

A Critical Study on Unprecedented Employment Discrimination and Growth of Contractual Labour Engaged by Rail Industry in India

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Abstract : Rail industry is one of the model employers in India has separate national legislation (Railways Act 1989) to regulate its vast employment structure, functioning across the country. Indian Railway is not only the premier transport industry of the country; indeed, it is Asia's most extensive rail network organisation and the world's second-largest industry functioning under one management. With the growth of globalization of industrial products, the scope of anti-employment discrimination is no more confined to gender aspect only; instead, it extended to the unregularized classification of labour force applicable in the various industrial establishments in India. And the Indian Rail Industry inadvertently enhanced such discriminatory employment trends by engaging contractual labour in an unprecedented manner. The engagement of contractual labour by rail industry vanished the core "Employer-Employee" relationship between rail management and contractual labour who employed through the contractor. This employment trend reduces the cost of production and supervision, discourages the contractual labour from forming unions, and reduces its collective bargaining capacity. So, the primary intention of this paper is to highlight the increasing discriminatory employment scope for contractual labour engaged by Indian Railways. This paper critically analyses the diminishing perspective of anti-employment opportunity practiced by Indian Railways towards contractual labour and demands an urgent outlook on the probable scope of anti-employment discrimination against contractual labour engaged by Indian Railways. The researcher used doctrinal methodology where primary materials (Railways Act, Contract Labour Act and Occupational, health and Safety Code, 2020) and secondary data (CAG Report 2018, Railways Employment Regulation Rules, ILO Report etc.) are used for the paper.

Keywords : anti-employment, CAG Report, contractual labour, discrimination, Indian Railway, principal employer

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