

Punjab Recruitment of Multipurpose Health Workers (Female) Act, 2001

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Act 13 of 2001

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Punjab Recruitment of Multipurpose Health Workers (Female) Act, 2001 Punjab Act No. 13 of 2001 Statement of Objects and Reasons - 150 posts of Multipurpose Health Workers (Female) were advertised in the year 1992 by the Directorate of Health and Family Welfare, were made by the Departmental Selection Committee. This selection was challenged in the Hon'ble Punjab and Haryana High Court in CWP No. 9575 of 1994 and the Hon'ble Court, - vide its judgment dated 2nd January, 1995, had quashed this selection. These orders were modified by the Hon'ble High Court, - vide its orders dated 19th December, 1995 in CWP No. 9575 of 1994 to the extent that the petitioners would be permitted to continue in service till a regular selection in made. Later on selection for 566 Multipurposes Health Workers (Female) was made by the Subordinate Services Selection Board and the appointment letters to the selected candidates were issued in March, 1997 and the services of unselected candidates were terminated.² The matter was again challenged in the Hon'ble Supreme Court of India, - vide SLPs No. 2045-46 of 1999 and No. 7374-7375 of 1999 and as per orders of the Hon'ble Supreme Court dated 7th November, 2000, all the petitioners covered under these SLPs have been offered appointments by the Director, Health and Family Welfare in consultation with Advocate General, Punjab.³ Having regard to the fact that the Multipurpose Health Workers (Female) whose services were terminated in accordance with the judgment of Hon'ble Punjab and Haryana High Court dated 22nd October, 1997 in CWP No. 4892 of 1997, were appointed on regular basis and their selection/appointment was set aside by the Punjab and Haryana High Court on a technical ground and the added reasons that they had served as Multipurpose Health Workers (Female) for nearly three years, have become overage for the Government Employment, had left regular Government jobs to pick up appointments as in the meanwhile, it has been decided by the Government to consider them as a class apart and treat them as a "Special Category" for giving fresh appointments on humanitarian grounds. hence this Bill. Substituted vide Punjab Government Gazetted (Extraordinary) August 22, 2001 (SRVN. 31, 1923 SAKA) page 1371. Received the assent of the Governor of Punjab on the 4th September, 2001 and was published in the Punjab Gazette,

(Extra.), Legislative Supplement, Part I, dated September 14, 2001/Bhadra 23, 1923. An Act to provide relief and remove hardships to those Multipurpose Health Workers (Female), who were selected and appointed on regular basis in pursuance of their selection on the basis of advertisement dated the 12th July, 1992, but whose services were terminated after they had rendered nearly three years service on the ground that their appointments were beyond the advertised posts. It is, however, made clear that these appointments are being made as a one-time measure in peculiar facts and circumstances considering the extreme hardships of these Multipurpose Health Workers (Female) and their families. Be it enacted by the Legislature of the State of Punjab in the Fifty-second Year of the Republic of India as follows:

1. Short title and commencement.

(1) This Act may be called the Punjab Recruitment of Multipurpose Health Workers (Female) Act, 2001. (2) It shall be deemed to have come into force on and with effect from the 12th day of July, 1992.

2. Definitions.

- In this Act, unless the context otherwise requires, -(a) "advertised posts" means the actual vacancies on the date of advertisement made on the 12th July, 1992, and shall deem to include anticipated vacancies, which may fall vacant between the date of advertisement and the date of first appointment made in pursuance of the selection process; (b) "appointing authority" means the Director, Health Services, Family Welfare, Punjab; and (c) "Multipurpose Health Workers (Female)" means the Multipurpose Health Workers (Female), who were selected in pursuance of the advertisement, dated the 12th July, 1992, issued by the Department of Health and Family Welfare, Punjab, and who were appointed on regular basis in pursuance thereto, but whose services were terminated on the 27th March, 1997.

3. Appointment to be advertised posts.

- The appointments of Multipurpose Health Workers (Female) against the advertised posts shall be made by the appointing authority.

4. Date of joining.

- The date of joining of the Multipurpose Health Workers Female shall be the date, on which they actually join the posts in pursuance of this Act.

5. Seniority.

- The seniority of the Multipurpose Health Workers (Female) shall be determined from the date of their joining.

6. Repeal and Saving.

(1)The Punjab Recruitment of Multipurpose Health Workers (Female) Ordinance, 2001 (Punjab Ordinance No. 3 of 2001), is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken under the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of this Act.