



पूर्व तट रेलवे

EAST COAST RAILWAY

संख्या: ECoR/Pers/IRM/CCSBE-III/P-I/170

कार्यालय/Office of the
प्रधान मुख्य कार्मिक अधिकारी
Principal Chief Personnel Officer
रेल सदन, चंद्रशेखरपुर.
Rail Sadan, Chandrasekharpur
भुवनेश्वर/Bhubaneswar- 751017

दिनांक: 09-10-2024

All PHOD/CHODs/HODs of ECoR/BBS - PCE, PCPO, SDGM, CAO (Con),
PCOM, PCMD, PCME, PCEE, PCCM, PFA, PCMM, PCSTE, IG-cum-PCSC, PCSO.
All DRMs/ECoR-KUR, WAT, SBP.
Presiding Officer-cum-ADRM (Infra)/ECoR - KUR/WAT.
Presiding Officer-cum-ADRM/ECoR - SBP.
Presiding Officer-cum-FA & CAO (HQ)/ECoR/BBS.
Presiding Officer-cum-CWM/CRW/MCS.
CPRO, Dy. CPO (Gaz), DGM (G), LO, Sr. RBA, Sr. ADGM of ECoR/BBS.
Principal Director of Audit/ECoR HQrs. Chairman/RRB/BBS, Chairman/RCT/BBS.
Sr. DPOs/DPOs/WPO of ECoR - KUR, WAT, SBP, MCS.
APO/HQ, APO/Con, APO-I, APO-II - ECoR HQrs/BBS.
All concerned.

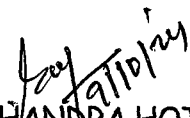
विषय:- Freezing of the facilities to Trade Unions post NOTIFICATION
for Secret Ballot Elections (SBE-III) - 2024 for recognition of
Trade Unions on Indian Railways - reg..

- संदर्भ:-
1. This Office letter No. ECoR/Pers/IRM/GSBE-III/P-I/161, dated 03-09-2024 (Addressed to all concerned).
 2. This Office letter No. ECoR/Pers/IRM/GSBE-III/P-I/161, dated 13-09-2024 (Addressed to all concerned).
 3. This Office letter No. ECoR/Pers/IRM/GSBE-III/P-I/161, dated 13-09-2024 (Addressed to IG-cum-PCSC (RPF/ECoR)).
 4. Extract copy of Section 6.0 to 7.5, Code of Discipline (Annexure-I) and Code of conduct / discipline (Annexure-II) of final modalities for the Secret Ballot Elections-III.

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A copy of the letters under reference are enclosed for kind information and necessary action please.

Encl.:- Copy of RB's letter dated 08-10-2024.
(Twenty-five pages)


(SUBASH CHANDRA HOTA)
Assistant Personnel Officer - II
for Principal Chief Personnel Officer

Copy to:-

1. Secretary to GM for kind information of GM/ECoR please.
2. Secretary to AGM for kind information of AGM/ECoR please.
3. EDE/RRB & Convener Secret Ballot Election Committee-III, Rly., Bd., New Delhi.
4. Notice Board.

Encl.:- Copy of RB's letter dated 08-10-2024.
(Twenty-five pages)


for Principal Chief Personnel Officer



पूर्व तट रेलवे
EAST COAST RAILWAY

संख्या: ECoR/Pers/IRM/GSBE-III/P-I/161

SECRET BALLOT ELECTION 2024

कार्यालय/Office of the
प्रधान मुख्य कार्मिक अधिकारी
Principal Chief Personnel Officer
रेल सदन, चंद्रशेखरपुर.

Rail Sadan, Chandrasekharapur
भुवनेश्वर/Bhubaneswar- 751017

दिनांक: 03-09-2024

All PHOD/CHODs/HODs of ECoR/BBS - PCE, PCPO, CAO (Con), SDGM, PCOM, PCMD, PCME, PCEE, PCCM, PFA, PCMM, PCSTE, IG-cum-PCSC, PCSO.

All DRMs/ECoR-KUR, WAT, SBP. CWM/CRW/MCS.

CPO/G, Dy. CPO (Gaz), DGM(G) of ECoR/BBS.

Sr. DPOs/DPOs/WPO of ECoR- KUR, WAT, SBP, MCS.

APO/Con, APO-HQ, APO-I, APO-II of ECoR/BBS.

All concerned.

विषय:- Freezing of the facilities to Trade Unions post NOTIFICATION for Secret Ballot Elections (SBE-III) - 2024 for recognition of Trade Unions on Indian Railways - reg.

संदर्भ:- Principal Executive Director (IR), Railway Board's letter No. 2023/SBEC-III/Policy/1, dated 30-08-2024.

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A copy of the Railway Board's letter dated 30-08-2024 under reference is enclosed for kind information and necessary action please.

Encl.:- Copy of RB's letter dated 30-08-2024 (one page).

(PONNA VENKATESH)

Senior Personnel Officer (HQ)
for Principal Chief Personnel Officer

Copy to:-

1. Secretary to GM for kind information of GM/ECoR please.
2. Secretary to AGM for kind information of AGM/ECoR please.
3. GS/ECoRSC & ECoRSU for information please.
4. Notice Board.

Encl.:- Copy of RB's letter dated 30-08-2024 (one page).

for Principal Chief Personnel Officer



भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No.2023/SBEC-III/Policy/I

रेल भवन, नई दिल्ली – 110 001, तिथि :

Rail Bhawan, New Delhi – 110 001, dated : 30.08.2024

The General Managers(P)
All Zonal Railways including
Metro Railway, Kolkata,
CLW/ Chittaranjan & RCF/ Kapurthala.

Sub: Freezing of the facilities to Trade Unions post NOTIFICATION for Secret Ballot Elections (SBE-III) – 2024 for recognition of Trade Unions on Indian Railways – reg.

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In terms of Secret Ballot Election Committee's letter No.2024/SBEC-III/Elections dated 30.08.2024, a NOTIFICATION has been circulated to all concerned Zonal Railways and PUs to conduct Secret Ballot Elections 2024 for recognition of Trade Unions on Indian Railways. Certain facilities/ privileges have been provided to the existing recognised TUs. In order to provide level playing-field to all contesting TUs for SBE-2024, the existing recognised TUs which are in possession of any railway facilities/ privileges such as office premises provided free of rent under PREM (erstwhile CEG) scheme, card passes etc. are **BARRED** from using them for their electoral purposes. Trade Unions would not use such premises provided under PREM scheme for storing advertising or election-related material. No election meeting shall be held at these premises.

However, such TUs may be permitted to use Telephone/Mobiles provided they agree to pay for their use during election period and till fresh recognition is granted (if they win).

2. Violations of these instructions shall be treated as corrupt election practices and violation of "Code of Conduct". The onus shall be on the TUs to prove that such facilities have not been misused.
3. The railway administration shall not hold any PNM or formal meeting with the existing recognised TUs after the date (i.e. 30.08.2024) of notification of the election.

(Renu Sharma)
Principal Executive Director(IR)
Railway Board

- Copy to:
- (i) The PCCMs, All Zonal Railways.
 - (ii) AIRF & NFIR – for information to them and their constituents.
 - (iii) SBEC-III – for information.



पूर्व तट रेलवे
EAST COAST RAILWAY

संख्या: ECoR/Pers/IRM/GSBE-III/P-I/161

कार्यालय/Office of the
प्रधान मुख्य कार्मिक अधिकारी
Principal Chief Personnel Officer
रेल सदन, चंद्रशेखरपुर.
Rail Sadan, Chandrasekharpur
भुवनेश्वर/Bhubaneswar- 751017
दिनांक: 13-09-2024

All PHOD/CHODs/HODs of ECoR/BBS - PCE, PCPO, SDGM, PCOM, PCMD, PCME, PCEE, PCCM, PFA, PCMM, PCSTE, IG-cum-PCSC, PCSO, CAO (Con).

All DRMs/ECoR-KUR, WAT, SBP.

Presiding Officer-cum-ADRM (Infra)/ECoR - KUR/WAT.

Presiding Officer-cum-ADRM/ECoR - SBP.

Presiding Officer-cum-FA & CAO (HQ)/ECoR/BBS.

Presiding Officer-cum-CWM/CRW/MCS.

CPRO, Dy. CPO (Gaz), DGM (G), LO, Sr. RBA, Sr. ADGM of ECoR/BBS.

Principal Director of Audit/ECoR HQrs.

Chairman/RRB/BBS, Chairman/RCT/BBS.

Sr. DPOs/DPOs/WPO of ECoR - KUR, WAT, SBP, MCS.

APO/HQ, APO/Con, APO-I, APO-II - ECoR HQrs/BBS.

All concerned.

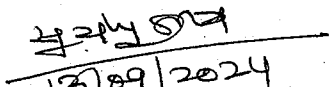
विषय:- Corrigendum No. 1 to 'Final Modalities' issued vide No. 2024/SBEC-III/Elections dated 09-09-2024 for Secret Ballot Elections-III.

संदर्भ:- EDE/RRB & Convener, SBEC-III, RBs' letter No. 2024/SBEC-III/Elections, dated 10-09-2024.

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A copy of the Railway Board's letter dated 10-09-2024 under reference is enclosed for kind information and necessary action please.

Encl.:- Copy of RB's letter dated 10-09-2024.
(Three pages)

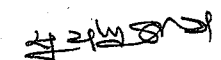

13/09/2024
(SURYA PRAKASH)

Additional Returning Officer
-cum-Chief Personnel Officer/G
East Coast Railway, Bhubaneswar.

Copy to:-

1. Secretary to GM for kind information of GM/ECoR please.
2. Secretary to AGM for kind information of AGM/ECoR please.
3. EDE/RRB & Convener Secret Ballot Election Committee-III, Rly. Bd., New Delhi.
4. Notice Board.

Encl.:- Copy of RB's letter dated 10-09-2024.
(Three pages)


(SURYA PRAKASH)
Additional Returning Officer



भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No.2024/SBEC-III/Elections

Dated: 10.9.2024

**The General Managers
All Zonal Railways (Open Line)
Metro Railway, Kolkata
Production Units (CLW& RCF).**

Subject: Corrigendum No. 1 to 'Final Modalities' issued vide No.2024/SBEC-III/Elections dated 09.09.2024 for Secret Ballot Elections-III.

In terms of provisions of Section 22 of Final Modalities, the SBEC has approved following modifications in the 'Final Modalities':

I. Inclusion of all deputed Motormen of Metro Railway Kolkata in the Voters' list of Metro Railway Kolkata: As per section 10(b) of Part-II of Annexure VI on Postal Ballot System, it is provided that Railway Servants working on deputation outside their lien railway shall be allowed facility of postal ballot system, which would enable them to vote in their lien-holding Railways. A large number of the Motormen of Metro Kolkata are originally from other Railways such as ER, SER, SECR etc and have been working on the Metro for a very long time. Metro Railway Kolkata, vide its letter no. MRTS/E.326/Secret Ballot/Pt.III dated 06.08.2024, has justified inclusion of such voters in the Voters' list of Metro Railway Kolkata and not on their lien railway. They have stated that even in 2013 election, such Motormen had voted in the Metro Railway itself.

General Manager, Metro Railway has proposed that the same protocol, which was followed in 2013 elections, should be followed this time also for Motormen. Considering the above, the SBEC agrees to allow the Motormen only of Metro Railway to vote in that organisation itself.

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10/9/24

In view of above, following lines should added at the end of Section 10(b) of Part -II of Annexure VI of 'Final Modalities':

"However, as far as deputed Motormen to Metro Railway, Kolkata is concerned, they will be eligible to vote in Metro Railway itself. Therefore, Lien-holding Railways of such Railway Servants should not include such Motormen in their Voters List. Metro Railway should co-ordinate with lien-holding Railways to ensure the above."

II. Facilities to Trade Unions: (a) The Section 7.0 and Annexure III of the Final Modalities is modified to align (i) with provisions of Railway Board's letter No. 2023/SBEC-III/Policy/1 dt 30.8.2024, issued for freezing facilities available to the recognised unions as well as with (ii) with provisions followed in 2013 elections on this subject.


Therefore, existing Section 7.0 of Final Modalities should be read as under:

"Section 7.0: Level playing field to contesting Trade Unions: Certain facilities have been provided to the existing recognised TUs. In order to provide level playing field to all contesting TUs in these elections, TUs which are in possession of any railway facilities/privileges such as office premises provided free of rent under PREM [erstwhile CEG scheme], Card Passes etc. are barred from using them for their electoral purposes. Trade Unions would not use such premises provided under PREM scheme for storing advertising or election-related material. No election meeting shall be held at these premises. An affidavit (as per Annexure-III) shall be furnished by the contesting Unions that they shall not use these facilities for above purposes. "

(b) Accordingly, Annexure III of the Final Modalities is modified as under:

"Annexure -III to Final Modalities,2024 for SBE-III
Section 7 of Final Modalities

Affidavit to be given on Rs 100 value Non-Judicial Stamp Paper
Regarding non-use of facilities available to contesting Trade Unions


10/9/24

(The matter as below should be printed on the Stamp Paper, as applicable)

Trade Union agrees not to avail any of the facilities provided by the railway, such as office premises provided free of rent under PREM [erstwhile CEG scheme], Card Passes etc. for electoral purposes. Trade Union will not use these facilities for storing advertising or election-related material. Moreover, no election meeting shall be held on these premises.

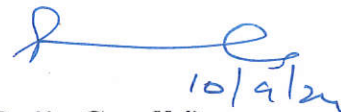
OR

Trade Union does not possess any of premises/facilities.

(Name & Signature of General Secretary)

Trade Union's name:

Stamp"



(Rajiv Gandhi)
ED/RRB & Convener
Secret Ballot Election-III

Copy to : All concerned PCPOs/ Returning Officers for information and necessary action.



पूर्व तट रेलवे
EAST COAST RAILWAY

संख्या: ECoR/Pers/IRM/GSBE-III/P-I/161

कार्यालय/Office of the
प्रधान मुख्य कार्मिक अधिकारी
Principal Chief Personnel Officer
रेल सदन, चंद्रशेखरपुर.
Rail Sadan, Chandrasekharpur
भुवनेश्वर/Bhubaneswar- 751017

दिनांक: 13-09-2024

To,
IG-cum- Principal Chief Security Commissioner (RPF),
East Coast Railway, Rail Sadan,
Chandrasekharpur,
Bhubaneswar.

विषय:- Key Guidelines and Security Arrangements for Secret Ballot Elections-III, December 2024 for conducting Secret Ballot Elections over East Coast Railway to be held on 04th, 05th & 06th December, 2024.

- संदर्भ:-
- 1) EDE/RRB, Railway Board & Convener & Member Secretary Secret Ballot Election Committee's letter No.2024/SBEC-III/Election, dated 09-09-2024.
 - 2) This office letter No. ECoR/Pers/IRM/GSBE-III/P-I/161 dated 09-09-2024.
 - 3) EDE/RRB, Railway Board & Convener & Member Secretary Secret Ballot Election Committee's letter No.2024/SBEC-III/Election, dated 30-08-2024.

The much-anticipated Secret Ballot Elections for the recognition of Railway Trade Unions will be held on the 4th, 5th and 6th of December, 2024. A formal notification, detailing the election schedule, was released on 30-08-2024 & 09-09-2024. The Security Department will play a crucial role in ensuring the smooth and secure conduct of this significant event, from the nomination process to the final declaration of results.

Recognizing the vital importance of the Security Department's involvement in Secret Ballot Election-III, key guidelines issued by the Railway Board letter No.2024/SBEC-III/Elections dated 09-09-2024 vide Ref. 1 are highlighted below. For more detailed information, including the complete election modalities, the official ECoR website can be referred to.

Outlined below are the section-wise security arrangements, along with other important items the Security Department needs to be aware of as per the Railway Board's directives (As per MOU):

- 3.0 Ineligible Voters: Staff on Railway Establishments NOT eligible to vote:
- 3.1 Substitutes without Temporary Status.
- 3.2 Casual/Contract labour and those engaged on daily wage basis
- 3.3 Academic staff of Railway Schools/Colleges, who are not permitted to be members of the Trade Union in terms of Railway Board's letter No E(LWA)65AT/ID/1-6 dated 04.01.1966. (Para 4.9 of MC 18 dated 22.01.2021).

- 3.4 A Railway Servant, who is promoted and has assumed charge of a Gazetted Post on or before the date of polling. Her/his name shall stand deleted/deemed to be deleted from the Voters' list.
- 3.5 A Railway Servant, who has superannuated or pre-maturely retired or voluntarily retired or compulsorily retired or dismissed or removed or resigned or is no more, on or before the date of polling. Her/his name shall stand deleted/deemed to be deleted from the Voters' list.
- 3.6 RPF/RPSF Staff governed under Railway Protection Force Act, 1957.
- 3.7 Newly recruited staff i.e. those who (i) are yet to join a post in Railways; or (ii) are getting training as Trainees as on 01.09.2024; and (iii) are in receipt of Stipend.
- 6.0 **Pre-conditions for contesting elections:**
- 6.1 Participation in this election would signify unconditional acceptance by the contesting TUs of these rules and conditions and related instructions issued by Railway Board/Administration, including these modalities. In case of any dispute, provisions of these modalities (and any related clarifications) shall have primacy over Indian Railway Establishment Manual in the matters covered by these modalities. Contesting TUs agree to abide by the following as well:
- 6.2 **Code of discipline:** All the contesting TUs must furnish in writing that they shall observe the "Code of Discipline", as laid down in Annexure-I. Railway Administrations shall display the "Code of Discipline" prominently on the website.
- 6.3 Indian Railway Establishment Manual (IREM): Chapters XXV and XXVI of IREM which deal with the rules for (i) recognition of Unions of Non- Gazetted Railway Servants; and (ii) Conditions precedent to recognition of the Unions; and (iii) Negotiating machinery for dealing with disputes between Railway labour/staff and Railway Administration etc. Therefore, participation in this SBE-III would signify unconditional acceptance by the contesting TUs of provisions of IREM.
- 6.4 **Code of Conduct (Annexure-II) :** "Code of Conduct" has come into effect from the date of Notification by SBEC of these elections i.e. 30th August, 2024
- 6.5 All contesting TUs shall abide by the provisions of "Code of Conduct" during the course of the election process. Violation of these would make them liable to attract penalties as laid down in **Annexure-II**. Some of the important Provisions of the Code of Conduct are brought out below:
- 6.5.1 No contesting TU shall make any appeal to voters on grounds of religion, politics, caste, community, region, gender and language etc.
- 6.5.2 No contesting TU or its office bearers/representatives shall indulge in any activity which may cause tension/rift amongst different categories, cadres, communities, religions etc.
- 6.5.3 Criticism of other TUs or its office bearers or their workers based on unverified statements shall not be made.
- 6.5.4 Contesting TUs or its agents (acting as Social Media User) must not spread 'Fake News' through "Social media Platforms" about their rivals and Railway Administration. "Fake News" includes the following or combinations thereof:
- (i) misquotation or the false and/or inaccurate report of one's statement;
(ii) editing audio or video which results in the distortion of facts and/or the context; or (iii) purely fabricated content. "Social Media Platform" means any

user-specific web-based technology intended to create virtual connection through the internet such as social networking sites, blog sites, video-sharing sites and the like. "Social Media User" includes any person or group of persons, natural or juridical, organized or unorganized that utilizes social media platforms to send messages and/or information across through any social media account, verified or under a pseudonym, fictitious or false account/page name for whatever purposes it may serve. In case TUs are found indulging in spreading of 'Fake News', they are liable for suitable action as per Annexure-II.

- 6.5.5** Criticism of rival TUs should be confined to their policies, programmes and past records of work. The private life of individual/office bearers and activities not connected with the railway working shall not be raised during canvassing.
- 6.5.6** Temples, mosques, churches etc and other places of worship/congregation shall not be used for propaganda/meeting purposes.
- 6.5.7** Campaigning by elected public representatives (who do not hold any post in any of the contesting TUs or National Federations or Central Trade Unions to which the contesting Union is affiliated) is not permitted.
- 6.5.8** Campaigning within 100 meters of polling booths and holding public meetings during 48 hours prior to the start of the polling is not permitted.
- 6.5.9** Intimidation of any type/threatening or coercing any Railway Servant to vote/or not to vote in a particular manner is not permitted.
- 6.5.10** Possession of firearms during canvassing, slogan shouting, inciting communal/political/religious passions shall not be permitted.
- 6.5.11** Giving of gifts, cash etc. in any manner is strictly prohibited. In this regard, Principal CPOs should issue an advisory to Railway Co-operative Societies located within the jurisdiction of the Zonal Railway concerned to refrain from granting special loans (other than Compulsory Monthly Thrift Deposit loans) or/and Special Dividends during the period from the date of notification of elections to the last day of polling.
- 6.5.12** It may be noted that (i) pasting of posters/ campaigning material on stations/station buildings, rolling stock, and official/administrative buildings and/or; (ii) defacing in any manner, including writing on the walls of office and other buildings in colonies, etc. is strictly prohibited. TUs shall not disfigure the walls within Railway premises, Railway Stations and boundary walls, by sticking posters or painting on them. In cases of infraction of this section, Returning Officer may pass appropriate speaking orders for (i) forfeiture of Security deposit; and/or (ii) imposition of fine on TU concerned; and/or (iii) any other penalty as deemed fit in cases of serious violations as per provisions of the Code of Conduct.
- 6.5.13** In cases of violations, apart from action(s) under Annexure-II, suitable action will be taken under relevant provisions of 'Prevention of Defacement of Property Act' or similar Acts of the States concerned.
- 6.5.14** Railway Administration should provide/designate appropriate space for pasting of posters/campaigning material to the contesting TUs. However, TUs shall remove any poster (pasted on permitted/designated place) after completion of the elections.

- 6.5.15 No disrespect shall be shown to pictures of present and past national leaders in the posters put up during campaigning.
- 6.5.16 Any other activity during campaigning which are (i) extraneous; (ii) repugnant and contrary to the recognized sphere of Trade Union activities; (iii) against tranquility and public peace are prohibited.
- 7.0 **Level playing field to contesting Trade Unions:**
Certain facilities have been provided to the existing recognized TUs. In order to provide level playing field to all contesting TUs in these elections, TUs which are in possession of any railway facilities such as office premises (including premises provided free of rent under PREM [erstwhile CEG] scheme), card passes, Telephones etc. are barred from using them for their electoral purposes. Trade Unions would not use these facilities for storing advertising or election-related material. No election meeting shall be held at these premises. An affidavit (as per **Annexure-III**) shall be furnished by the contesting Unions that they shall not use these facilities for above purposes.
- 7.4 **Gate Meeting:** All Contesting TU must obtain prior permission of the Railway administration to hold a 'Gate Meeting' during lunch hours. However, no 'Gate meeting' will be allowed within 48 hours of the date of polling.
- 7.5 **Violations:** Violations of these instructions shall be treated as corrupt election practices and violation of "Code of Conduct". The onus shall be on the TUs to prove that such violations have not occurred.
- 8 **Preparation for election:**
- 8.0 **Delegation of financial power:** One time Imprest for meeting the election related expenses shall be sanctioned by Railway Board and order will be issued separately. Financial Powers for making expenditure on election account shall be delegated to Returning Officer or other polling related authorities through specific orders to be issued by Railway Board.
- 8.1 **Ballot Boxes:** Adequate number of Ballot Boxes will be provided for each Polling Booth by the Returning Officer/Presiding officer with requisite stationery, sealing wax, Paper seal with serial numbers etc. and these would be sealed before the start of polling and after end of polling every day in the presence of (i) Polling Agents of the TUs and; (ii) the Polling Officer or her/his authorized representative.
- 8.2 The Ballot Boxes may be borrowed from Chief Electoral Officer of the state(s) or neighboring state(s). In case of any shortfall, metal boxes used in RRB/RRC examinations may be used by making suitable modifications in it for insertion of folded ballot papers. If there is still a shortfall, then new boxes may be arranged/purchased/manufactured in the workshop.
- 8.3 Separate Ballot Boxes will be used for each day of voting. After each day's voting, the ballot boxes shall be sealed by obtaining signatures of Polling Officer, nominated Polling Agents (by TUs) for this purpose and RPF/RPSF staff. Thereafter, these boxes will be stored in a safe and secured room under proper lock and paper seal, bearing signatures of the Polling Officer (or his representative), nominated Polling Agents for this purpose and RPF/RPSF staff. The place of storage shall be decided by the Presiding Officer concerned.

- 8.4** The seal of the room shall be opened only for storing the next day's ballot boxes and sealed again following the same protocol. A Polling Officer or an officer specifically nominated by the Presiding Officer for this purpose shall be the custodian of the ballot boxes. RPF/RPSF Guards shall be deputed for the security of ballot boxes. At the end of final polling, the Polling officers shall make a secure arrangement for safe transportation of the ballot boxes to the counting centre as decided by the Presiding Officer for counting of votes.
- 8.5** Similar storage and security arrangements shall be made by the Presiding officer when sealed ballot boxes are received from the Polling officers after the end of polling/voting process.
- 8.6** Place identified for storage of ballot boxes shall be notified by the concerned Presiding Officer well in advance. In all these matters, the decision of the Presiding Officers shall be final.
- 14.0 Postal Ballot System (PBS):**
Postal Ballot shall be permitted only for following categories of Railway Servants who are deputed/deployed for (a) Secret Ballot Election (SBE) Duty;(b) Various training programs at different divisional/zonal and other training centers; (c) Train running/escort duties/ticket checking duties who are not likely to return to their HQ within the stipulated polling dates; and (d) Railway Servants working outside their cadre on deputation.
- 17.0 Storage and Security of Ballot Boxes:**
After the polling is held on a day, the Ballot Boxes should be duly sealed by obtaining the signature of Polling Officer, Polling Agents of TUs present and designated Security in- charge. Thereafter, it should be stored in a strong room, which should have been already notified to the contesting unions. At the end of every day of polling, the boxes are required to be kept in the strong room and sealed. The sealing of the strong room should be done after obtaining the signatures of the designated (by PO) functionary, RPF/RPSF Staff and Polling Agents (designated by TUs for this purpose). At the end of polling, these ballot boxes should be transported to the counting centre, as identified and notified by the presiding officer under proper security.
- 18.0 Transportation and Security of Ballot Boxes:**
Suitable measures should be taken to carry these boxes, preferably by road with proper RPF/RPSF guards and in the presence of responsible Railway functionaries. However, if a need is felt to transport the Ballot boxes by service train then the Railway authorities should make proper arrangements for their transportation by the train under the security of RPF/RPSF guards and nominated Railway functionaries. In case transshipment is required to be done during train movement, at no time the Ballot Boxes should be left unattended either on the platforms or in station buildings. The travel plan for the Ballot Boxes should be shared with the Trade Union representatives and if they desire they may accompany the team carrying the Ballot Boxes on their own without interfering with the movement of the Ballot Boxes in any manner.
- 19.0 Counting of Votes:**
All the Ballot Boxes from the polling Booths under the jurisdiction of a Presiding Officer shall be brought and stored in pre-notified place. The votes have to be counted on scheduled date in a centralised place as identified and

notified by the Presiding Officer. The Ballot Boxes should be opened as per prescribed instructions given below. After opening of the Ballot Boxes, number of total ballots in each box shall be tallied with the number of ballots as per the records of the polling officer. Before counting of votes begin, the ballots from all the boxes should be opened and mixed together. No booth-wise counting should be done.

- 19.1 The Ballot Boxes shall be opened in the presence of the Presiding Officer and "Authorized Counting Agents" (ACA) of the TUs.
- 19.2 PO/RO will decide the number of ACA which should be adequate. Names of the ACA shall be as recommended by contesting TUs.
- 19.3 If the ACAs do not present themselves at the appointed time & place during the time of counting the votes, such absence shall not invalidate the election all counting process and counting shall proceed as per schedule.
- 21.1 **Declaration of Final Result:**
All Sealed Covers (containing Election Reports from Presiding Officer & RO in case of Postal Ballots) will be opened by Returning Officer in the presence of contesting TUs' representatives (Whoever available. This process cannot be delayed due to absence of anybody) to prepare and compile "Final Election Result" (Performa shall be conveyed later). Thereafter, the result of the election shall be declared accordingly.

Encl.:- As above (Provision Related to enforcement of Code of Conduct/Discipline).


(SIDDHARTH KATI)

Returning Officer, Secret Ballot Elections
-cum-Principal Chief Personnel Officer
East Coast Railway, Bhubaneswar.

Copy to Sr. DSC/DSC (RPF) - KUR, WAT & SBP for kind information. They are requested to arrange for deployment of RPF/RPSF personnel as per requirement in the Division with consultation of ADRMs, CWM/MCS & FA & CAO(HQ)/ECoR and as per advised by IG-cum-CSC (RPF)/ECoR/BBS.

Copy to Presiding Officer-cum-ADRM's(Infra)/ADRM/CWM/ FA & CAO(HQ) - KUR, WAT, SBP, MCS WS, HQrs./BBS to interact with Sr. DSC/DSC(RPF) for security arrangements in Polling/Counting Booths & transportation of election materials and additional security arrangements in sensitive Polling Booths with list of name and locations of such Booths.


(SIDDHARTH KATI)

Returning Officer, Secret Ballot Elections
-cum-Principal Chief Personnel Officer
East Coast Railway, Bhubaneswar.

5.9 The existing recognized TUs and their Federations shall continue to remain as recognized (subject to conditions, if any) till a fresh election process is completed.

5.10 Facilities to Unions securing minimum 15% of TVVP: TU(s) securing minimum of 15 % of TVVP shall be provided limited facilities of (i) Notice Boards and; (ii) Gate Meeting (as per laid down prescribed Railway Board instructions).

6.0 Pre-conditions for contesting elections:

6.1 Participation in this election would signify unconditional acceptance by the contesting TUs of these rules and conditions and related instructions issued by Railway Board/Administration, including these modalities. In case of any dispute, provisions of these modalities (and any related clarifications) shall have primacy over Indian Railway Establishment Manual in the matters covered by these modalities. Contesting TUs agree to abide by the following as well:

6.2 Code of discipline: All the contesting TUs must furnish in writing that they shall observe the “Code of Discipline”, as laid down in Annexure-I. Railway Administrations shall display the “Code of Discipline” prominently on the website.

6.3 Indian Railway Establishment Manual (IREM): Chapters XXV and XXVI of IREM which deal with the rules for (i) recognition of Unions of Non-Gazetted Railway Servants; and (ii) Conditions precedent to recognition of the Unions; and (iii) Negotiating machinery for dealing with disputes between Railway labour/staff and Railway Administration etc. Therefore, participation in this SBE-III would signify unconditional acceptance by the contesting TUs of provisions of IREM.

6.4 Code of Conduct (Annexure-II) : “Code of Conduct” has come into effect from the date of Notification by SBEC of these elections i.e. 30th August, 2024.

6.5 All contesting TUs shall abide by the provisions of “Code of Conduct” during the course of the election process. Violation of these would make them liable to attract penalties as laid down in **Annexure-II**. Some of the important


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provisions of the Code of Conduct are brought out below:

6.5.1 No contesting TU shall make any appeal to voters on grounds of religion, politics, caste, community, region, gender and language etc.

6.5.2 No contesting TU or its office bearers/representatives shall indulge in any activity which may cause tension/rift amongst different categories, cadres, communities, religions etc.

6.5.3 Criticism of other TUs or its office bearers or their workers based on unverified statements shall not be made.

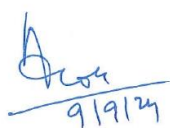
6.5.4 Contesting TUs or its agents (acting as Social Media User) must not spread 'Fake News' through "Social media Platforms" about their rivals and Railway Administration. "Fake News" includes the following or combinations thereof: - (i) misquotation or the false and/or inaccurate report of one's statement; (ii) editing audio or video which results in the distortion of facts and/or the context; or (iii) purely fabricated content. "Social Media Platform" means any user-specific web-based technology intended to create virtual connection through the internet such as social networking sites, blog sites, video-sharing sites and the like. "Social Media User" includes any person or group of persons, natural or juridical, organized or unorganized, that utilizes social media platforms to send messages and/or information across through any social media account, verified or under a pseudonym, fictitious or false account/page name for whatever purposes it may serve. In case TUs are found indulging in spreading of 'Fake News', they are liable for suitable action as per Annexure-II.

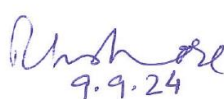
6.5.5 Criticism of rival TUs should be confined to their policies, programmes and past records of work. The private life of individual/office bearers and activities not connected with the railway working shall not be raised during canvassing.

6.5.6 Temples, mosques, churches etc and other places of worship/congregation shall not be used for propaganda/meeting purposes.

6.5.7 Campaigning by elected public representatives (who do not hold any post in any of the contesting TUs or National Federations or Central Trade Unions to which the contesting Union is affiliated) is not permitted.

6.5.8 Campaigning within 100 meters of polling booths and holding public meetings during 48 hours prior to the start of the polling is not permitted.


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6.5.9 Intimidation of any type/threatening or coercing any Railway Servant to vote/or not to vote in a particular manner is not permitted.

6.5.10 Possession of firearms during canvassing, slogan shouting, inciting communal/political/religious passions shall not be permitted.

6.5.11 Giving of gifts, cash etc. in any manner is strictly prohibited. In this regard, Principal CPOs should issue an advisory to Railway Co-operative Societies located within the jurisdiction of the Zonal Railway concerned to refrain from granting special loans (other than Compulsory Monthly Thrift Deposit loans) or/and Special Dividends during the period from the date of notification of elections to the last day of polling.

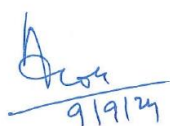
6.5.12 It may be noted that (i) pasting of posters/ campaigning material on stations/station buildings, rolling stock, official/administrative buildings and/or; (ii) defacing in any manner, including writing on the walls of office and other buildings in colonies, etc. is strictly prohibited. TUs shall not disfigure the walls within Railway premises, Railway Stations and boundary walls, by sticking posters or painting on them. In cases of infraction of this section, Returning Officer may pass appropriate speaking orders for (i) forfeiture of Security deposit; and/or (ii) imposition of fine on TU concerned; and/or (iii) any other penalty as deemed fit in cases of serious violations as per provisions of the Code of Conduct.

6.5.13 In cases of violations, apart from action(s) under Annexure-II, suitable action will be taken under relevant provisions of 'Prevention of Defacement of Property Act' or similar Acts of the States concerned.

6.5.14 Railway Administration should provide/designate appropriate space for pasting of posters/campaigning material to the contesting TUs. However, TUs shall remove any poster (pasted on permitted/designated place) after completion of the elections

6.5.15 No disrespect shall be shown to pictures of present and past national leaders in the posters put up during campaigning.

6.5.16 Any other activity during campaigning which are (i) extraneous; (ii) repugnant and contrary to the recognized sphere of Trade Union activities; (iii)


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against tranquility and public peace are prohibited.

7.0 Level playing field to contesting Trade Unions: Certain facilities have been provided to the existing recognised TUs. In order to provide level playing field to all contesting TUs in these elections, TUs which are in possession of any railway facilities such as office premises (including premises provided free of rent under PREM [erstwhile CEG] scheme), card passes, Telephones etc. are barred from using them for their electoral purposes. Trade Unions would not use these facilities for storing advertising or election-related material. No election meeting shall be held at these premises. An affidavit (as per **Annexure-III**) shall be furnished by the contesting Unions that they shall not use these facilities for above purposes.

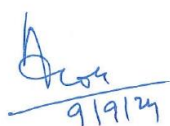
7.1 However, such existing recognized TUs may be permitted to use their allotted CUG Mobiles, provided that they agree to pay charges at the rates notified in Railway Board Circular No 2021/Tele/11(2)/1(3346054) dated 12.04.2023 (as amended from time to time) for their use during election period. Trade Unions should request their Returning Officer/Presiding Officer for continuing use of the specific CUG Mobile numbers, by undertaking to pay the requisite charges from the salary/deposit by the CUG-holder, if not paid otherwise before close of the elections.

7.2 PNM: The Railway Administration shall not hold any PNM or formal meetings with the existing recognised TUs after the date of notification of the election.

7.3 Special Leave: No Special Leave for campaigning/canvassing etc shall be allowed to any Railway Servant or representative of the contesting TU.

7.4 Gate Meeting: All Contesting TU must obtain prior permission of the Railway administration to hold a 'Gate Meeting' during lunch hours. However, no 'Gate meeting' will be allowed within 48 hours of the date of polling.

7.5 Violations: Violations of these instructions shall be treated as corrupt election practices and violation of "Code of Conduct". The onus shall be on the TUs to prove that such violations have not occurred.


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Annexure – I to Final Modalities, 2024 for SBE-III
(Section 6.2 of Final Modalities)

Code of Discipline

All the contesting registered Trade Unions undertake in writing that they will observe the Code of Discipline.

I. Management and Union(s) agree –

- (a) that no unilateral action should be taken in connection with any industrial matter and that disputes should be settled at appropriate level;
- (b) that the existing machinery for settlement of disputes should be utilized with the utmost expedition;
- (c) that there should be no strike or lock-out without notice;
- (d) that affirming their faith in democratic principles, they bind themselves to settle all future differences, disputes, and grievances by mutual negotiation, conciliation and voluntary arbitration;
- (e) that neither party will have recourse to (i) coercion, (ii) intimidation, (iii) victimization or (iv) go-slow;
- (f) that they will avoid, (i) litigation, (ii) sit-down and stay in strikes and (iii) lockouts ;
- (g) that they will promote constructive co-operation between their representatives at all levels and as between workers themselves and abide by the spirit of agreements mutually entered into ;
- (h) that they will establish upon a mutually agreed basis, a grievance procedure which will ensure a speedy and full investigation leading to settlement;
- (i) that they will abide by various stages in the grievance procedure and take no arbitrary action which would by-pass this procedure; and
- (j) that they will educate the management personnel and workers regarding their obligations to each other.

II. Managements agree –

- (a) not to support or encourage any unfair labour practice such as:
 - (i) interference with the right of employees to enroll or continue as Union members,
 - (ii) discrimination, restraint or coercion against any employee because of recognized activity of Trade Unions and
 - (iii) victimization of any employee and abuse of authority in any form ;
- (b) to take prompt action for (i) settlement of grievances and (ii) implementation of settlements, awards, decisions and orders;
- (c) to display in conspicuous places in the Railway offices the provisions of this Code;
- (d) to distinguish between actions justifying immediate discharge and those where discharge must be preceded by warning, reprimand, suspension or some other form of disciplinary action and to arrange that all such disciplinary action should be subject to an appeal through normal grievance procedure;
- (e) to take appropriate disciplinary action against its officers and members in cases where enquiries reveal that they were responsible for precipitation of action by workers leading to indiscipline.

III. Trade Union(s) agree –

- (a) not to engage in any form of physical duress ;
- (b) not to permit demonstrations which are not peaceful and not to permit Rowdyism in demonstration ;
- (c) that their members will not engage or cause other employees to engage in any Union activity during working hours, unless as provided for by law, agreement or practice;

- (d) to discourage unfair labour practices such as (i) negligence of duty, (ii) careless operation, (iii) damage to property, (iv) interference with or disturbance to normal work and (v) insubordination ;
- (e) to take prompt action to implement awards, agreements, settlements and decisions ;
- (f) to display in conspicuous places in the Union Offices, the provisions of this Code; and
- (g) to express disapproval and to take appropriate action against office-bearers and members for indulging in action against the spirit of this Code.

Annexure – II to Final Modalities, 2024 for SBE-III
(Section 6.4 of Final Modalities)

**PROVISIONS RELATED TO ENFORCEMENT OF “CODE OF
CONDUCT/DISCIPLINE”**

S. No.	Offence/ Misconduct	Proposed Penalty	Authority competent to initiate action	Authority competent to impose penalty	Appellate Authority
	(A) OFFENCES ATTRACTING IMPOSITION OF MONETARY FINES				
1.	Convening/holding public meetings in connection with election and display of any election matter through various media sources and cultural performances during period of forty eight (48) hours prior to the hour fixed for commencement of poll and during the duration of polling process.	Fine up to Rs.10,000/- on Trade Unions.	Any officer authorized to oversee free and fair conduct of polling process	Presiding Officer	Returning Officer
2.	Any person illegally hiring or procuring any vehicle for free conveyance of any voter other than self and the polling agent, to or from any polling booth commits an offence.	Fine up to Rs.10,000/- on Trade Unions.	Polling officer or any officer authorized to oversee free and fair conduct of polling process	Presiding Officer	Returning Officer
3.	Whoever prints or publishes any election pamphlets, posters, handbills or placards which do not bear on its face the name and the	Fine up to Rs.10,000/- on Trade Unions.	Sr. DPO/DPO/ Deputy CPO/ SPO authorized to oversee	Presiding Officer	Returning Officer

S. No.	Offence/ Misconduct	Proposed Penalty	Authority competent to initiate action	Authority competent to impose penalty	Appellate Authority
	address of the printer and the publisher commits an offence.		conduct of free and fair elections		
4.	Canvassing in or near polling station, soliciting votes and persuading/coercing the voters to vote in a particular manner or not to vote for a particular manner or election on the date of poll is prohibited and its violation constitutes an offence.	Fine up to Rs.5,000/- on Trade Unions.	Polling officer or any officer authorized to oversee free and fair conduct of polling process	Presiding Officer	Returning Officer
5.	Causing damage to Railway Property in course of canvassing by defacing/spoiling fixed and moveable assets and structures	Fine up to Rs.20,000/- levied on Trade Unions.	Polling officer or any officer authorized to oversee free and fair conduct of polling process	Presiding Officer	Returning Officer
6.	Lodging false/incorrect complaint against another Trade Union	Fine up to Rs. 10,000/- on the complainant Union.	Sr. DPO/DPO/ Deputy CPO/ SPO authorized to oversee conduct of free and fair elections	Presiding Officer	Returning Officer

S. No.	Offence/ Misconduct	Proposed Penalty	Authority competent to initiate action	Authority competent to impose penalty	Appellate Authority
	(B)OFFENCES ATTRACTING PROVISIONS OF Bhartiya Nyay Sanhita (BNS) and RAILWAY SERVANTS(D&A) RULES, 1968				
1.	All officials performing duty of recording/counting of votes is liable to maintain secrecy of the voting and its violation constitutes an offence.	Liable to attract D&AR Rules 1968	Polling/Pre siding authorized officer overseeing counting of votes	As per D&A Rules	As per D&A Rules
2.	Misconduct in the polling station or disobedience of directions of the polling officer shall result in removal of the voter from polling station and any such voter attempting to re-enter the polling station without the permission of polling officer is liable to be taken up for criminal misconduct.	As per Bhartiya Nyay Sanhita (BNS)	Polling officer or any other officer authorized to oversee free and fair conduct of polling process	As per BNS	As per BNS
3.	No person except on duty RPF/Police officials deputed to conduct elections/ maintain law and order at the polling station shall be permitted to carry arms at the voting booths and its violation shall be treated as an offence.	As per BNS / D&A Rules	Polling officer or any other officer authorized to oversee free and fair conduct of polling process	As per BNS / D&A Rules	As per BNS/ D&A Rules
4.	Any person suspected to have removed ballot paper out of polling station can be searched/	As per BNS	Polling officer or any other officer	As per BNS	As per BNS

S. No.	Offence/ Misconduct	Proposed Penalty	Authority competent to initiate action	Authority competent to impose penalty	Appellate Authority
	detained by the Polling officer and is liable to be taken up under the criminal proceedings		authorized to oversee free and fair conduct of polling process		
5.	Booth capturing viz. seizure of polling station/place fixed for polling and counting of votes, allowing only supporters to vote, preventing/coercing other voters from exercising votes and making polling authorities surrender the ballot papers/ shall constitute an offence	As per BNS	Polling officer or any other officer authorized to oversee free and fair conduct of polling process	As per BNS	As per BNS
6.	Any act of fraudulently defacing/destroying any ballot paper/official mark on any ballot paper or tampering with the ballot box in any other manner by the voter shall constitute an offence.	As per BNS	Polling officer or any other officer authorized to oversee free and fair conduct of polling process	As per BNS	As per BNS
7.	Voting or applying for ballot paper in a fictitious name, re-applying for voting in own name and abetting, procuring or attempting to procure voting in any such way shall constitute an offence of	Liable to attract D&A Rules	Polling/Presiding/officer authorized officer overseeing counting of votes.	As per D&A Rules	As per D&A Rules

S. No.	Offence/ Misconduct	Proposed Penalty	Authority competent to initiate action	Authority competent to impose penalty	Appellate Authority
	impersonation.				
8.	Whoever voluntarily causes simple or grievous hurt or assaults to deter a public servant from discharging his duty	As per BNS/ D&A Rules	Polling officer or any other officer authorized to oversee free and fair conduct of polling process	As per BNS/ D&A Rules	As per BNS/ D&A Rules
09.	Anyone who i) gives a gratification to any person with the object of inducing him or any other person to exercise any electoral right or of rewarding any person for having exercise any such right; or ii) accepts either for himself or for any other person any gratification as a reward for exercising any such right; or for inducing or attempting to induce any other person to exercise any such right, commits the offence of bribery: constitutes an offence.	As per BNS/ D&A Rules	Polling officer or any other officer authorized to oversee free and fair conduct of polling process	As per BNS/ D&A Rules	As per BNS/ D&A Rules

S. No.	Offence/ Misconduct	Proposed Penalty	Authority competent to initiate action	Authority competent to impose penalty	Appellate Authority
	(C) OFFENCES LEADING TO DISQUALIFICATION				
1.	Promoting feeling of enmity or hatred on grounds of religion, race, caste, community or language, gender amongst different classes/ categories of Railway Servants.	Individuals found guilty of such misconduct or found abetting such misconduct shall not be extended facilities available to office bearers of unions in the event of her/his union being recognized on the basis of election results.	On days of polling the polling officer & Presiding officer and prior to that Sr. DPO/ DPO/Deputy CPO/SPO of the concerned division/workshop shall be responsible for initiating action	Returning officer through Presiding officer	General Manager
2.	Filing of false affidavit/undertaking/ declaration, or concealing any information in the affidavit filed by the Trade Union.	Disqualification to contest the elections/revocation of recognition granted of Trade Union.	Returning officer	General Manager through Returning officer	General Manager
