NOTE

1. Please find enclosed herewith a copy of Code of Conduct to be observed by all the parties concerned during the election as per Notification IR(S)/7-1/2019/Election Cell dated 11.06.2019.
2. This Code of Conduct prepared is based on most of the provisions contained in unfair labour practice, as defined under Section 2(ra) read with Fifth Schedule appended to the Industrial Dispute Act, 1947 which has got the statutory force attracting penalty in case of violation.
3. The purpose of this Code of Conduct is to ensure free, fair and peaceful election.
4. This may kindly be given wide publicity.

(V.Srinivas)
Chief Returning Officer
Tel. 011-4352-7483

Copy for information etc. to the following:

1. CLC (Central), Shram Shakti Bhawan, Rafi Marg, New Delhi.
2. Chief Nodal Officer/ED(Fin.), FCI, Hqrs., New Delhi.
3. Executive Director(North/West/South/East/North East), FCI, Z.Os, ________
4. All General Manager (Regions), FCI, R.Os, ________
5. All Returning Officer, FCI,
6. Director(IFS), FCI, Gurgaon
7. DGM(Hqrs.), FCI, Hqrs., New Delhi.
8. All Area Manager, FCI
9. AGM (IR-S), FCI Hqrs., New Delhi.
10. All Staff Unions
11. PS to ED(P)/ED(IR-S), FCI Hqrs., New Delhi.
Code of conduct to be observed by the management of FCI as well as the trade unions taking part in the secret ballot elections to be held as per elections schedule notified vide Notification No. IR(S)/7-1/2019(Election Cell) dated 11.06.2019, for free, fair and peaceful elections.

Part I: _On the part of management of FCI:_

1. Not to interfere with, restrain from, or coerce, workmen in the exercise of their right to organize, form join or assist a trade union or to engage in concerted activities for the purposes of election or other mutual aid or protection, that is to say—
   a) Threatening workmen with discharge or dismissal, if they join a trade union;
   b) Granting wage increase to workmen at crucial periods of trade union organization, with a view to undermining the efforts of the trade union at organization

2. Not to dominate, interfere with or contribute support, financial or otherwise, to any trade is to say:-
   a) Management taking an active interest in organizing a trade union of their workmen and
   b) Management showing partiality or granting favour to one of several trade unions attempting to organize their workmen or to its members.

3. Not to establish employer-sponsored trade unions of workmen.

4. Not to encourage or discourage membership in any trade union by discriminating against any workman, that is to say:-
   a) Discharging or punishing a workman for joining or organizing a trade union;
   b) Changing seniority rating of workmen because of trade union activities;
   c) Giving unmerited promotions to certain workmen with a view to creating discord amongst other workmen, or to undermine the strength of their trade union;
   d) Discharging office-bearers or active members of the trade on account of their trade union activities.

5. Not to discharge or dismiss workmen—
   a) By way of victimization;
   b) In the colourable exercise of the employer's rights;
   c) By falsely implicating a workman in a criminal case on false evidence or on concocted evidence;
   d) For patently false reasons:
   e) On untrue or trumped up allegations of absence without leave;
6. To transfer a workmen mala fide from one place to another, under the guise of following management policy.

7. To show favouritism or partiality to one set of workers regardless of merit.

8. To indulge in acts of force or violence.

9. Not to offer allurement of any Kind to any of the Cat.III-IV employees to put support in favour of any particular union.

10. Not to grant/extend any new benefit/facility otherwise not available/admissible to any Cat.III-IV employees, to the voter or to a group/section thereof.

11. Not to entertain any request for immediate intervention/decision on the demands raised, connected directly or remotely with the interest of Cat.III-IV employees, which may adversely affect or boost the prospects of any of the unions when the election process is on.

12. As far possible and unless in extreme emergencies, no transfers to be ordered from one work place to another place to another place till the result of election is declared on 29.08.2019.

Part. II : On the part of workmen and trade unions/association of workmen

1. Not to advise or actively support or serve notice of strike, or instigate any strike, deemed to be illegal under ID Act.

2. Not to coerce workmen in the exercise of their right to self-organization or to join a trade union or refrain from joining any trade union, that is to say—

   a) For a trade union or its members to picket in such a manner that non-striking workmen are physically debarred from entering the work places;

   b) To indulge in acts of force or violence or to hold out threats of intimidation in connection with a strike against non-striking workmen or against managerial staff.

3. Not to stage, encourage or instigate such forms of coercive actions as willful "go slow", squatting on the work premises after working hours or "gherao" of any of the members of the managerial or other staff.

4. Not to stage demonstrations at the residences of the employers or of the managerial staff members.

5. Not to incite or indulge in willful damage to employer's property connected with the industry.

6. Not to indulge in acts of force or violence or to hold out threats of intimidation against any workmen with a view to prevent him from attending work.
7. The Contesting union can paste its election manifesto (election address) not exceeding two pages on the official notice board at all work Centre’s of F.C.I.

8. Not to hold an election meeting at the work place during working hours.

9. Not to serve any strike notice upon management of FCI at Hqrs., Zonal, Regional or District level during the period the election is in process.

10. Not to adopt coercion, intimidation, threat or the like measures to get demands fulfilled when election process is on.

11. No allurement of any kind to be offered by the Union to Cat.III-IV employees to vote or support of any particular union.

12. No posters/banners/pamphlets will be displayed in and around polling booth during the election.

13. The Unions will keep a distance of 100 metres from the polling booth during the election.

(V.Srinivas)
Chief Returning Officer
Tel.011-4352-7483