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W.A.Nos.1529 and 1540 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 15.06.2026

DELIVERED ON : 01.07.2026

CORAM :

THE HONOURABLE MR. SUSHRUT ARVIND DHARMADHIKARI,  
CHIEF JUSTICE  
AND  
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.Nos.1529 and 1540 of 2026

AND

C.M.P.Nos.14203 and 14366 of 2026

W.A.No.1529 of 2026

1.Union Bank of India  
Rep. by its Managing Director and  
Chief Executive Officer,  
Central Office,  
No.239, Vidhan Bhawan Marg,  
Nariman Point, Mumbai-400 021

2.Union Bank of India  
Rep. by its Chief General Manager (HR)  
Human Resources Department,  
Central Office,  
No.239, Vidhan Bhawan Marg,  
Nariman Point, Mumbai 400021

Appellant(s)

Vs

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1.All India Union Bank Officer Staff Association  
Rep. by its General Secretary Mr.D.S.Ganesan,  
AIBOA House,  
II Floor, No.109, Angappan Naicken Street,  
Chennai 600 001

2.G Deepika  
22A, II Main Street, Vallalar Nagar,  
Pattabiram, Chennai 600 007

3.Government of India  
Rep by its Secretary,  
Department of Financial Services,  
Jeevan Deep, Parliament Street,  
New Delhi 110 001

Respondent(s)

PRAYER: Appeal filed under Clause 15 of the Letters Patent to aside the impugned order dated 02.06.2026 passed in W.M.P.No.18111 of 2026 in W.P.No.16860 of 2026, to the extent that the said order continues the interim stay in respect of the women officers who have not submitted their requests/preferences under the longer tenure category and stays the operation of Clause 5.4 of the impugned Transfer Policy with respect to women officers thereby preventing the petitioner Bank from issuing further transfer orders.

For Appellant(s): Mr.ARL.Sundaresan  
Senior Counsel  
for Mr.Mansi Sethiya Jain

For Respondent(s): Ms.R.Vaigai  
Senior Counsel  
for Ms.M.N.Sumathy for RR1 and 2  
Mr.K.Srinivasamurthy  
Senior Panel Counsel  
Central Government for R3

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1. All India Union Bank Officer Staff Association  
Rep. by its General Secretary D.S.Ganesan,  
AIBOA House, II Floor,  
No.109, Angappan Naicken Street,  
Chennai - 600001

2. Deepika G  
22A, II Main Street, Vallalar nagar, Pattabiram,  
Chennai 600 007  
Working as MMGS - Scale I Officer  
Union Bank of India,  
PF No 701597 Satyamurthy Nagar Branch,  
Chennai North

Appellant(s)

Vs

1. Union Bank of India  
Rep. by its Managing Director and  
Chief Executive Officer,  
Central Office, No.239,  
Vidhan Bhawan Marg,  
Nariman Point, Mumbai - 400021.

2. Union Bank of India  
Rep. by its Chief General Manager,  
Human Resources Department,  
Central office,  
No.239, Vidhan Bhawan Marg,  
Nariman Point, Mumbai - 400 021.

3. Government of India  
Rep. by its Secretary  
Department of Financial Services,  
Jeevan Deep, Parliament Street,  
New Delhi - 110001.

Respondent(s)

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**PRAYER:** Appeal filed under Clause 15 of the Letters Patent to aside the interim order dated 02.06.2026 passed in WMP No.18111 of 2026 in WP No. 16860 of 2026 to the extent that the interim order dated 30.04.2026 granted by this Hon'ble Court in WMP No.18111 of 2026 in WP No.16860 of 2026 was modified allowing transfer of 1204 female officer who have already submitted their requests/preferences under the longer tenure category under Clause 5.4 of the impugned Transfer Policy which is against the Central Government transfer guidelines.

For Appellant(s): Ms. R.Vaigai  
Senior Counsel  
for Ms.M.N.Sumathy

For Respondent(s): Mr.ARL.Sundaresan  
Senior Counsel  
for Mr.Edward James for RR1 and 2  
Mr.K.Srinivasamurthy  
Senior Panel Counsel  
Central Government for R3

COMMON JUDGMENT

G.ARUL MURUGAN, J.

Both these intra-Court appeals are preferred assailing the interim order dated 02.06.2026 passed by the writ Court, disposing the interim application in W.M.P.No.18111 of 2026 in W.P.No.16860 of 2026.



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2. W.A.No.1540 of 2026 is preferred by the Staff Association/first petitioner in the writ petition, challenging the interim order insofar as the benefit is not extended to the transfer of female officers made based on their request/preferences submitted under long tenure category. W.A.No.1529 of 2026 is preferred by the respondents 1 and 2/Bank in the writ petition, aggrieved by the interim order staying the transfer in respect of female officers who have not submitted their request/preference.

3. Since the issues raised in both the appeals arise out of the interim order passed by the writ Court, they are heard together and disposed of by this common order.

4. For the sake of convenience, the parties are referred to as per their status in the writ petition.

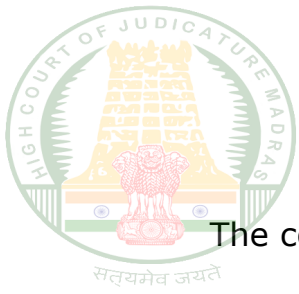
5. The writ petition has been preferred challenging the Transfer Policy for Officers up to MMGS-III issued by the second respondent/ Union Bank of India in Staff Circular No.101885- 2026 dated 16.03.2026, particularly, in respect of Clauses 5.4 and 5.11(iv) as arbitrary and illegal, as it is not in consonance with the mandate



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issued by the third respondent/Government of India, Ministry of Finance, *vide* proceedings dated 08.08.2014 and 26.11.2024. The two specific clauses in the Transfer Policy allowing the female officers to be transferred out of a zone due to the long tenure of service and restricting the exemption, are issued without considering the welfare and security of the women officers, who were suggested to be accommodated at a place close to the spouse/family in the guidelines.

6. Mrs. R. Vaigai, learned Senior Counsel appearing for the writ petitioners, by referring to the two proceedings of the Government of India dated 08.08.2014 and 26.11.2024 submitted that pursuant to several meetings and parliamentary discussions and after considering the hardships and insecurity faced by women officers in public sector banks, the Central Government had advised all public sector banks to frame appropriate policy specifically, incorporating a clause to accommodate both married and unmarried female employees, as far as possible, by ensuring their placement or transfer upon request to locations where their husbands/parents are stationed. The Central Government further directed that in addition to existing administrative criteria, grounds such as marriage, spouse placement, maternity and childcare were also to be suitably incorporated in far away postings.



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The core endeavor was to post them in the nearby place/region.

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7. Learned Senior Counsel further submitted that the two clauses in the Transfer Policy are not in line with the directives issued by the Government of India where the women officers are sought to be transferred inter-region to far off places from where their spouses/ family members are stationed. Therefore, the circular is not only against the guidelines of the Government of India, but also violative of Article 15(3) and 21 of the Constitution of India.

8. Learned Senior Counsel further contended that though the writ Court had stayed the transfer of the women officers who have not exercised their option, it had erroneously not extended the same benefit to the 1,024 female officers, who had submitted their request/ preferences, without appreciating the fact that these transfers are not actually issued based on their request/preference. Once the period fixed under long tenure transfer category comes into effect, the portal automatically effects transfer process, where the female employee is mandated to give a choice and, therefore, the restriction made on the ground of preference/choice submitted is unsustainable.



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9. By placing reliance on the decision of the learned Single Judge in the case of the first petitioner Association against the first respondent bank dated 28.04.2025 in W.P.No.28838 of 2024, the learned Senior Counsel submitted that after elaborate discussions, the learned Single Judge had issued a set of directions, specifically, clause (vi) of paragraph 95 directed the first respondent/ bank to ensure the introduction of a policy in conformity with the Central Government guidelines dated 08.08.2014 and 26.11.2024. Although the first respondent bank challenged the said order, the Division Bench of this Court, by an order dated 19.06.2025 in C.M.P.No.13839 of 2025 in W.A. No. 1815 of 2025, did not stay this specific portion of the order despite staying the operation of certain other clauses, and had specifically directed that this portion of the order mandating the implementation of the guidelines issued by the Central Government shall be implemented in letter and spirit. As such, the impugned clauses in the policy issued by the first respondent bank are in breach of the orders of this Court and the steps taken by the first respondent bank to effect *en masse* transfers of the female officers on the ground of long tenure services to far off places is arbitrary and cannot be permitted to proceed.



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10. Mr. AR.L. Sundaresan, learned Senior Counsel appearing for the Union Bank of India, at the outset questioned the very maintainability of the writ petition and submitted that since the issue pertains to transfer in service, it is only open to the individual officers to ventilate the grievance, if any, and the Staff Union cannot plead the cause of the individual service rights and therefore, the writ petition filed by the association itself is not maintainable.

11. The learned Senior Counsel further submitted that when transfer is an incident to service and particularly, when the officers are governed by Regulation 47 of the Bank Service Regulations, as well as their appointment orders, which stipulate that their services are transferable to any branch of the bank throughout the Country, the challenge to transfer policy cannot be sustained. He further submitted that the policy itself has been formulated in line with the guidelines issued by the Government of India, balancing officers welfare, customer interest and bank objectives, while addressing the specific requirements and grievances of individual officers.



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12. The learned Senior Counsel further by placing reliance on several other clauses in the Transfer Policy submitted that the interests of all the employees, particularly, the women officers, are well protected through special categories and creating cohort zones, whereby every effort has been made to ensure that the women officers are accommodated in their place of choice/preference. He further submitted that though officers become eligible for transfer under the long tenure category after five years of service, still transfers are generally effected only upon completing the maximum nine year tenure. Furthermore, several sub-categories are entirely exempted from transfer and in 2026 alone, 475 female officers were granted exemptions.

13. The learned Senior Counsel also pointed out that out of 1,519 female officers transferred under the long-tenure category, 1,204 female officers submitted their request/preferences and were accommodated in their specified or adjoining cohort zones. The remaining 315 female officers did not exercise their options and were consequently posted to nearby or secondary cohort zones. However, due to the interim order, these transfers have also been stalled. Even if



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the interim order is restricted to these 315 female officers, if their transfers are not effected, other officers who exercised their options will also not be in a position to join their respective postings and in effect, the transfers effected are crippled throughout the country.

14. Learned Senior Counsel by placing reliance on a decision of the Delhi High Court in the case of ***Bharti Shami v. Union of India & Others (2026 SCC OnLine Del 1039)*** submitted that the challenge made to the transfer order by a female officer relying on the circular of the Central Government came to be dismissed on the ground that the circular does not have statutory force as it only states to accommodate 'as far as possible' and also on the ground that the transfer can be challenged only in the case of violation of any statutory provision.

15. He further submitted that there is a provision of appeal and the individual officers can approach the appellate authority where their individual grievance would be considered on its own merits and the association cannot plead the cause of individual officers and cripple the entire activity of the bank throughout the country, by challenging the Transfer Policy and obtain interim order for effecting transfer.

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16. We gave our anxious consideration to the submissions made on either side and considered the materials available on record.

17. At the outset, it is to be noted that these appeals arise out of the interim order and still the writ petition which assails two Clauses 5.4 and 5.11(iv) of the Transfer Policy of the first respondent bank in Circular dated 16.03.2026 are pending and yet to be finally decided. We would, therefore, now advert to the facts, for the limited purpose of deciding these appeals against the interim order alone.

18. For better appreciation, the two Clauses 5.4 and 5.11(iv) of the Transfer Policy in Circular dated 16.03.2026 of the first respondent bank, which are put to challenge, are extracted hereunder:

**"5.4 Transfers on Account of Longer Tenure in a Zone:**

*5.4.1 Vacancies identified in the higher Grade/Scale in the Zone will be first filled in by transferring back the officers who have completed 3 years (or number of years as decided by the Competent Authority) of service/posting out of parent Zone, in a particular scale, on promotion/ longer tenure/ lateral transfer or rural/semi-urban postings or synchronization of grade/scale or otherwise. Such officers will be transferred back to their parent Zones in the order of their date of reporting in the*



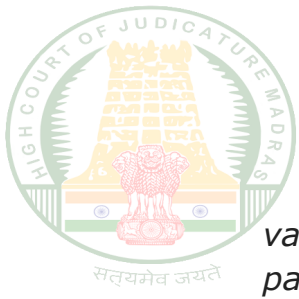
existing Zone where they were transferred on promotion/longer tenure/lateral transfer, rural/semi urban posting etc.

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5.4.2 An officer shall normally remain posted in a Zone for a minimum period of 5 years and a maximum period of 9 years. Officers shall be liable for inter-zone transfers on account of longer tenure in a Zone once they complete the minimum tenure in a Zone. The Zone wise cut-off date for longer tenure transfers shall be decided by the Competent Authority and every year a list of scale wise tenure-based Seniority List of officers (in officer cadre) shall be declared by Central Office in descending order, which shall be taken into consideration while effecting such tenure based inter-zone transfers as per the decided cut-off of each Zone. Officers who are transferred out of the Zone under this clause shall be placed in another Zone for serving minimum period of 3 years. The female officers who have reached the age of 52 years and male officers who have reached the age of 54 years respectively as on 30<sup>th</sup> June as of that financial year will not be moved out of Zone under this clause. The Officers who are so transferred outside the Zone would be eligible to be transferred back to their parent Zone after completion of 3 years of service outside their parent Zone, in the order of their date of reporting in the Zone where they are so transferred. Such Officers will be required to apply for transfer requests in HRMS-Union Parivar.

5.4.3 Transfer of Specialist officers shall be need based and as per the recommendations received from the concerned Vertical Heads.

5.4.4 General Banking Officers who become due for transfer under this criterion may be given an option to apply for 5 preferred Zones with 3 Regions per Zone, for placement upon transfer. As far as possible, Zone may be allotted in the order of preference given by the officer, subject to availability of



vacancy. Criterion such as age of the officer/tenure spent in a particular Zone/displacement may be considered while allocating new Zone.

However, Bank will explore the possibility of accommodating officers up to Scale-III in the respective linguistic region to the extent possible and it shall be the endeavor of the Bank to avoid far off postings, considering various factors including availability of vacancies, administrative exigencies etc.

For this purpose, Bank has identified Cohort of Zones comprising of a group of 3 to 4 nearby zones in similar linguistic areas provided as Table-A to this Policy. While carrying out transfers on longer tenure in case no option is exercised by the officer or non-availability of vacancy in the Zones opted, the officer may be posted to any other Zone within the Cohort in which his/her existing Zone falls, to the extent possible based on the administrative requirement.

Similarly, officers who wish to seek exemptions under the criteria listed at clause No. 5.11 (except subpoints i & iv), in case their exemption request is not acceded, and they do not opt for any Zone or their opted Zone has no vacancy, they may be allocated to Zones falling in the Cohort to the extent possible based on the administrative requirement.

As far as possible, care be taken by Zonal Offices to post the employees having medical issues at centres where medical facilities are easily available.

5.4.5 The tenure of Domestic/Forex/Derivative Dealer will be for maximum of 5 years in front office with total tenure not exceeding 7 years in Treasury department in continuation. The Back-Office staff tenure in Treasury department Shall be for maximum of 5 years. Internal rotation of treasury staff will be



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carried out every 3 years or more frequently at the discretion of General Manager of the Treasury Vertical.

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5.4.6 Local Bank Officers (LBOs) will be posted within the selected State for the first 10 years of their service or up to their promotion to SMGS IV, whichever is earlier. Inter Region/ Inter Zone transfers within the same State of LBO will be carried out as per provisions applicable to other general banking officers.

Central Office may decide about retention of promoted LBOs within the Zone (with States having more than one Zone) subject to the availability of vacancies.

### **5.11 General Exemptions:**

While carrying out lateral transfers on Longer Tenure/ transfers on Promotion, the below mentioned grounds may be exempted depending on the gravity/genuineness of circumstances. The applicability of exemption under Longer Tenure and Promotions shall be as follows:

S.No.	Ground for Exemption	Applicability	
		Longer Tenure Transfer	Transfers on Promotion
i	Differently Abled	Yes	Yes
ii	Critical illness	Yes	Yes*
iii	Death of Spouse	Yes	No
iv	Females on family way/ Child below 2 years	Yes	Yes
v	Office Bearer of Trade Union	Yes	No
vi	Single Parent (of Child up 10 years of age)	Yes	Yes



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*\*It is further clarified that in case of promotions exemption from transfer for critical illness can only be sought for such critical illness [as provided in point (ii) below, diagnosed after applying for promotion.*

*These exemptions shall not apply in case of job rotation on completion of 3/5 year in the same Branch/Office.*

*Grounds for exemption:*

*i ... ..*

*iv. Lady officers may also be exempted from inter-zonal transfer on grounds of maternity and childcare in the following cases:*

*a) If they are in a family way, the exemption will be for a period of three years (including 9 months of family way).*

*b) Having a child below two years of age, the exemption will be till the period the child turns 2 years of age.*

*The exemptions to lady officers as mentioned above shall also be applicable in case of transfer on account of longer tenure in a Zone/ lateral movement/ Promotion and at any given time, for one promotion placement/job rotation out of Region/lateral transfer, only one of the above mentioned two exemptions shall be applicable. Once exemption under any of a) or b) is availed by the lady officer from the transfer exercise, repeated exemption under the same clause or consecutive invocation of both the clauses shall not be permissible for the Transfer Orders issued. After the exemption period is over, the officer concerned has to undergo the transfer exercise.*

*Officers shall be required to apply for exemption each year they wish to seek exemption under any of the above clauses.*



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However, the aforesaid exemptions/ concessions (at point No. i. to iv.) would not be available to such officers who are transferred on grounds of disciplinary action/any POSH related matter or are involved in fraudulent transactions.

*Note: For the purpose of clause 5.2 (transfers on compassionate grounds) and 5.11 (General exemptions - i to iv and vi) dependent family members as updated in Union Parivar prior to the date of application for exemption in the Portal shall be considered. Parents names should also be invariably updated in Union Parivar.*

*If any employee does not submit the request for exemption in the application window, he/she shall be liable for transfer and no further requests /representations will be considered after the **cut-off date** given to submit such requests."*

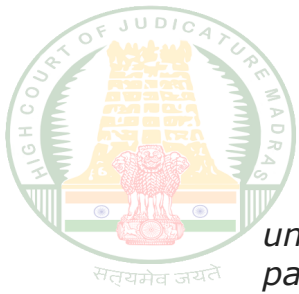
19. The Transfer Policy issued by the first respondent bank is primarily challenged on the ground that the same is not in consonance with the guidelines issued by the Central Government dated 08.08.2014 and 26.11.2024, which are extracted hereunder:

**Circular dated 08.08.2014:**

*"Subject: Transfer of female employees in Public Sector Banks - minimizing their hardship.*

*Sir,*

*It has been brought to the notice of this Department that female employees of Public Sector Banks (PSBs); married or*



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unmarried, when placed/transferred away from their husband or parents, as the case may be, to distant locations face a genuine hardship and develop a feeling of insecurity. Keeping this in view, it has been decided:

(i) to accommodate female employee, as far as possible placement/transfer of married-on her request, at a place where her husband is stationed or as near as possible to that place or vice versa; and

(ii) to accommodate as far as possible placement/transfer of unmarried. female employee, on her request, at a place where her parents, are stationed or as near as possible to that place.

2. PSBs are, therefore, advised to frame a policy on the subject with the approval of their Board suitably incorporating the above and take immediate action for implementation and compliance. Pending requests may also be considered under these guidelines. A line of confirmation may be sent to this Department immediately after adoption of the policy by the Board of the Bank.

3. This issues with the approval of Secretary (Financial Services)."

**Circular dated 26.11.2024 :**

"3. In view of the above, the 'Transfer Policy' of the banks have been reviewed and with an aim to promote greater transparency, and to ensure formulation of a uniform and non-discretionary 'Transfer Policy', PSBs are advised as below:

a. Various administrative layers in the Bank such as Region / Zone / Circle / EGMO etc. be clearly and uniformly defined. Similarly, minimum and maximum tenure at each layer be also clearly defined.

b. 'Transfer timelines' be clearly defined and strictly adhered to. Transfer exercises may be completed before June, every year. Mid-year transfers may be avoided as far as



possible except in case of promotions and administrative exigencies.

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c. Transfer exercise be made transparent with annual publication of seniority list and the existing / expected vacancies at different locations / scales. Rotational transfers should be on seniority basis and exceptions, if any, should be properly recorded / documented.

d. Banks to automate the transfer process and to develop an online platform for the same with the facilities of giving location preference options to its employees in case of transfers. The online portal may also include the Bank's transfer policy, guidelines and related circulars, scale wise seniority list, details of vacancies scale wise/location wise, and other relevant details in order to bring efficiency and transparency in transfer process.

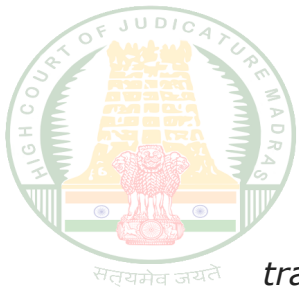
e. Banks to accommodate officers up to Scale-III in the respective linguistic region in order to ensure seamless customer service to the extent possible, considering various factors including availability of vacancies, administrative exigencies etc.

f. Banks to designate certain regions as 'Difficult areas'. The employees posted there be given preference for transfer after completion of their tenure.

g. In addition to the available grounds of transfer, the grounds of marriage / spouse / medical / maternity / child care / far away postings also be suitably incorporated.

h. In case of spouse working in Central / State Governments, an endeavour to post them in the same place / region or nearby place / region be made.

i. Women employees be transferred as far as possible to nearby places / stations / region. In case of posting to a far-away / remote locations, their safety be given due importance and availability of basic amenities be ensured.



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j. Grievances received from employees citing violation of transfer policies be dealt in a considerate manner and suitably responded after detailed deliberations and by duly recording the reasons thereof.

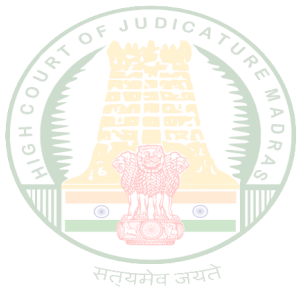
k. With respect to appeals received on transfers from the employees, a committee be set up to look into the issue and dispose the appeals within 15 days.

l. With regard to 'Transfer protection' to office bearers of Associations / Unions, clear definition of position, tenure and applicability be incorporated and strictly adhered Transfer protection may not be made available to an office bearer on promotion.

4. All PSBs are requested to incorporate the above advises suitably in their respective 'Transfer Policy' with the approval of their Boards and take immediate action for its implementation and compliance from FY 2025-26. PSBs are also advised to send a copy of the policy, so modified, to this Department, at the earliest."

20. The Transfer Policy is further challenged on the ground that it is not in compliance with the directions issued by this Court *vide* order dated 28.04.2025 in W.P.No.28838 of 2024, specifically directing the bank to introduce the policy in conformity with the above guidelines in paragraph 95(vi), which reads as follows:

"95. (vi) The first and second respondents must ensure that any policy they introduce is in confirmity with the guidelines issued by the Central Government, as outlined in its directive dated 08.08.2014 and subsequently reiterated on 26.11.2024."



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21. In the appeal, the Division Bench, by order dated 19.06.2025 in W.A.No.1815 of 2025, specifically declined to stay paragraph 95(vi), and further made it clear that the guidelines of transfer shall be implemented, which reads as follows:

*"There will be a limited interim stay of the directions contained in Clause (i), (ii), (iii), (iv) & (v) of Para 95 of the order impugned in this writ appeal. Other directions will have to be complied with by the Bank.*

*2. The guidelines issued by the Central Government on the transfer shall be implemented in its letter and spirit."*

22. The main plank of contention of the learned Senior Counsel for the Staff Union is that the Central Government issued guidelines directing public sector banks to frame transfer policies that prioritize the welfare and security of female officers by accommodating them in their preferred stations close to their family. However, the Transfer Policy of the first respondent bank allowing the transfer of female officers to far off places inter-zones is in complete violation and breach of the guidelines issued by the Central Government and the directions issued by this Court. Further, the restriction made in Clause 5.3.1 by not allowing the female officers from being exempted from transfer for long tenure transfers as contained in Clause 5.4 and transfer on



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promotion as in Clause 5.5 completely militates against the guidelines and directions.

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23. The objectives of Transfer Policy of the first respondent bank as set out in Clause 1, are to bridge the gap between officers social/personal needs and career growth coupled with the business growth of the organization ensuring uniformity and transparency. While transfers are required to meet various reasons, an endeavor is made to align the officers need by balancing the Transfer Policy. The grounds of transfer are set out in Clause 5, is extracted below:

**"5. GROUNDS OF TRANSFER:**

*Transfers in the Bank will be affected normally on account of the following:*

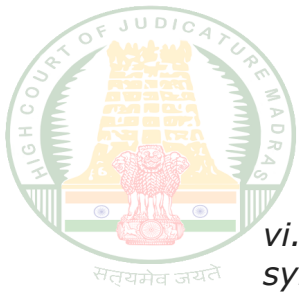
*i. Request Transfer to consider the request of officers on various grounds like Compassionate Grounds, Joining Spouse, transfer to parent Zone, Return from Maternity/Sabbatical (for child care) etc.*

*ii. Transfers on account of Longer Tenure in a Zone*

*iii. Placement on Promotion*

*iv. Job Rotation*

*v. To provide Rural / Semi Urban Branch Service experience to officers*



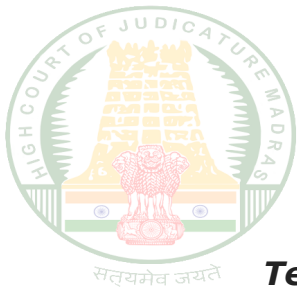
vi. *Administrative requirement / exigencies Due to synchronisation of grades/posts, rationalization of manpower, to ensure compliance to CVC/RBI/Govt of India guidelines, as a preventive vigilance measure or on account of occurrence of fraud and initiation of Disciplinary action, any POSH related matter, to meet other exigencies etc.*

### **Annual Transfer Exercise**

*Transfers for officers in JMGS-I to MMGS-III, including inter-zone and inter-region transfers across various categories, such as requests for transfer to the Parent Zone, other Zones, placement on promotion, and lateral transfers for longer tenures (excluding point (vi) above) will be considered on an annual basis. This Annual Transfer Exercise will be conducted before June 30 each year at the Central, Zonal, and Regional levels.*

*However, requests on grounds of Spouse or Compassionate considerations will be reviewed according to the relevant sub-clauses detailed further in the policy. The order of preference in which the transfers under compassionate grounds and Joining Spouse grounds shall be considered is as under:*

- 1. PwD Officers and Officers having disable dependents*
- 2. Critical illness*
- 3. Death of spouse within past one year*
- 4. Spouse of serving Army/ Defence/ Armed Police Forces/Central Paramilitary Forces*
- 5. Joining spouse (Central/State Government/PSBs)*
- 6. Joining spouse (other than Central/State Govt./PSBs)*
- 7. Retirement of Self within 1 year.*



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### **Tenure for Transfers**

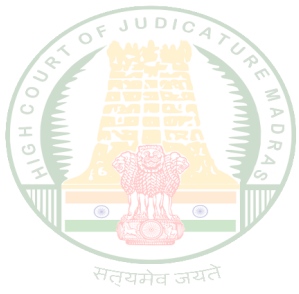
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The minimum and maximum tenure to be completed in a Region/Zone under normal circumstances, in order to be considered for Transfer under each Category is as follows:

Category of Transfers	Minimum Tenure in a Region/Zone as may be applicable	Maximum Tenure	Cut Off date for ascertaining tenure
Request Transfers	3 years or as decided from time to time	NA	30 <sup>th</sup> June
Inter-Region Transfers	2 years	5 years	30 <sup>th</sup> June
Loner Tenure Transfers out of zone	5 years	9 years	30 <sup>th</sup> June
Job Rotation	NA	3 years in a Branch or sensitive post/ 5 years in administrative office	30 <sup>th</sup> September

*Transfers as per above tenure should be carried out as per the applicable provisions in the policy*

*Endeavour shall be made to maintain the minimum tenure; however, an officer may be transferred to another Region/ Zone before completing the minimum tenure to meet administrative exigencies and business requirement, completing mandatory Rural/Semi Urban /Service."*

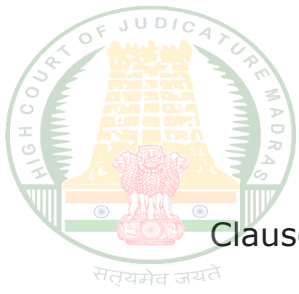


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24. While request transfers are permitted on various grounds like compassionate, joining spouse, transfer to parent zone, return from maternity/sabbatical, childcare, transfers are also provided on account of long tenure in a zone and on promotion. Different periods are set out for transfers on various categories, where the minimum and maximum tenure of the officer to serve in the place is given. The order of priority for request transfers on compassionate grounds are also listed out and the main challenge is to Clause 5.2 of the Transfer Policy, which allows transfer on account of long tenure in a zone where the exemption for transfer to join spouse/parent is taken away. Though under long tenure transfers out of zone, a minimum period of 5 years and a maximum period of 9 years are fixed, the learned Senior Counsel for the first respondent bank made it clear that transfers under this category are effected only on completion of 9 years.

25. It is to be noted that Clause 5.4 of the Transfer Policy also addresses separate categories providing benefits, even in the transfers made on account of long tenure in a zone. As per clause 5.4.2 of the Transfer Policy, the female officers who have reached 52 years of age and the male officers who have reached the age of 54 years are exempted and they will not be moved out of the zone under this

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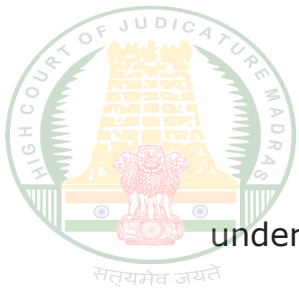


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Clause. Further, the officers who are so transferred outside the zone will be eligible for transfer to their parent zone after the completion of 3 years. To further facilitate, the first respondent bank has created cohort zones where the officers becoming due to transfer may give an option to apply for 5 preferred zones with three regions per zone, for placement upon transfer. As far as possible, zone may be allotted in the order of preference given by the officer, subject to the availability of vacancy.

26. Now, it is submitted that out of the transfer of 1,519 female officers under long tenure category, 1,204 female officers submitted their preferences out of which, 1,108 female officers were transferred to their choice of first preference and only 96 officers were accommodated to the choice of second and third preferences, that too, on account of non-completion of mandatory rural/ semi-urban services.

27. The Transfer Policy further provides that the first respondent bank would as far as possible, accommodate officers up to scale III in respect of linguistic region while making an endeavor to distribute postings equitably and even, when the preferred zone is not available,



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under the cohort zones, the officer will be accommodated in an adjoining zone. Therefore, various safeguards and benefits balancing the interests of female officers, including male officers beyond 54 years of age, and the interests of the bank and customers ensuring transparency and accountability are provided.

28. Apart from the above, Clause 5.11 of the transfer policy also provides for general exemption even while carrying out the transfers on long service and transfers on promotion. As per the general exemptions granted, the women officers, including male officers, have been exempted from different categories viz., differently abled, critical illness, death of spouse, female officers on family way, child below two years, single parent, etc.

29. Clause 11.12 of the Transfer Policy also provides for an appeal where the officer can make an appeal objecting to the transfer on the ground of preferred zone, region not allotted, request for exemption/transfer not acceded to and the individual grievances raised by the officers, will be considered in the appeal.



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30. At this juncture, it is useful to refer to the decision of the Delhi High Court in **Bharti Shami** (cited *supra*), relied upon by the learned Senior Counsel for the first respondent bank holding that the circular of the Central Government does not have statutory force. The relevant portion from the said order reads as under:

*"8. Firstly, the Circular letter dated 08.08.2014 does not have any statutory force and further that even the said Circular provides that such accommodation of a female employee at a place where her parents are stationed will be made "as far as possible". The latitude, thus, available in the Circular letter dated 08.08.2014 for posing such employees is dependent on the exigency in which such decisions are to be taken by the Bank Management."*

31. It is true that the learned Single Judge of this Court directed the first respondent bank to frame a policy complying with the circular of the Central Government and the Division Bench also had by an interim order, made it clear that the guidelines of Transfer Policy should be carried out in letter and spirit. When the guidelines issued by the Central Government, as extracted earlier, provide that the accommodation of female employees at a place where their parents/spouse are stationed will be made 'as far as possible', it is only to be decided in the pending writ petition, as to whether the Transfer Policy,



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particularly, the clauses which are put to challenge, are in compliance to the regulations/guidelines.

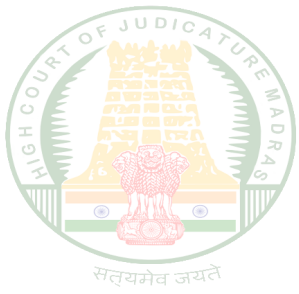
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32. The staff of the first respondent Bank are governed by the Union Bank of India (Officers') Service Regulations, 1979. Regulation 47 deals with the transferability of service, which reads as under:

**"47. Transferability:**

*Every officer is liable for transfer to any Office or Branch of the bank or any place in India."*

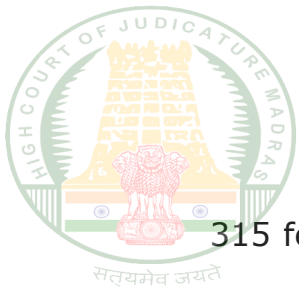
33. Relying upon the above regulations and terms of the appointment order, the learned Senior Counsel for the first respondent bank submitted that the officers are strictly bound by the service regulations and their services are liable to be transferred to any branch at the sole discretion of the bank. Since this regulation is not under challenge and the very appointment orders issued make it clear that transfers are permissible to all branches throughout the Country, the challenge to the Transfer Policy that too by the association, cannot be sustained.



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34. At this stage, we consciously refrain from advertng to the maintainability of the writ petition or the validity of impugned clauses of the Transfer Policy, as these issues are yet to be finally decided in the pending writ petition. However, *prima facie*, while the circular issued by the Central Government directs for framing of a policy to accommodate female officers 'as far as possible' to the place of spouse/parent stationed, the bank's Transfer Policy does contain several clauses by taking into account the different parameters and yardsticks that provide exemptions on various grounds of age and special categories and the officers still have scope for ventilating their individual grievances, if any, of the issue that has not been addressed.

35. Regarding the female officers due for transfer upon completion of 9 years in the category of long tenure, out of 1,519 such officers, 1,204 submitted their preferences. Notably, over 95% were accommodated with their first choice and the balance were accommodated to the second preferred choice. It is to be noted that even in respect of these 315 female officers who did not submit preferences, 284 female officers were allotted to a close cohort zone and the rest to a second close cohort zone. Even though the writ Court, by interim order, restricted transfers only in respect of these



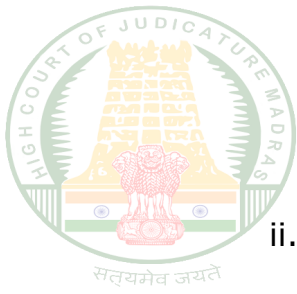
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315 female officers who have not submitted their request/preferences, still the female officers who had submitted their request/preference could not join in these places, thereby, the entire transfers effected by the first respondent bank stand affected, eventually crippling the bank activities throughout the country.

36. Transfer is incident to service and the Service Regulations permit for transfer of the staff to any Branch of the 1<sup>st</sup> respondent Bank. There is no statutory violation or any malafide or vindictive action alleged in the transfer made. While so, pending writ petition where certain clauses of the transfer policy are under challenge, the transfers effected cannot be stayed.

37. In view of the above deliberations, we are of the considered opinion that the interim order granted by the writ Court, staying the transfers effected pending final adjudication of the writ petition cannot be sustained and is liable to be interfered with. Accordingly, the following orders are passed:

- i. W.A.No.1529 of 2026 stands allowed and the impugned order in so far as staying the transfer of female officers who have not submitted any request/preference is set aside.



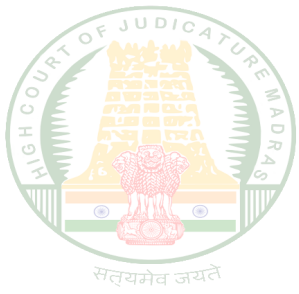
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- ii. Consequently, W.A.No.1540 of 2026 stands dismissed.
- iii. Considering the fact that the issue in the writ petition pertains to challenge of Transfer Policy in respect of the female officers in the bank, we request the learned single Judge to take up the writ petition for final hearing on priority, as expeditiously as possible.
- iv. In view of the setting aside of the interim orders staying transfers, the Bank shall grant a period of 15 days from today to enable the officers to join in the transferred place of posting.
- v. We make it clear that the observations made in this order would have no bearing in deciding the merits of the writ petition.

There shall be no order as to costs. Consequently, interim applications stand closed.

(SUSHRUT ARVIND DHARMADHIKARI, CJ) (G.ARUL MURUGAN,J)  
01.07.2026

Index : Yes/No  
Neutral Citation : Yes/No  
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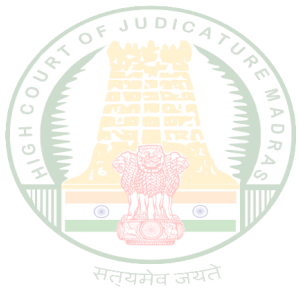
To

1.The Managing Director and Chief  
Executive Officer  
Union Bank of India  
Central Office, No.239,  
Vidhan Bhawan marg, Nariman  
Point, Mumbai - 400021.

2.The Chief General Manager  
Union Bank of India  
Human Resources Department,  
Central office,  
No.239, Vidhan Bhawan Marg,  
Nariman Point, Mumbai - 400 021.

3.The Secretary  
Government of India  
Department of Financial Services,  
Jeevan Deep, Parliament Street,  
New Delhi - 110001.

4.Mr.D.S.Ganesan,  
General Secretary  
All India Union Bank Officer Staff Association  
AIBOA House,  
II Floor, No.109, Angappan Naicken Street,  
Chennai 600 001



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THE HON'BLE CHIEF JUSTICE  
AND  
G.ARUL MURUGAN,J.

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