

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

Rail Bhawan, New Delhi – 110 001

dated: 29.10.2024

2024/SBEC-III/Elections

**Principal Chief Personnel Officer
& Returning Officer,
South Eastern Railway &
South Central Railway**

Ref: SER's letter No SER/P-HQ/IRMC/521/Secret Ballot/24 dated 28.10.2024 & SCR's letter No SCR/P-HQ/SBEC-III/2024 dated 28.10.2024

Sub: Eligibility of nomination filed by 'All India Railway Track Maintainers Union' (AIRTU) with respect to Section 1.1 of 'Final Modalities' dated 09.09.2024.

With regard to above references, the 'Secret Ballot Election Committee'(SBEC) has examined the matter and decide as under:

2. Indian Railways have a policy of recognizing only those Trade Unions which represent Railway Servants cutting across category/cadre/section etc. All Railway Servants work as a cohesive team for delivery of safe and efficient train operation services across the country and this policy is an iteration of this fact. That is the reason, cadre/category-based Trade Unions/Associations such as 'All India Loco Running Staff Association (AILRSA)', All India Station Masters' Association(AISMA) and others have never been granted formal recognition by Railway.

3. Even before 'Secret Ballot Elections(SBE)' were held, Indian Railways recognized only those Trade Unions which represented exclusive interest of all non-gazetted Railway Servants. This policy also drew strength from the detailed analysis


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and comments recorded in the Chapter VI of Part-IX of the "Report of Railway Reforms committee, 1982". Relevant extracts are reproduced below:

3.2. Before going on to analyse the causes for the birth of such category-wise associations, which may give a direction for reform, it is necessary to examine if there is a legitimate role for such bodies. With some 700 categories of workers in the Railways, it is patently obvious that sectional bodies and wild-catting associations can destroy the very structure of the Railways, and impair the objectivity of management. There is an inbuilt parity of pay and perquisites between the various categories of staff. This is fundamental to the cohesiveness of an organisation that has such a wide sweep of functions ranging from engineering production, to hospitals, catering and tourism. It is only by having their interests guarded by a common labour front that the integrity of the organisation can be maintained. There are already 80 unions/associations other than those affiliated to the AIRF and NFIR, and any further recognition-formal or otherwise-would negate the very basis of collective bargaining. Some categories critical to operations will inevitably exercise greater pressure and even secure some concession, to the frustration of others that have less clout, which would not be a desirable feature.

4. In 2007, this principle was enshrined as para 2(a) of the Final Modalities (for the first SBE) as under:-

"2(a). All registered trade unions of the Railways which are registered under the Trade Union Act, 1926 for at least one year as on 31.12.2006 and which exclusively represent the


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interests of all group 'C' and 'D' employees of the concerned zonal railways."

5. In second SBE, in 2013, the same principle was retained in Final Modalities as Para 1(a) as under:

"1(a). All trade unions of the Railways which are registered under the Trade Union Act, 1926 for at least one year as on 31.12.2011 and which exclusively represent the interests of all non-gazetted (erstwhile group 'C' and 'D') employees of the concerned zonal railways."

6. In the current SBE, the Final Modalities dated 9.9.2024 carry the same condition as under:

"1.1 Contesting Trade Unions (TU) should be registered under the Trade Union Act, 1926, for at least one year as on 31.12.2023 (i.e. date of registration should be on or prior to 01.01.2023). It must represent the interests exclusively of all Non-Gazetted Railway servants (i.e. not of any category/cadre/section etc. of Railway Servants) of the Railways concerned."

It is evident from above that a contesting Trade Union must represent the interest exclusively of "All Non-Gazetted Railway Servants". This condition forms the very bedrock of mechanism, developed by Indian Railways, for promoting the interest of Trade Union movement as well as staff welfare. Railway Administration cannot allow circumvention of this long-standing policy, which has withstood the test of time.

7. The present references seek clarification regarding validity of nomination filed by a Trade Union, by the name of 'All India Railway Track Maintainer Union'(AIRTU). Question is whether it meets the requirement of Section 1.1 of Final Modalities or not. The very name of 'All India Railway Track Maintainer Union' (AIRTU)' shows that it is meant only for representing a specific cadre of

Railways i.e. cadre of Track Maintainer. The nomination-filing Trade Union's bye-laws may contain a clause that the Trade Union is for representing all Railway Servants, however, the name itself creates an impression that Union appeals to the Track Maintainers category, which goes against the letter and spirit of Section 1.1.

8. Therefore, mention of any specific category/cadre/section etc in the Name/Title or promotion of interest of any specific category/cadre/section etc in the bye-laws is violative of Section 1.1 of Final Modalities and decision may be taken accordingly.


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ED/RRB & Convener
Secret Ballot Election-III

Copy to: All PCPOs and Returning Officer
Zonal Railways for information and similar action.