

Date	Office Report	Orders
		<p><u>3.4.1991.</u></p> <p>Present: None for the applicant.</p> <p>The applicant is working in the office of E.S.I. Corporation, Trichur as Upper Division Clerk. In this application he has challenged the orders issued by the E.S.I. headquarters on 20.5.75, 11.11.75, 29.11.75, 7.8.81, 30.10.84 and the order of the Deputy Regional Director E.S.I. Corporation dated 8.11.90 containing the decision of E.S.I. headquarters not to place the appeal of the applicant dated 18.7.90 before the Director General. The issue raised and the relief claimed by the applicant relates to restoration of his original seniority in the Maharashtra Region from where he was transferred to the Kerala Region with consequential benefits. On perusal of the application we find that he has sought transfer on compassionate grounds in view of the family difficulties and problems regarding getting accommodation in Bombay within the his own means vide Annexure-A-2. The respondents has registered his ^{request} will for transfer at his own request for consideration at appropriate time vide Annexure-A-3. From Annexure-A-2 it is found that the applicant was transferred. The policy regulating inter seniority unit transfer is contained in Annexure A-13. It is clearly laid down that "in the new Region the Lower Division Clerks will be ranked junior in the Graduation List of that region to all the officials in that cadre on the date on which he joins that region." A undertaking to that effect is also required to be given by all the applicants.</p>

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		<p>Now that the applicant has been transferred and has been placed in the seniority list of the new region since 5.12.1975, he has raised the issue of restoration of his original seniority. Since the policy in regard to the inter xxxxxx seniority unit transfers is well laid out we do not see any merit in the application at this point of time praying for restoration of seniority and challenging the orders which have been issued 16 years ago. Further since the applicant is working in the office at Trichur in Kerala, the matter falls within the jurisdiction of the Ernakulam Bench of the Tribunal. There is also no sanction under Section 25 of the Administrative Tribunals Act, 1985 for retention of the case at the Principal Bench. The applicant was also not present when the case came up initially before the Bench on 12.3.1991 and later on 18.3.91.</p> <p>In view of the above the xxxxxx application is dismissed.</p> <p style="text-align: right;">(J.P. SHARMA) MEMBER (J)</p> <p style="text-align: right;">(I.K. RASGOTRA) MEMBER (A)</p>