

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 5427 of 2016 (O&M)
Date of decision: 21.3.2016

Gurgaon Gramin Bank Officers Organization

.. Petitioner

v.

Union of India and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Tribhuvan Dahiya, Advocate for the petitioner.

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Rajesh Bindal J.

The petitioner-organization of the officers working in Gurgaon Gramin Bank, has filed the present petition challenging the vires of Sarva Haryana Gramin Bank (Officers & Employees) Service Regulations, 2010 (for short, 'the Regulations') to the extent of its retrospectivity.

Learned counsel for the petitioner submitted that the Regulations have been made in exercise of powers conferred under the Regional Rural Banks Act, 1976 (for short, 'the Act'), which does not confer power on the bank to frame Regulations with retrospective effect, hence, to the extent the Regulations have been made effective from 29.11.2013, the same be set aside.

After hearing learned counsel for the petitioner, we do not find any merit in the submissions made. It is not in dispute that after Gurgaon Gramin Bank came into existence, the Board of Directors by passing a resolution adopted the Regulations for its employees, as were applicable to Haryana Gramin Bank. The sponsor bank of both the Gramin Banks is

Punjab National Bank. It was only to overcome some problems that both the Haryana Gramin Bank and Gurgaon Gramin Bank were amalgamated. The new entity was named as Sarva Haryana Gramin Bank. The new Regulations were notified and the same were made effective from the date the aforesaid banks were amalgamated. Learned counsel for the petitioner did not point out any change in the Regulations as such, vide which conditions of service of the employees working in Gurgaon Gramin Bank were changed. Once the Regulations were already in force after adoption by a resolution of the Board of Directors, merely because after amalgamation of two banks, new service Regulations have been notified, which are in the same terms and given effect from the back date, it cannot be said that the Regulations have been made with retrospective effect.

In view of the above, there is no merit in the present petition. Accordingly, the same is dismissed.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

21.3.2016
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