

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

[Promulgated by the Governor on the 14th July 1988, first published in an
extraordinary issue of the Orissa Gazette, dated the 21st July 1988]

AN

ORDINANCE

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

WHEREAS the Legislature of the State of Orissa is not in session;

AND WHEREAS the Governor of Orissa is satisfied that circumstances exist which render it necessary for him to take immediate action to validate the gradation lists of certain Junior Teachers belonging to the Orissa Medical Education Service in the manner hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Orissa is pleased to make and promulgate the following Ordinance in the Thirty-ninth Year of the Republic of India—

Short title
and com-
mencement.

1. (1) This Ordinance may be called the Orissa Medical Education Service (Validation of Gradation Lists of Junior Teachers) Ordinance, 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 Ordinance shall come into force at once.

Definitions

2. In this Ordinance, unless the context otherwise requires,—

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

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

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

Amend-
ment 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 judgement, decree or order of any court or tribunal or other authority, the gradation lists 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 placements given by the Selection Committee not constituted by Government in accordance with the provisions 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) of rule 8 of the Recruitment Rules in determining the *inter se* seniority.

B. N. PANDE

Governor of Orissa

Dated the 14th July, 1988