

GOVERNMENT OF INDIA

MINISTRY OF RAILWAY

(RAILWAY BOARD)

SBEC/Union Elec.2012/Modalities/1

New Delhi 11.03.13

Chief Personnel Officers

All Open line Railways and Metro Kolkatta

**Sub: Draft Modalities for Secret Ballot Elections for recognition of unions on
India Railways**

Railway Board vide order no. ERB-I/2012/23/49 dated 09.11.12 has constituted a Committee as follows, to supervise and conduct Secret Ballot Elections for granting recognition to unions and federations on Indian Railways:

Chairman: Shri R.R.Jaruhar- Member Engineering (Retd) Railway Board

Member: Shri A. K. Nigam- Adviser Industrial Relations (Retd) Railway Board

Member Secretary: Shri Rajiv Kishore- Executive Director/ERP, Railway Board.

2. The terms of reference of the Committee are as follows:

- i) To review the modalities framed by the earlier Committee for the elections held in November 2007/frame modalities to conduct next Secret Ballot Elections to recognise Unions;
- ii) To form code of conduct/discipline for the elections on the lines of Code of Discipline of Ministry of Labour suitable for Indian Railways;
- iii) To function as a nodal body for conducting and supervising the secret ballot ;
- iv) To suggest the mechanism for arbitration on disputes arising out of elections; and
- v) Recognition of Federation(s) at Board's level.

3. Further vide communication no. 2012/E(LR)III/LR/Misc/5(SB)-Pt. dated 08.03.13, Railway Board has advised that "instructions in complinace with courts orders dated 03.03.2010 in WP (C) No. 26/2008 and order dated 30.01.2012 in LPA no 550.2010 of Hon'ble High Court of Delhi which has been upheld by the Hon'ble Supreme Court of India in their order dated 22.01.13 in Special Leave to Appeal (Civil) No. 23523/2012, will follow separately".

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4. The Committee has held wide ranging discussions with Unions/Federation and administration at Zonal railways and at New Delhi; it has also received large number of suggestions through email and letters from various stake holders and unions from all over the Indian Railways.

5. On the basis of these suggestions, Railway Board advice dated 08.03.13 and specific Terms of Reference assigned to the Committee, the Committee has framed the following DRAFT MODALITIES which are enclosed for information of all concerned. The Draft Modalities have been uploaded on the official website of railway Board and under the webpage titled “Secret Ballot Elections Committee”

6. It is requested that the enclosed Notice may be put up at prominent Notice Boards so that concerned persons may be able to access the Draft modalities on the website and send their suggestions/ views, which shall be considered by the Secret Ballot Election Committee for making suitable modifications in the modalities, if required.

7. In order to facilitate the examination of suggestions/views on the draft modalities, they may be sent through emails/letters in EITHER of the following formats:

1. Paragraph number of the modality;
2. Line number of the paragraph;
3. Reproduce the Content where change is suggested;
4. Mention the change suggested.

OR,

In the following tabular manner

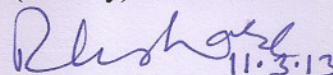
Paragraph No. of the modality	Line number of the paragraph	Reproduce the Content where change is suggested	Mention the change suggested

As the elections are likely to be held 25th, 26th and 27th April'2013, all suggestions/views if any must reach by 5.30 pm on 15.03.13 (Friday) at the following address:

Member Secretary, Secret Ballot Election Committee, Room No. 339 A, Ministry of Railways, Pragati Maidan Metro Building, New Delhi 110001, or through email at

‘sbec@rb.railnet.gov.in’.

The final draft modalities shall be uploaded on the website on 18.03.13(Monday) which shall be followed by Notification of election soon thereafter.


11.3.13
RAJIV KISHORE

Executive Director/ERP

& Member Secretary, Secret Ballot Election Committee.