

ORISSA ACT 17 OF 1988

* THE ORISSA MEDICAL EDUCATION SERVICE (VALIDATION OF GRADATION LISTS OF JUNIOR TEACHERS) ACT, 1988

[Received the assent of the Governor on the 28th October 1988, first published in an extraordinary issue of the Orissa Gazette, dated the 3rd November 1988]

AN ACT TO VALIDATE THE GRADATION LISTS OF CERTAIN JUNIOR TEACHERS BELONGING TO THE ORISSA MEDICAL EDUCATION SERVICE.

BE it enacted by the Legislature of the State of Orissa in the Thirty-ninth Year of the Republic of India, as follows:-

Short title and commencement.

1. (1) This Act may be called the Orissa Medical Education Service (Validation of Gradation Lists of Junior Teachers) Act, 1988.

(2) Section 3 shall be deemed to have come into force on the 13th day of August, 1979, and the remaining provisions of this Act shall be deemed to have come into force on the twenty-first day of July, 1988.

Definitions.

2. In this Act, unless the context otherwise requires,-

(a) "Junior Teachers" means the Junior Teachers appointed to the Junior Teaching Post of the Service;

(b) "Recruitment Rules" means the Orissa Medical Education Service (Recruitment) Rules, 1979.

(c) "Service" means the Service as defined in the Recruitment Rules.

Amendment of Recruitment Rules.

3. In rule 3 of the Recruitment Rules, for clause (g), the following clause shall be substituted, namely;-

'(g) "Selection Committee" means the Selection Committee in existence from time to time during the period between 1-12-1960 and 22-9-1973 to select persons for appointment to the Junior Teaching Posts;'

Validation

4. Notwithstanding any judgment, decree or order of any court or tribunal or other authority, the gradation list prepared in pursuance of clause (ii) of sub-rule (2) of rule 8 of the Recruitment Rules in respect of the Junior Teachers appointed in pursuance of the recommendations of the Selection Committee in existence from time to time during the period between 1-12-1960 and 22-9-1973 shall, for all intents and purposes, be deemed, to have been validly and effectively prepared as if clause (g) of rule 3 of the Recruitment Rules as amended by section 3 were in force at all material times when such gradation lists were prepared, and accordingly, no suit or other legal proceeding shall be instituted, maintained or continued in any court or tribunal or before other authority merely on the ground that those

lists were prepared on the basis of the placement given by the Selection Committee not constituted by Government in accordance with the provision contained in the Recruitment Rules as stood prior to the amendment made under section 3:

Provided that nothing contained in this section shall affect the jurisdiction of the Orissa Public Service Commission under sub-rule (2) or rule 8 of the Recruitment Rules in determining the *inter se* seniority.

Repeal

5. The Orissa Medical Education Service (Validation of Gradation Lists of Junior Teachers) Ordinance, 1988, is hereby repealed.

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