



All India RRB Officers' Federation (AFFILIATED TO AIBOC)

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Circular # 57:2018

4th July 2018

All Affiliates/ Members
(Please re-circulate)

AIBOC SUCCEEDS IN OBTAINING FAVOURABLE ORDER DELHI HIGH COURT ADVISES BANKS TO COMPLETE THE PROCESS OF APPOINTMENT OF OFFICER DIRECTORS ON THE BOARDS OF THE BANKS

We reproduce hereunder the text of All India Bank Officers' Confederation Circular No. 34 dated 3rd July, 2018.

QUOTE

The All India Bank Officers' Confederation had filed a writ petition in the Delhi High Court seeking the direction from the Honorable Delhi High Court to the Management of the Banks as well as the Government of India to initiate the process of appointment of the Officer – Directors on the Boards of the Banks. The Confederation had contended that the Government has failed to implement the provisions of the Banking Companies Act and the SBI Act in regard to the said appointment of Officer-Directors on the Boards of all the Banks. The present Government had not made any fresh appointment after the expiry of the term of the Officer-Directors on the Boards and as a result the Board of all the Banks were functioning without the representative of the Officer – Director as required under the provisions of law.

2. The case was admitted on 3.11.2017. The initial hearing was held on 28.2.2018. The next hearing was scheduled on 16th May, 2018 wherein the Hon'ble Judge has given the following rulings:

- i. The needful be done in 10 days from the date of receipt of a copy of the order.
- ii. The list of names so submitted to be filed by the petitioner Federation to the Court, supported by an affidavit of a duly authorized person.
- iii. Respondent No.1 i.e., GOI will process the list and place it's response before the court on or before the next date of hearing.
- iv. Re-notify the matter on 09.08.2018.
- v. In the meanwhile, counter affidavit will be placed on record.

The court has thus asked the Government to take necessary steps for the appointment of the Officer-Directors on the Boards of all the banks.

3. The Confederation has sent intimation to all the affiliates to immediately send the panel of 3 names for the purpose of appointment of the directors on the board of the respective banks. Many of our affiliates have already submitted their nominees to their respective Boards, as suggested by us. We are also given to understand that the management of some of the banks have also initiated the process of completing the formalities for final submission to the Government for filling the vacancies. We request all affiliates who have not sent the nominations to forward a copy to the AIBOC and to the Bank immediately and follow-up with their respective management to ensure that the process is completed without further delay.

4. We are herewith attaching the Court Order for information and necessary action.

UNQUOTE

With greetings,

(S.K. Bhattacharjee)
GENERAL SECRETARY

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 9749/2017
ALL INDIA BANK OFFICERS CONFEDERATION Petitioner
Through: Mr. Prashant Bhushan, Mr. Shakti
Vardhan, Mr. Pranav Sachdeva and
Ms. Neha Rathi, Advocates.
versus
UNION OF INDIA AND ANR. Respondents
Through: Mr. Brajesh Kumar, Advocate for R1
Mr. H.S. Parihar and Mr. Kuldeep S.
Parihar, Advocates for R-2.

CORAM:
HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER
% **16.05.2018**

1. Mr. Bhushan says that the petitioner federation will furnish the concerned unions in respect of 21 Public Sector Banks for appointment of persons in the category of Employee Director in consonance with the provisions of Section 9(3)(f) of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with Section 19 of The State Bank of India Act, 1955 as also the extant rules and regulations and scheme framed thereof.

1.1 Let the needful be done within 10 days from the date of receipt of a copy of the order.

2. The list of names so submitted will be filed by the petitioner federation, with the Court, supported by an affidavit of a duly authorized person.

3. Respondent no.1 will process the list and place its response before the Court on or before the next date of hearing.
4. Renotify the matter on 9.8.2018.
5. In the meanwhile, counter affidavit will be placed on record.

RAJIV SHAKDHER, J

MAY 16, 2018

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