Act No. 41 of 2006.

6. Substituted by G.O.Ms.No.45, Law(F) Department, dated 01.06.2016.

7. Substituted by Act No. 3 of 2021 w.e.f. 30.03.2021, vide G.O.Ms.No.45, Finance(HRM.III) Department, dated 30.03.2021 and published in the Telangana Gazette, Part-I-extraordinary vide Notification No.71, dated 30.03.2021.

8. Added by Act No. 6 of 2019 w.e.f. 20.06.2019.

9. Added by Act No. 15 of 2020 w.e.f. 31.07.2020.

10. Added by Act No. 10 of 2024.

4

[Act No. 23 of 1984]

Principal of Medical Colleges/Superintendents of Teaching General Hospital shall retire from service on the afternoon of the last day of the Month in which he/she attains the age of sixty five (65) years.]

11[(1A) Notwithstanding anything contained in sub-section (1), every member of the 11 12 Telangana State Higher Judicial Service or the 12 Telangana State Judicial Services shall retire from service on the afternoon of the last day of the month in which he attains the age of 13 14 years]:

14[Provided that any such member of the 12 Telangana State Higher Judicial Service or the 12 Telangana State Judicial Service may be compulsorily retired from service on the afternoon of the last day of the month in which he attains the age of fifty years or fifty five years or fifty eight years or thirty three years of qualifying service, if he is found not fit and eligible to be continued in service by the High Court of 15 Telangana, on an assessment and evaluation of the record of such member for his continued utility, well within time, before he attains the age of fifty years or fifty five years or fifty eight years or thirty three years of qualifying service.]

16[Provided further that any member of service after giving three months notice in writing or three months of pay and allowances in lieu of notice may be required to retire in public interest from service on the date on which such member attains the age of fifty years or fifty five years or fifty

11. Sub-section (1A) inserted by Act No. 26 of 1998.

12. Substituted by G.O.Ms.No.45, Law(F) Department, dated 01.06.2016.

13. Substituted by Act No. 3 of 2021 w.e.f. 30.03.2021.

14. Substituted by Act No. 42 of 2006.

15. The High Court of Judicature at Hyderabad became the High Court for the State of Telangana w.e.f. 01.01.2019 vide Notification No.S.O.6330(E), dated 26.12.2018.

16. Inserted by Act No. 42 of 2006.

[Act No. 23 of 1984]

5

eight years or thirty three years of qualifying service or any date thereafter to be specified in the notice.]

Provided also that any such member of the 17 Telangana State Higher Judicial Service or the 17 Telangana State Judicial service at his option to be exercised in writing before he attains the age of fifty seven years may retire from service on the afternoon of the last day of the month in which he attains the age of fifty eight years.

Explanation: The assessment and evaluation by the High Court of 18 Telangana for the purposes of this sub-section is in addition to and independent of the assessment for compulsory retirement that may have to be undertaken at any other time under the relevant rules applicable to such members of the 17 Telangana State Higher Judicial Service or the 17 Telangana State Judicial Service.]

(2) Every Government employee not being a workman but belonging to the Last Grade Services shall retire from service on the afternoon of the last day of the month in which he attains the age of 19 [sixty one years].

(3) Every workman whether in superior or last grade service, or in any service notified as inferior shall ordinarily be retained in service up to the age of 19 [sixty one years]:

Provided that any workman may be required to retire at any time after attaining the age of fifty-five years after being given one month's notice, or one month's pay in lieu

17. Substituted by G.O.Ms.No.45, Law(F) Department, dated 01.06.2016.

18. The High Court of Judicature at Hyderabad became the High Court for the State of Telangana w.e.f.01.01.2019 vide Notification No.S.O.6330(E), dated 26.12.2018.

19. Substituted by Act No.3 of 2021 w.e.f.30.03.2021.

6

[Act No.23 of 1984]

thereof, on the ground of impaired health or of being negligent or inefficient in the discharge of duties:

Provided further that a workman may also retire at any time after attaining the age of fifty-five years, by giving one month's notice in writing.

Explanation I.-

In this section, the word "workman" means a highly skilled, skilled, or semi-skilled or unskilled artisan in industrial and work charged establishments of Government.

Explanation II.- For the removal of doubts, it is hereby declared that-

(a) a Government employee whose date of birth is the first of a month shall retire from service on the afternoon of the last day of the preceding month on attaining the age of 20 21 [sixty one years or sixty five years], as the case may be;

(b) a Government employee who attained the age of superannuation but who was allowed to continue to hold the post, beyond that date, by virtue of a stay order of a Court, shall be deemed to have ceased to hold the post and

relieved of his charge from the date of the judgement dismissing his petition, irrespective of whether the charge of the post was handed over or not as prescribed in any rule or order of the Government for the time being in force.

21[(4) Notwithstanding anything contained in this section, an employee in the work charged establishment of the Government, who becomes a regular Government employee by whatever means or orders issued by Government from time to time shall not be treated as workman for purposes of this Act and shall be regarded as

20. Substituted by Act No. 3 of 2021 w.e.f. 30.03.2021.

21. Added by Act No. 19 of 1997.

[Act No. 23 of 1984]

7

holder of a Civil post within the meaning of article 311 of the Constitution of India and accordingly, he shall retire from service,-

(a) on attaining the age of 20[sixty one years] in case, on becoming a regular Government employee, he belongs to superior service; and

(b) on attaining the age of 22[sixty one years] in case, on becoming a regular Government employee, he belongs to last grade service or in any service notified as inferior for the purpose of this sub-section.]

4. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, for the time being in force.

Act to override other laws.

5. No amendment to the Fundamental Rules relating to the age of superannuation made under the proviso to article 309 read with article 313 of the Constitution of India before the commencement of this Act shall be deemed to be invalid or ever to have been invalid merely by reason of the fact that the proviso or rule 2 of the said rules laid down that the said rules shall not be modified or replaced to the disadvantage of any person already in service and accordingly the amendments made to the said rules by the notifications issued in G.O.Ms.No.36, Finance and Planning (Finance Wing F.R.I), Department, dated the 8th February, 1983 and all orders and notifications issued and made in pursuance of the those amendments shall be and shall be deemed always to have been made validly and shall have effect notwithstanding anything to the contrary in the proviso to the said rule 2, as if this Act were in force on the 8th February, 1983.

Validation.

22. Substituted by Act No. 3 of 2021 w.e.f. 30.03.2021.

8

[Act No. 23 of 1984]

23[5-A.(a) Notwithstanding anything contained in this Act,-

Savings.

(i) all the rules and regulations made under the proviso to article 309 and continued under article 313 of the Constitution of India governing the recruitment and conditions of service of the Government employees and

were in force on the commencement of the Andhra Pradesh Public Employment (Regulation of Conditions of Service) Ordinance, 1983 including such other rules continued under Ordinance 5 of 1983-

section 15 of the said Ordinance; and

(ii) all rules made under section 3 of the said Ordinance governing recruitment and conditions of service of the Government employees, shall continue to be in force until they are amended or modified or rules are made in respect thereof under the proviso to article 309 of the Constitution of India read with article 313 thereof;

(b) anything done or any action taken in the exercise of any powers conferred by or under the said Ordinance and the rules made thereunder shall be deemed to have been validly done or taken.]

Removal of

6. For the removal of doubts, it is hereby declared that, doubts. unless otherwise specially provided every amendment relating to the age of superannuation made before or after the commencement of this Act to the Fundamental Rules and the Hyderabad Civil Service Rules shall be and shall be deemed always to have applied to all Government employees whether appointed before or after the amendment.

Amendment of 7. In the Fundamental Rules, - Fundamental Rules.

23. Inserted by Act No. 3 of 1985.

[Act No. 23 of 1984]

9

(i) to rule 2, the following proviso shall be added namely:-

“Provided that these rules shall not be modified or replaced by the Governor under Article 309 of the Constitution of India to the disadvantage, of any person already in service except in respect of matters relating to the age of superannuation”;

(ii) rule 56 shall be omitted.

8. Rule 231 of the Hyderabad Civil Services Rules shall be omitted.

Amendment of Hyderabad Civil Service Rules.

★**