

they belong and whether the said unions are recognised or not ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) : (a) A statement giving the broad guide-lines subject to which General Managers of the Railways may grant recognition to a union depending on the need for a recognised union is attached. No separate rules for recognition of Unions in these Production Units have been laid down and no unions has so far been recognised.

(b) There are the Staff Councils consisting of directly elected representatives of staff.

(c) The National Federation of Indian Railwaymen and All India Railwaymen's Federation, which enjoy negotiating facilities with the Railway Board, nominate employees belonging to these Production Units also in their delegation at the Permanent Negotiating Machinery meetings at the Railway Board level and such employees take part in the meetings as representatives of the Federation and not as representatives of any local union.

#### STATEMENT

Broadly, the following are some of the most important conditions subject to which the General Managers of Zonal Railways may grant recognition to a Union depending on the need of a recognised union :—

(i) It must consist of a distinct class (that is non-gazetted) of Railway employees and must not be formed on the basis of any caste, tribe or religious denomination or of any group or section of such caste, tribe or religious denomination;

(ii) all railway employees of the same class must be eligible for membership;

(iii) it must be registered under the Indian Trade Unions Act;

(iv) its membership should not be less than 15 per cent of the total number

of non-gazetted staff employed on the Railway concerned;

(v) it should not be sectional. Unions composed either of category or a limited category of workers should not be recognised; and

(vi) it should not be, in the opinion of the Railway Administration likely to engage itself in subversive activities.

#### EMPLOYMENT OF CONTRACT/CASUAL LABOUR IN RAILWAYS

476. SHRI NIREN GHOSE :  
SHRI MONORANJAN ROY :

Will the Minister of RAILWAYS be pleased to state :

(a) whether the work of loading and unloading of coal at Loco Sheds, removing coal ashes, loading and unloading of parcels and goods at Railway stations and goods sheds is of a permanent nature and if so, the reasons for employing contract or casual labour for the purpose in violation of section 10 of Contract Labour (Regulation and Abolition) Act, 1970 ;

(b) whether any representation has been received by Government for abolishing contract labour or casual labour for these works and what decision has been taken in this regard ; and

(c) the number of contract labour who have so far been absorbed in the railways during the last three years ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b) The required information is furnished in the attached statement.

(c) It is not obligatory for the railways to offer employment to contract labour, but in the normal course the Railways may be employing such labour but their number is not available.

#### STATEMENT

(a) Under Section 10 of the Central Labour (Regulation and Abolition) Act,

1970, the appropriate Government viz the Central Government in so far as the Central Government undertakings including the Railways are concerned, may, after consultation with the Central Advisory Contract Labour Board prohibit the employment of contract labour in any process, operation or other work in any establishment, having regard to the conditions of work and benefits provided for the contract labour in that establishment and other relevant factors as laid down in this Section. Where the contract system is not abolished, the employment of contract labour is to be regulated under the other provisions of this Act and the Rules framed by the Central Government in this connection. Since no such notification in respect of the Railway establishments as required under Section 10 of the Act, has been issued by the Ministry of Labour, so far, the question of abolition of contract system in these operations on Railways does not arise at this stage.

Casual labour is engaged by the Railways on works of a casual nature and the employment of such labour has not been prohibited under any Statute.

The receipt of coal traffic at all the Loco Sheds depends on its demand and availability and is not regular on all the days. Removal of coal ash also is done occasionally at smaller sheds and more frequently at bigger sheds. While the work of loading and unloading of parcels at big Railway stations and big goods sheds is more or less of a regular nature, the quantum of traffic fluctuates considerably from day to day at each station or goods shed. Thus although the nature of work is permanent, the quantum fluctuates.

(b) Some representations have been received for abolition of contract system or against the employment of casual labour on such works at certain Loco Sheds, stations and goods sheds. Pending Government's decision in consultation with the statutory Advisory Board and issue of necessary notification under Section 10 of the Act by the Ministry of Labour specifying the areas in which contract system should be actually eliminated, a directive was issued to the Railways in July 1968 advising them not to change over to contract working any items which had been traditionally handled departmentally on

Railways. At many places the handling contracts have been awarded to Labour Cooperative Societies also.

#### **CASUAL LABOUR IN RAILWAYS**

477. SHRI NIREN GHOSH :  
SHRI MONORANJAN ROY :

Will the Minister of RAILWAYS be pleased to state :

(a) the number of casual labour as on 1st January, 1972 and the number of those who have since been retrenched ;

(b) the number of casual labour, zone-wise, who are not getting authorised scales of pay, though they have completed more than six months of service ; and

(c) what steps have been taken by Government to provide permanent jobs to the retrenched as well as the existing casual labour, in the railways ?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) : (a) to (c) On all Zonal Railways about 3.30 lakhs of casual labourers were employed as on 31.3.1972. Of these about 0.80 lakh were employed on project works and were not getting authorised scales of pay as the rules provide for the grant of regular scales of pay on completion of six months continuous service only to casual labourers employed on works other than projects. Casual labourers are engaged on works of seasonal intermittent or sporadic nature for short durations and their retrenchment is a continuous process. However, all casual labourers as have completed six months service on project or non-project works are considered for appointment against regular posts, subject to their suitability being adjudged by screening committees.

#### **FISH EXPORTS BY UNION CARBIDE**

478. SHRI K. P. SUBRAMANIA  
MENON : SHRI  
LOKANATH MISRA : SHRI  
SUNDAR MANI PATEL :

Will the Minister of FOREIGN TRADE be pleased to state :