



ROLE OF TRADE UNIONS: A CASE STUDY IN INDIAN RAILWAYS (WITH SPECIAL REFERENCE TO NORTHERN CENTRAL RAILWAYS)

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Abstract

Trade unions in India, as in most countries, have been the product of industrial development. The researcher has been observing the growth and development of trade union in Indian Railways is as follows the growth and development of trade union in India. Amalgamated society of Railway servant of India and Burma was the first Indian Railway union and often that GIP Railway workmen and MSM Railway men union were also working in different companies of Indian Railway. After independent Indian Railway has two recognized federation like all India Railwaymen federation, National Federation of Indian Railwaymen and some unrecognized like Railway Mazdoor Union, but for avoidance of multiplicity and inter rivalry of trade unions. Indian Railway adopted a policy of one union in one organization. After the result of election of secret ballot November 2007. Northern Central Railway Mazdoor (NCRMU) has been single recognized trade union in Indian Railways.

Key Words: Trade Union, Railway Mazdoor Union, Hind Mazdoorsabha, Bharatiyamazdoorsangh, Growth and Development of Trade Union, Labour.

Introduction

A trade union is a continuous association of wage earners for the purpose of maintaining and improving conditions of their working lives. A trade union is a continuous association of wage earners for the purpose of maintaining or improving the conditions of their working lives. The British Trade Union Act views it thus, "A trade union is a combination with the main objective of regulation between workmen and masters or between workmen and workmen or between masters and masters for imposing of restrictive conditions on the conduct of any trade or business and also provision of benefits to members."

In the words of Indian Trade Union Act, 1926, "A trade union is any combination, whether temporary or permanent, formed primarily for the purpose of regulating the between employers and employers, or for imposing restrictive conditions on the conduct of any trade or business and includes any federation of two or more trade unions."

In the opinion of researcher this definition is defective because it allows even non-workers to form a trade union; also it is narrow and vague about the aims and purpose of forming such a union. Yet the definition with a drier and legal wording is certainly important in relation to getting a trade union registered with the Registrar of Trade Unions and when legal interpretation of trade union is required in the case of industrial disputes etc.

The **characteristics** which define a trade union includes:-

- A statement that the organization is a trade union,
- A statement of its principal objectives, clearly specifying the fact that the organization so formed is for the betterment of its members, i.e., workers,
- Registration with the Registrar of Trade Unions,
- Independence from the employer, which may be evident from the certificate issued by the Registrar of Trade Unions, and
- Affiliation with the central trade union organization.

All the trade unions do not necessarily show these characteristics, yet many of the large trade unions do.

Functions of Trade Unions in India

As per the Indian Trade Union Act, 1926, the primary functions of a trade union are to protect and promote the interests of the workers and the conditions of their employment. They can also have other objectives, which are not inconsistent with this primary purpose or opposed to any law.

To achieve higher wages and better working and living conditions for the members, to acquire control over industry by workers, also minimize the helplessness of the individual workers by making them stand-up united and increasing their resistance power through collective bargaining: protecting the members against victimization and injustice by employers, raise the status of the workers as partners in industry and citizens of society by demanding an increasing share for them in the management of industrial enterprises, generate self-confidence among the workers, encourage sincerity and discipline among workers, and take up welfare measures for improving the morale of the workers.



The National Commission on Labour has underscored certain basic functions to which trade unions have to pay greater attention such as:

- To secure fair wages for workers,
- To safeguard the security of tenure and improve conditions of service,
- To enlarge opportunities for promotion and training,
- To improve working and living conditions,
- To provide for educational, cultural and recreational facilities,
- To cooperate and facilitate technological advancement by broadening the understanding of workers in the issues involved in their industry,
- To promote identity of interests of the workers with their industry,
- To offer responsive cooperation in improving levels of production and productivity, discipline and high standards of quality, and
- To promote individual and collective welfare.

Objectives of the Study

The objectives of the paper is to capture the changing paradigms concerning the roles of trade unions in Indian railways, which have evolved from maintaining good industrial relations, once considered to be their primary role, to actively improving the quality of life of workers.

This is an exploratory study of the different trade unions operational at the Indian railways (NCR), and also highlights their ideologies, objectives and structures.

Inferences drawn in the study are made on the basis of structured interviews conducted with the chairpersons and members of the unions operating at the NCR region, as well as with the officers of different departments. Secondary sources of Data include railways manuals, annual reports, monthly newsletters and other Railways publications. We have did not use any statistical analysis in this report, as the data collected was essentially qualitative in nature.

Indian Railways: An Introduction

The Indian Railways are Asia's largest Railway system and world's second largest system next to the Railway system of USSR. Indian Railways is the Nation's largest undertaking employing more than 14 lacks employees. Indian Railways is owned and managed by the Central Government. At the route kilometrage of 63,221 and is the biggest public sector undertaking in India. During the year 2003-04 the number of passenger carried by the railways was 51,123 lacks. During 2003-04 the freight haul totaled to 5,573 lacks tones of revenue earning freight traffic operating upon the broad and meter gauge of the country.

Indian Railways is the biggest organization in our country with 14.22 lacks of employees; 63,465 route kilometers traversing from Okha to MurkongSelek and Udampur to Kanyakumari; 7,133 Railway stations; a fleet of 7,910 locomotives, 48,263 passenger and other coaches 2,22,379 goods wagons; carrying 5,378 million originating passenger traffic and 626.2 million metric tons of originating goods traffic. It has a total investment of 98,490.02 crore rupees.

Indian Railways is owned and managed by Central Government being the principal mode of inland transport, linking the entire length and breadth of the country.

Present Position and Contribution of Trade Unions in Indian Railways

The history of trade union in Indian Railways is as follows the growth and development of trade union in India. The first trade union in Indian Railway is known as the Amalgamated Society of Railway Servant of India and Burma was found at social welfare period (1875–1918) of trade union movement. This union is only for European and Anglo Indian Railways Employee. In early trade union period there was GIP Railway workmen union and MSM Railwaymen union were working. All India Railwaymen Federation (AIRF) originally started in 1921 and all the Railwaymen union were affiliated within in for the time being.

After independence Indian Railways have two recognized Federations of Trade Unions:

- **AIRF** (All Indian Railwaymen's Federation) - Affiliated to Hind MazdoorSabha at National Level, and
- **NFIR** (National Federation of Indian Railwaymen) - Affiliated to Indian National Trade Union Congress at National level.



Both these Federations have a well-organized network of Unions at zonal, divisional workshop and branch levels. There are some unrecognized Trade Unions also who have their national level affiliation with All India Trade Union Congress, Centre of Indian Trade Union and BharatiyaMazdoorSangh. The trade union of Indian Railways follows such negotiation systems.

1. Permanent Negotiating Machinery (PNM)

Both the recognized unions have a system of negotiations with the Administration at the following three levels since 1st January 1952:

- Zonal Railways – (a) Divisional/Workshop, (b) Head Quarters,
- Railway Board, and
- Ad hoc Tribunal.

Table 1: Permanent Negotiating Machinery (PNM)

S. No	Level	Periods	Chairman	Conveyor
1	Zonal Railways			
	(a) Division/Workshop	Once in two months	DRM/Head of Workshop	Personnel Officer
	(b) Head Quarters	Once in three months	General Manager	CPO (IR)
2	Railway Board	Once in three months	Member (Staff)	Advisor (IR)

Source: Handbook for Railwaymen, 2007

Both the Unions hold these meetings with Administration separately. The agenda is furnished 21 days before the date of meeting. Facilities of special Casual Leave and travel passes are given to union representatives.

(iii) Ad-hoc Tribunal

In case of disagreement with Railway Board on some important issue, the matter may be placed before this Tribunal, which has as its Chairman a retired Justice of High Court or Supreme Court and equal number of representatives of both administration and employees. Tribunal's decision may be accepted/ not accepted or modified by the Board. Union will not raise the same issue within two years of decision or one year of non-acceptance/modification.

2. Joint Consultative Machinery (JCM)

Promoting harmonious relations and securing the greatest measure of co-operation between the Government in its capacity as employer and the general body of its employees in matters of common concern and with the object further of increasing the efficiency of the public service. Joint Consultative Machinery will function at three levels–National, Departmental and Regional.

Table 2

Particulars	National	Departmental	Regional
Chairman	Cabinet Secretary	On Railway Ministry : Member (Staff)	Head of Region
Members Official Members	24	10	Depends on number of staff
Unions Side	60	30	-do-
Deals with	Central Government Employees	Particular Ministry	Within Region

Source: Acceptance Order of Joint Consultative Machinery, RB letter no. 3589

The National Council will deal with matters concerning all central Government employees such as, dearness allowance, pay of common categories like office clerks, peon, etc. Departmental Council, which deals with matters concerning staff in the particular ministry. The councils will include all matters pertaining to conditions of service and work, welfare of employees, improvement of efficiency and standard of work. However, in regard to recruitment, promotion and discipline, consultation will be limited to matters of general principles and individual cases will not be considered. The recognized Federations or Union/Associations will do nomination of members for staff side. Of the 60 members on National Council, 30 are from Ministry of Railways Unions. Thus, both AIRF and NFIR nominate 15 members each. If there is no agreement between the two sides and a final disagreement is recorded, the matter will be referred to arbitration. If it relates to one of the arbitrable subjects if so desired by either side. The compulsory arbitration will be limited to pay and allowances, Weekly Hours of Work and Leave of class or grade of employees.



Corporate Enterprise Group (CEG)

This scheme of workers participation in Management was introduced in 1972 at three levels Railway Board, Zonal Head Quarters and Divisions. It has now been restructured and named Participation of Railway Employees in Management (PREM).

To facilitate meaningful and effective participation of workers in the management process, it was decided in March 1994, that the Corporate Enterprise Group at the Board, Zonal and Divisional levels should be restructured and designated as Group for participation of Railway Employees in Management (PREM). Also to make the working of PREM more purposeful, a separate cell headed by a Joint Secretary was set up under the direct control of Secretary, Railway Board. The Joint Secretary shall assist the Secretary in convening the meetings of the Group periodically and monitor the implementation of various decisions taken. He will also monitor the working of PREM at the Zonal and Divisional levels.

Participation of Railway Employees in Management (PREM)

- Evaluate the functioning of the Railway and exchange data and ideas on way and means for improving the efficiency and viability of the enterprise,
- Appraise the investment programmes, particularly in regard to housing and other welfare services,
- Identify areas and devise action oriented methods for maximizing organizational effectiveness, the use of technology and towards building up the image of the Railways as a service organization,
- To facilitate effective and meaningful participation of the Railway employees in the management process,
- To give them a sense of involvement and pride in the organization's work, and
- To discuss and identify the measures for improving the quality of service to the rail passengers and safety operations.

Structure of Participation of Railway Employees in Management (PREM)

1. At Board Level

At Board's level, the Group shall comprise the Chairman, Members of the Railway Board, Secretary, Railway Board, and four representatives each from the two recognized Railwaymen's Federations and two representatives each from the two Railway Officers Federations (FRDA and IRPOF). Besides the President and the General Secretary of the four Federations, the two Railwaymen's Federations will nominate two more members each. The Chairman, Railway Board and Secretary, Railway Board shall be the Chairman and Conveyor respectively. Advisors may be invited as per requirement.

2. At Zonal Railway Level

At the Zonal Railway Level, the Group shall comprise the General Manager, Additional General Manager, Co-ordinating heads of the Departments, four representatives each from the affiliates of the two recognized Railwaymen's Federation and two representatives each from the affiliates of the two Railway Officers Federation. General Manager and the Deputy General Manager (G) shall be the Chairman and the Conveyor respectively.

3. At Divisional Level

At the Divisional level, the Group shall consist of DRM, ADRM, Officers-in-charge of various branches, 4 representatives from each of the affiliates of the Railwaymen's Federations and two representatives of each of the two officers Federations. DRM and SR DPO shall be the Chairman and Conveyor respectively.

Note: President and General Secretary of All India RPF Association will be representatives of the PREM at Board, Zonal and Divisional levels. They will get all admissible facilities as per PREM scheme.

Meetings and Themes Suggested for Discussion for Participation of Railway Employees in Management (PREM).

The meetings of the Group will be held once in a quarter at the Board's Zonal and Divisional levels. In addition, informal meetings may be held to throw up and crystallize ideas. The railways should, before holding the meeting of the group, identify critical issues/specific problems requiring changes/attention for having an in-depth discussion. Adequate supporting information for the same should be compiled and shared with the members, preferably beforehand. The issues could be formulated by holding informal consultations, if required.

Themes suggested for discussion for PREM meetings care of customers, quality in working, measures to improve railway earnings, expenditure control and commercialization of working, human resource development and redeployment of surplus labour, commercialization of production units and workshops and holistic invitations.



4. Staff Council on Production Units

Production Units do not have recognized Trade Unions. Instead, they have a system of elected representatives based on a ballot. Elections are held every two years. Elected representatives are members of staff council. Chairman – Principal HOD, Secretary – Personnel Officer, Joint Secretary – One Member elected by the Members of Staff Council.

5. Joint Councils and Shop Councils

These are organized in workshop having 500 workers or more. The council functions for two years with nominees of both recognized unions in equal numbers. They deal with items like improvement in productivity and efficiency, elimination of wastage, general health, welfare and safety measures, schedules of working hours and holidays etc. Recently, Joint Councils have been organized at Mumbai, Chennai and Delhi Stations to improve the public services and amenities, having two members each from the two recognized unions and four from Administration side.

For avoidance of multiplicity and inter rivalry of trade unions. Indian Railway adopted a policy of one union in one organization, after the election of secret ballot November 2007. Northern Central Railway Mazdoor (NCRMU) has been obtained 41.96% age of votes and now works as at recognized trade union in Indian Railways.

Recognition of Trade Unions in Indian Railways

The recognition of trade unions in Indian Railways is according to the Trade Union Act, 1926. The trade unions has been amended and circulated by Railway board.⁷

Norms for Recognition of Trade Unions in Indian Railways

The Indian Railways define some norms for recognition of trade unions as follows:

- All unions getting 30% or more of the single vote of the total electorate shall be considered recognized.
- If only one union gets 30% or more of the single vote of the total electorate and some other union polling next maximum number of votes, gets at least 35% of the valid votes polled, and then both these unions will get recognition. (This assumes that 35% of votes polled will be less than 30% of the total electorate).
- If situations as stipulated in (i) and (ii) above don't arise, then the two unions getting maximum number of votes will be recognized provided each one individually gets more than 35% of the valid votes polled.
- In case there is no union fulfilling the conditions laid down in (i), (ii) and (iii) above, then union which gets maximum number of valid votes polled will be recognized provided it gets at least 20% of the valid votes polled. In this case only one union will get recognized.
- If no union gets even 20% of valid votes polled, then no union will stand recognized.

Recognition to Railway Trade Unions According to - Secret Ballot - 2007

Pursuant to the secret ballot committee's letter No. 2007/SBC, secret ballot was held on 26th, 27th and 28th November, 2007.8 as per the election schedule, the counting of votes was commenced and completed on 03.12.2007. It has been found that four contesting unions have secured votes as under:

Table 3: Result of Secret Ballot Elections of Trade Unions in Indian Railways

S. No	Name of Union (with Regn. no.)	Total Electorate	Total Valid votes cast	Votes obtained by the union	Votes obtained as %age of Electorate	Votes obtained as %age of valid votes cast
1.	NCRES(9168)	70499	59568	20593	29.21	34.570
2.	NCRKS (9275)			7998	11.34	13.426
3.	NCRMU (9160)			29583	41.96	49.662
4.	RMU (By-II-7867)			1394	01.97	02.340

Source: Secret Ballot Committee's letter No. 2007/SBC

The Modalities for conducting secret ballot for the purpose of granting recognition to registered railway trade union, norms for recognition. On the basis of the above, North Central Railway Men's Union with Registration number 9160 which has obtained 41.96 percentage of total electorate with the Symbol "LAMP" is declared as recognized union on North Central Railway subject to outcome of writ petition number 7956 (M/B) of 2007 filed by Rail Mazdoor Union in the Hon'ble High Court, Lucknow Bench.



Conclusion

From the entire gamut of issues it is evident that trade unions at Indian Railways are not only playing an active role in maintaining good industrial relations, but they are also adequately involved in improving the quality of work life of employees. In fact, the welfare of workers seems to be an inseparable component of the functions of these unions. For avoidance of multiplicity and inter rivalry of trade unions. Indian Railway adopted a policy of one union in one organization, after the election of secret ballot November 2007. Northern Central Railway Mazdoor (NCRMU) has been obtained 41.96% age of votes and now works as at recognized trade union in Indian Railways. Indian economy individual and agricultural development participation in labour welfare and the lowering of the multiplicity of unions is the scope of this paper & research.

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