

BOOK CIRCULAR

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GOVERNMENT OF ORISSA POLITICAL & SERVICES DEPARTMENT

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To

ALL DEPARTMENTS OF GOVERNMENT/ALL HEADS OF
DEPARTMENTS/ALL DISTRICT MAGISTRATES

Bhubaneswar, dated the 28th April 1967

Subject—Transfer of Gazetted Officers of State Civil Services.

In recent years, it is invariably noticed that orders of transfer of officers are not being implemented despite instructions issued to the concerned authorities to relieve them quickly to avoid dislocation of Government work. In several cases, it has been brought to the notice of Government that the officers under order of transfer manipulate through political influence or by approaching the higher officers to stay or cancel the order. One of the methods of getting this done is the delay in relieving the officers who, in the mean time move all corners concerned and if possible personally approach the political authorities, who put pressure on Government to get the transfer orders stayed for some time and then cancelled some time after. This has caused a great dissatisfaction among officers who are in some particular stations for a longer period, and in spite of efforts at the Government level to shift them elsewhere by posting substitutes, the attempts fail. It is further, noticed in some cases that, when a notification is issued transferring an officer from a district the District Magistrate moves the Government to cancel the order and although Government ask the District Magistrate to relieve the officer immediately, he goes on putting forth reasons for not relieving him as a result of which other transfers in the chain are not given effect to. This sort of practice causes serious dislocation in public service and Government, after careful consideration, are pleased to make

the following provisions for normal transfer and posting of gazetted officers of all Departments of Government.

1. Ordinarily, an officer should remain in a particular station for a period of three years in one or more appointments and he should not be transferred earlier unless he is promoted to a higher post.

2. If it is considered that the transfer of an officer who has completed three years, will not be in the public interest due to the special knowledge he has gained by remaining in the post and that it is difficult to get a suitable substitute not without impairing efficiency in public work, the officer may not be transferred and may be allowed to continue in the post. But he should be replaced in the earliest possible opportunity, when a suitable substitute is available. Instances of such cases are rare and this provision should be made applicable rarely and in genuine cases only.

3. Officers in executive field posts should be transferred after completion of three years; but nothing herein contained prevents Government from transferring them earlier than three years provided such transfer is considered necessary in the public interest.

4. Authorities competent to transfer officers, may ordinarily initiate proposals to transfer in the first week of April of the

year, and orders be taken and notifications issued by the end of April. The officers proposed to be transferred should be intimated of the transfers by the first week of May, to be in readiness to move immediately after the notifications are issued.

5. All transfer proposals are to be initiated by taking into account the suitability of the officers for the posts or stations to which they are proposed to be transferred and, in such cases home district should normally be avoided as far as possible.

6. The transfer and posting orders should normally indicate as to which officer will relieve whom and in case this is not indicated due to the reasons best known to the authorities, the officer transferred, will make over to another officer of the same station under the order of the immediate superior authority and proceed to the new station.

7. The controlling authorities, on receipt of the orders of transfer of the officers, shall pass orders to relieve the officers within 7 days of the receipt of the orders and indicate in the said orders as to whom the transferred officers will make over.

8. No protest for retaining the transferred officer should be made by the concerned authorities and that, if no substitute has been posted against the officer transferred, the concerned authorities should move the appropriate authorities to post the substitute immediately. This, however, will not detain the officer under order of transfer.

9. In all cases, while transferring officers from one post or station to another care should invariably be taken to see that suitable substitutes are posted and, in case there is for the time being difficulty in posting substitute due to shortage of officers or otherwise, this should be explained to the concerned authorities so that there may not be any occasion to raise the question of posting of a substitute further.

10. No application for leave of an officer who has been transferred and posted

elsewhere by means of notification or D.O. intimation earlier, should be entertained. Any application for leave after the receipt of transfer order or D. O. intimation will give rise to the presumption that the officer intends to avoid the transfer. He may, however, apply for leave, if required after joining the new station.

11. Deputation of an officer from the parent department to another department or to the foreign service normally be for three years and the officer shall thereafter revert to the parent Department after the completion of the said period. He may not subsequently be deputed to another Department or to the foreign service unless he completes three years in the parent department on reversion from the other department or foreign service to which he was deputed earlier.

12. Monetary benefit available in the shape of special pay in a deputation, should not be of any consideration for transferring an Officer to another post carrying no special pay, as special pay is attached to the post and it gives no claim to an officer for that benefit in other posts carrying no special pay.

13. Any canvassing by an officer or others interested in him, for stopping, staying or cancelling transfers will be construed to be misconduct of the officer.

14. Notification of transfers and postings once issued shall be final and shall not be cancelled or stayed unless it is strictly required on public grounds which may only happen in a very few are and special circumstances.

15. These provisions are applicable in the matters of postings and transfers of Gazetted Officers of the departments which are not governed by the special provision regulating transfers and postings of their officers.

A. K. BARREN

Chief Secretary to Government