

Government of Odisha
General Administration Department

No. O&M /1-9/91. 31359 /Gen.

Bhubaneswar, dated 13-12-91

From

Shri Tarun Kanti Mishra, IAS
Special Secretary to Government.

To

The Secretaries to all Departments.

Sub: - Policy relating to transfer and posting of couples employed under the state government.

Sir,

I am directed to invite a reference to General Administration Department letter No.28100 dated 10.10.1990 wherein the policy of the Government relating to transfer and posting of husband and wife working under the state Government was enunciated. In this letter it was clarified that couples should be posted as far as possible in one station or in the neighbouring stations not being their home, districts.

Recently, the Supreme Court, in case of Bank of India Vrs. Jagajit Sing Menta have held that the departmental authorities should consider the fact of separation of husband and wife along with the exigencies of administration. In the words of the Supreme Court, the authorities will "enable the two spouses to live together at one station if it is possible without any detriment to the administrative needs and the claim of other employees". While choosing the career and a particular service, the couples have to bear in mind the possibility of separation and be prepared to face such a hardship if the administrative needs and transfer policy do not permit the posting of both at one place without sacrifice of the requirements of the administration and the needs of other employees: In such a case the couples have to make their choice at the threshold between the career prospects and family life. After giving preference to the career prospects, they cannot as of right claim to stay together at a particular station.

Yours faithfully

T. K. Mishra

Special Secretary to Government