
Orissa Administrative Service Class-Ii (Appointment Of Officers Validation) Act, 1987

[22 May 1987]

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Orissa Administrative Service Class-Ii (Appointment Of Officers Validation) Act, 1987

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An Act to validate the appointments and determination of seniority of certain officers of the Orissa Administrative Service Class-II in the State of Orissa. BE it enacted by the Legislature of the State of Orissa in the Thirty-eighth Year of the Republic of India, as follows : Orissa Gazette, Ext. No. 820/2.6.1987-Notfn. No. 8403-Legis.12.6.1987.

1. Short Title :-

This Act may be called the Orissa Administrative Service Class-II (Appointment of Officers Validation) Act, 1987.

2. Definitions :-

(1) In this Act, unless the context otherwise requires-

- (a) "Direct recruitment" means recruitment to the Orissa Administrative Service Class-II by competitive examination conducted by the Orissa Public Service Commission in accordance with the provisions of the Orissa Administrative Service Class-II (Appointment by Competitive Examination) Regulations, 1959 ;
- (b) "Government" means the Government of Orissa; and
- (c) "Merger recruits" means the officers in the Orissa Administrative Service, Class-II, who had initially been members of the Orissa Subordinate Administrative Service and were inducted into the

Orissa Administrative Service Class-II by merger of the Orissa Subordinate Administrative Service with the Orissa Administrative Service Class-II (Junior Branch) in accordance with the policy laid down by Government resolution in the erstwhile Political and Services Department No. 363/Gen. dated the 7th January, 1972 and integration of the Orissa Administrative Service Class-II (Junior Branch) and the reconstituted Orissa Administrative Service Class-II (Senior Branch) into the Orissa Administrative Service Class-II in accordance with the policy laid down in Government resolution in erstwhile Political and Services Department No. 19468/Gen., dated the 21st December, 1973, excluding those officers who were recruited to the Administrative Services, Class II by promotion for the recruitment years 1970 and 1971.

3. Validation Of Certain Appointments And Determination Of Seniority :-

(1) Notwithstanding anything contained in the Orissa Administrative Service Class-II (Recruitment) Rules, 1959 and the regulations framed thereunder or the Orissa Administrative Service Class II (Recruitment) Rules, 1978 and the regulations framed thereunder or in any judgment, decree or order of any Court but subject to the provisions of Sub-section (2).

(a) the appointment of the merger recruits to the Orissa Administrative Service Class-II and the determination of their seniority in the Orissa Administrative Service Class-II vis-a-vis the Officers appointed to the Orissa Administrative Service Class-II by direct recruitment in respect of the recruitment year 1972 in accordance with Government Resolution in the Revenue Department No. 27662/R, dated the 23rd April, 1984.

(b) the appointment of the officers to the Orissa Administrative Service Class-II in respect of the recruitment years 1970 and 1971 by the methods of promotion and direct recruitment, the determination of the seniority of the said officers in the Orissa Administrative Service Class-II in accordance with Government Resolution in the Revenue Department No. 2008/R.(C.S.) dated the 11th November, 1973; and

(c) the appointment of the officers to the Orissa Administrative Services Class II in respect of the recruitment years 1972, 1973 and 1974 by the method of direct recruitment, shall, for all intents and purposes, be deemed to have been validly made and determined and shall not be liable to be challenged in any Court of

law of otherwise be opened to challenge merely on the ground that they were made or determined otherwise than in accordance with the provisions contained in the said rules and regulations.

1[(2) (a) Such number of merger recruits as would have been entitled to promotion in the recruitment years 1972 and 1973 computed on the basis of percentage envisaged under Rule 10 of the Orissa. Administrative Service Class-II (Recruitment) Rules, 1959, shall be deemed to be the promotees of the respective years, and the determination of seniority of the merger recruits so deemed to be the promotees-

(i) of the year 1972 vis-a-vis the officers appointed to the Orissa Administrative Service- Class-II by direct recruitment in respect of the recruitment year 1972; and

(ii) of the year 1973 vis-a-vis the officers appointed to the Orissa Administrative Service Class-II by direct recruitment in respect of the recruitment year 1973;

shall be in accordance with the some principle as followed for the determination of inter se seniority between the direct recruits and the promotees in relation to the Orissa Administrative Service Class-II in respect of the recruitment years 1970 and 1971 and they shall be placed accordingly in the gradation list;

(b) The remaining merger recruits shall be placed below the direct recruits of the year 1973 in the gradation list.]

1. Substituted vide Orissa Gazette, Ex. No. 1159/19.8.1992-Nofn. No. 12779 Legis./ 19.8.1992.

4. Repeal And Savings :-

(1) The Orissa Administrative Service Class-II (Appointment of Officers Validation) Amendment Ordinance, 3 of 1992 is hereby repealed.

(2) Notwithstanding such repeal anything done, any action taken or any order issued under the principal Act as amended by the said Ordinance shall be deemed to have been done, taken or issued under the principal Act as amended by this Act.