

The Orissa Medical Service (Appointment of Assistant Surgeons Validation) Act, 1993

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Act 10 of 1993

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The Orissa Medical Service (Appointment of Assistant Surgeons Validation) Act, 1993 Orissa Act No. 10 of 1993 Published vide Orissa Gazette Extraordinary No. 602/12.5.1993-Notification No. 6190-Legislative/11.5.1993. An Act to validate the appointment of Assistant Surgeons in the State. Be it enacted by the Legislature of the State of Orissa in the Forty-fourth Year of the Republic of India as follows :

1. Short title and commencement.

(1) This Act may be called the Orissa Medical Service (Appointment of Assistant Surgeons Validation) Act, 1993. (2) It shall come into force at once.

2. Definitions.

- In this Act, unless the context otherwise requires-(a) "Assistant Surgeon" means the Assistant Surgeons appointed to the Service; (b) "Recruitment Rules" means the Rules regulating the recruitment to the Orissa Medical Service published in the Notification of the Government of Orissa in the Health and Local Self Government Department No. 3367/L.S.G., dated the 27th August, 1941 as amended from time to time; (c) "Service" means the Service as specified in the Recruitment Rules; and (d) "Year" means the calendar year.

3. Validation.

(1) Notwithstanding anything contained in the Recruitment Rules, one hundred and ninety-five Assistant Surgeons appointed in the State Medical and Health Services on ad hoc basis by the Government of Orissa during the years from 1983 to 1988 without the recommendation of the

Orissa Public Service Commission and are continuing as such shall, for all intents and purposes be deemed to have been validly and regularly appointed in the Service with effect from the date of commencement of this Act and no such appointment shall be challenged in any Court of Law merely on the ground that such appointments were made otherwise than in accordance with the provisions of the Recruitment Rules.(2)The inter se seniority of the Assistant Surgeons whose appointments are so validated under Sub-section (1) shall be determined on the basis of the total services rendered during the ad hoc period as Assistant Surgeons with or without any breaks and they shall be en block Junior to the Assistant Surgeons recruited in accordance with the Recruitment Rules.