



The Orissa Employees State Insurance Medical Service (Validation of Appointment) Act, 1994

Act 24 of 1994

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Government, Recruitment, Service, Validation Act

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ORISSA ACT 24 OF 1994

THE ORISSA EMPLOYEES' STATE INSURANCE MEDICAL SERVICE
(VALIDATION OF APPOINTMENT) ACT, 1994

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*THE ORISSA EMPLOYEES' STATE INSURANCE MEDICAL SERVICE
(VALIDATION OF APPOINTMENT) ACT, 1994

[Received the assent of the Governor on the 1st December 1994, first published in an extraordinary issue of the *Orissa Gazette*, dated the 8th December 1994]

AN ACT TO VALIDATE THE APPOINTMENT OF CERTAIN INSURANCE MEDICAL OFFICERS UNDER THE EMPLOYEES' STATE INSURANCE SCHEME, ORISSA.

BE it enacted by the Legislature of the State of Orissa in the Forty-fifth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Orissa Employees' State Insurance Medical Service (Validation of Appointment) Act, 1994.

Definitions.

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

- (a) "Government" means Government of Orissa;
- (b) "recruitment rules" means the Orissa Employees' State Insurance Medical Service (Recruitment) Rules, 1970;
- (c) "Service" means the Orissa Employees' State Insurance Medical Service under the Employees' State Insurance Scheme; and
- (d) "year" means the calendar year.

Validation

3. (1) Notwithstanding anything contained in the recruitment rules, thirteen Insurance Medical Officers including one Dentist, who were appointed to the Service on *ad hoc* basis by the Government in the Labour & Employment Department during the years 1983 to 1988, without recommendation of the Orissa Public Service Commission, and are continuing as such, shall be deemed to have been validly and regularly appointed to Class II grade of the Service, as direct recruits, with effect from the date of commencement of this Act and, accordingly, no such appointment shall be challenged in any Court of Law merely on the ground that it was made otherwise than in accordance with the procedure laid down in the recruitment rules.

(2) The *inter se* seniority of the Insurance Medical Officers whose appointments are so validated under sub-section (1) shall be determined according to the total length of service (with or without breaks) rendered by them on *ad hoc* basis prior to the commencement of this Act and they shall be enblock junior to the Insurance Medical Officers appointed to Class II grade of the Service in accordance with the recruitment rules prior to such commencement.

(3) The services rendered by the said thirteen Insurance Medical Officers on *ad hoc* basis prior to the commencement of this Act shall, subject to the provisions in sub-section (2), count for all purposes.

*For the Bill see *Orissa Gazette* Extraordinary, dated the 22nd July, 1994 (No. 881).