

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

SBEC/Union Elec.2012/CLARIFICATIONS/5

New Delhi 16.04.13.

**To,
Chief Personnel Officers
All Open line Railways and Metro Kolkatta**

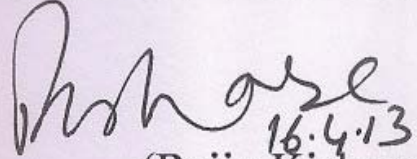
Sub: Draft format for issue of Recognition letter to unions

Ref: SBEC/Union Elec.2012/CLARIFICATIONS/5 dated 11.04.13.

Please call for above referred letter vide which certain clarifications had been issued. The Annexure 2 which carries the draft format for grant of recognition to unions on the basis of the Secret Ballot Elections, as mentioned in para (d) of the letter could not be attached with the letter dated 11.04.2013. However, a copy of the said Annexure 2 was attached with the Minutes of the Meeting with Returning Officers issued on 10.04.2013.

In supersession of Annexure 2 issued under above mentioned Minutes of the Meeting, revised Annexure 2 is attached herewith according to which recognition may be granted to the unions by the General Manager. It may be noted that the percentage vote polled by a Union is to be calculated on the basis of "valid votes".

DA : as above


16.4.13
(Rajiv Kishore)

ED/ERP Rly. Bd & Member Secretary
Secret Ballot Election Committee

Annexure-2

Sub: Recognition of Railway Trade Unions –Secret Ballot -2013

Pursuant to the Secret Ballot Committee’s letter No. SBC/Union Election/Schedule2012/2 dated 18.03.2013, secret ballot was held on 25th, 26th and 27th April, 2013. As per the Election Schedule, the counting of votes was recommenced and completed on It has been found that-----Contesting Unions have secured votes as under:

S. No.	Name of Union (with regn. No.	Total Electorate	Valid Votes Cast	Valid Votes obtained by the Union	Valid Votes obtained as % age of Electorate	Valid Votes obtained as % age of votes cast

As per Para 4 of the Final Modalities for conducting Secret Ballot for the purpose of granting recognition of Registered Railway Trade Unions, norms for recognition are as under:-

- i) All unions getting 30% or more of the single vote of the total electorate shall be considered recognized.
- ii) 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, then both of these Unions will get recognition. (This is on the premise that 35% of the valid votes polled is less than 30% of the total electorate).
- iii) If situation as stipulated in (i) and (ii) above does not 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.
- iv) In case, no Union fulfils the conditions laid down in (i), (ii) and (iii) above, then Union getting 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 shall get recognized.
- v) If no Union gets even 20% of valid votes polled, then no Union shall stand recognized.
- vi) Once a Union is recognized, it shall continue to remain recognized till its recognition is withdrawn/suspended by the competent authority for some special reason after following the due process

On the basis of the above.....Union which has obtained%age of total electorate/total valid votes cast with the Symbol “ “ and Union which has obtained....%age of total electorate/total valid votes cast with the Symbol “ “ are declared as recognized Unions on Railway subject to outcome of writ petition No. 7956 (M/B) of 2007 filed by Rail Mazdoor Union in the Hon’ble High Court, Lucknow Bench.

Dated:

()
General Manager
.....Railway