

दक्षिणी रेलवे **Southern Railway**

सं/No.U/P.694/SBE-III/2024

मंडलकार्यालय/Divisional Office
कार्मिक शाखा/Personnel Branch
मदुरै/Madurai
दिनांक /Date:09.10.2024

ALL CONCERNED/MDU DIVISION

Sub : Secret Ballot Election -III/2024 – Enforcement of Code of Conduct and Code of Discipline.

Ref: Railway Board Letter No.2024/SEBC-III/Elections Dated 09.09.2024 publishing the Final Modalities for holding of Secret Ballot Elections -III.

The following provisions in regard to pre-conditions for contesting elections, “Code of Discipline” and “Code of Conduct” (Annexure I & II of Final Modalities referred above) are brought to the notice of all contesting unions for information, guidance and strict compliance.

I. Pre-conditions for contesting elections:

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 the final 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 Code of Discipline and Code of Conduct as annexed to the Final Modalities which are already published on the official websites.

II. Compliance of IREM provisions:-

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.**

III. Code of Conduct :

“Code of Conduct “has come into effect from the date of Notification by SBEC of these elections i.e. 30th August, 2024.

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:

- 1) No contesting TU shall make any appeal to voters on grounds of religion, politics, caste, community, region, gender and language etc.
- 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.
- 3) 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.
- 4) 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.
- 5) Temples, mosques, churches etc and other places of worship/congregation shall not be used for propaganda/meeting purposes.
- 6) 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.
- 7) Campaigning within 100 meters of polling booths and holding public meetings during 48 hours prior to the start of the polling is not permitted.
- 8) Intimidation of any type/threatening or coercing any Railway Servant to vote/or not to vote in a particular manner is not permitted
- 9) Possession of firearms during canvassing, slogan shouting, inciting communal/political/religious passions shall not be permitted.
- 10) Giving of gifts, cash etc. in any manner is strictly prohibited.
- 11) 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.

- 12) In case of violations, suitable action will be taken under relevant provisions of 'Prevention of Defacement of Property Act' or similar Acts of the States concerned.
- 13) Trade Unions should not paste posters/campaign materials anywhere except in the permitted/designated places.
- 14) No disrespect shall be shown to pictures of present and past national leaders in the posters put up during campaigning.
- 15) 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.

IV. Gate Meeting:

All Contesting Trade Unions must obtain prior permission of the Railway Administration to hold a Gate Meeting during lunch hours. No gate meeting is permitted in front of DRM's office/MDU in order to avoid disturbance to Hospital and Railway School situated nearby. Gate Meeting shall be conducted in the Western Entry area only. However, no 'Gate Meeting' will be allowed within 48 hours of the date of polling.

Violations:

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

This may be noted and notified to all concerned for strict compliance.

(L.N. Rao)
PRESIDING OFFICER &
ADRM/MDU

Copy to: Returning Officer & PCPO/MAS – For kind information
DRM/MDU – For kind information
All Branch Officers – For information and necessary action.
Notice Board.
JE/IT/PB/MDU – To upload in the PB website.