

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPC No. 3521 of 2021**

- Rail Shramik Union District Durg (Chhattisgarh) A Duly Registered Trade Union Having Its Registration No. 499, Registered On 04.06.2015 Registered Address- Lig- 857, Aditya Nagar, Durg, District Durg (Chhattisgarh) Pin 491001. Through Its President Nazir Ahmed, S/o Late Shri Abdul Hafiz, Aged About 59 Years,, District : Durg, Chhattisgarh.

**---- Petitioner**

**Versus**

1. South East Central Railway (Secr) Through General Manager, Office Of The General Manager, Bilaspur, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Chief Personnel Officer (Administration), South East Central Railway (Secr), Headquarter, Personnel Department, 1st Floor, Office Of The General Manager, Bilaspur, District Bilaspur (Chhattisgarh), District : Bilaspur, Chhattisgarh
3. South East Central Railway Mazdoor Congress (Secrmc), Having Registration No. 78, Address Near Pay And Cash Office, Old Railway Post Office Road, Secr, Bilaspur, District Bilaspur Chhattisgarh Pin Code- 495004. Through Its President, Shri Tk Chatterjee, R/o T/11/2 Babu Colony, Secr, Bilaspur, District Bilaspur (Chhattisgarh) Pin Code- 495004, District : Bilaspur, Chhattisgarh

**---- Respondents**

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| For Petitioner           | : Ms. Smita Jha, Advocate alongwith<br>Shri Navin Shukla, Advocate. |
| For Respondents No.1 & 2 | : Shri Ramakant Mishra, Dy. S.G.                                    |

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**Hon'ble Shri Justice Rakesh Mohan Pandey**

**Order on Board**

**21.03.2024**

- 1) Learned counsel for the petitioner would submit that the Railway Board had issued a direction to the General Manager of all Zonal Railways including Metro Railways, Kolkata for notification of Secret Ballot Elections for recognition of Trade Unions dated 01.02.2024. They would further submit that the elections would be held in the month of July & August, 2024 and specific

directions have been issued by the Railway Board in this regard.

- 2) Learned counsel for respondents No.1 & 2 however states that on account of certain approval being underway with the concerned Ministry, the elections have not been notified.
- 3) I have considered the submissions made by learned counsels for the parties and in view of the fact that the elections have not been conducted since 2013, respondent No.1/Railway Board is directed to notify the elections within a period of four months from the date of receipt of a copy of the order passed today.
- 4) Needless to state if before the elections are notified, there are new model code of conduct, the same can always be implemented in the ensuing election. However, if there is no approval of the new model code of conduct, the same should not detain the respondent authority in notifying the election. In any case, the elections will have to be conducted as expeditiously as possible.
- 5) In view of the aforesaid, nothing more is required to be stated.

This petition is accordingly **disposed of**.

Sd/-  
**(Rakesh Mohan Pandey)**  
**Judge**