NOTIFICATION

Nominations are invited from registered Trade Unions operating in the Food Corporation of India having membership amongst category III & IV staff governed by the FCI(Staff) Regulations, 1971 for Secret Ballot Election to be conducted based on the guidelines laid down by the Hon’ble Supreme Court in the judgment delivered in the case of Food Corporation of India Staff Union versus Food Corporation of India & others 1995 LAB.I.C No.1606 for the purpose of assessing the relative strength of the eligible Unions.

2. Registered Trade Unions in the FCI having valid registration under the Trade Union Act, 1926 for one year with an existing valid registration on the first date of filing of nomination forms i.e. 21.06.2019 (Friday) shall only be eligible to participate in these elections. Secretary/President of the Union will be eligible to file nomination in respect of the trade Union in the prescribed proforma, which is enclosed.

3. Typed/Photostate copies of the proforma can be used for filing of nomination.

4. Nominations shall be filed before Returning Officers in the Zonal Offices and Regions in whose jurisdiction the registered office of Trade Union is situated up to 5:00 PM on any working day from 21.06.2019 (Friday) to 26.06.2019 (Wednesday). If the Returning officer is not available in the Zonal Office/Region due to unavoidable reasons, the nominations can be filed before Dy. General Manager (Per.) at Zonal Office and DGM (Region) for regions or any of the officers not below the rank of AGM to be nominated by the Returning Officer. Nominations, so filed will be sent to Chief Returning Officer at Hqrs. after scrutiny by the Returning Officer for counter signature of CRO by special messenger or through email (agmirs.fci@gov.in) on or before 28.06.2019 (Friday) till 5:00 PM positively by respective Returning Officers or their nominees. Nomination forms can also be filed before Returning Officer in the Headquarters.

5. The Chief Returning Officer and Dy. Chief Returning Officer will scrutinize the nomination papers on 01.07.2019 (Monday) in FCI Hqrs. (5th floor) Room No. 500 upto 3:00 PM. During this scrutiny, Secretary/President of the concerned Trade Union can remain present.

6. Withdrawal of nomination will be permitted before the Chief Returning officer/Dy. Chief Returning Officer from 3:00 PM to 5:00 PM on 01.07.2019 (Monday).

7. List of the contesting unions will be displayed on 02.07.2019 (Tuesday).

8. Meeting regarding allotment of symbols will be held before the Chief Returning Officer/Deputy Chief Returning Officer on 03.07.2019 (Wednesday) and allotment of symbols will be done from 11:00 Hrs to 15:00 Hrs on this date.

9. No Canteen employee can cast vote in the staff union election as they are not governed under FCI Staff Regulations 1971 and not the employees of the corporation.

10. The campaigning by the Trade Union would be allowed till 48 hours before closing of the voting hours.

11. Guidelines to be observed by the Returning Officer and other concerned officers are annexed.
**Schedule of Staff Union Election is as under:**

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|i| Display of Electoral list  
(as on 01.08.2019 ) | 12.06.2019 (Wednesday)  
(by 12:00 Noon positively) |
|ii| Filing of objections | 17.06.2019 (Monday upto 5:00 PM) |
|iii| Disposal of objections | 18.06.2019 (Tuesday) |
|iv| Final Electoral list display  
(as on 01.08.2019) | 19.06.2019 (Wednesday) |
|v| Filing of Nomination  
(upto 5PM) | 21.06.2019 (Friday) to  
26.06.2019 (Wednesday) |
|vi| Scrutiny of Nominations  
(11:00 AM to 3:00 PM) | 01.07.2019 (Monday) |
|vii| Withdrawal of Nomination  
(3:00 PM to 5:00 PM) | 01.07.2019 (Monday) |
|viii| Display list of Contesting unions | 02.07.2019 (Tuesday) |
.ix| Allotment of Symbols | 03.07.2019 (Wednesday) |
|x| Date of Polling  
(10:00 AM to 4:00 PM) | 14.08.2019(Wednesday)  
19.08.2019 (Monday) &  
21.08.2019 (Wednesday) |
|x| Counting of Votes  
(from 10:00 AM onwards) | 26.08.2019 (Monday) |
|xii| Declaration of Result by the  
Chief Returning Officer | 29.08.2019 (Thursday) |

Encl: As above:

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(V SRINIVAS)  
CHIEF RETURNING OFFICER  
Tel:011-4352-7483

**Distribution:**

1. Chief Labour Commissioner (Central), Ministry of Labour, Shram Shakti Bhawan New Delhi... for information and further guidance, if any.
2. Chief Nodal Officer (Election)/ED (FIN.), FCI Hqrs. New Delhi...for ensuring that the copies of the notification are pasted on the notice board of all work centers of the FCI and for giving suitable publicity through the electronic media to this notification and the programme of election (which is enclosed with this notification).
3. All EDs(Zone)/GMs (Region)/Director(IFS)/DGM(Hqrs.), FCI Hqrs., New Delhi / Divisional Managers, FCI.........Notification along with its enclosures be displayed on the notice board of all work place(s) of the Corporation within your jurisdiction. A consolidated compliance report by subscribing election matter in bold letters be sent to FCI Hqrs. by E-Mail on ID agmiirs.fc@nic.in. Also it is to be ensured that the copy of the above notification be given to all the Unions which are registered in the office of Registrar of Trade Unions operating within their jurisdiction.
4. GM(IT), FCI, Hqrs., New Delhi.............with the request to upload the notification and the programme of election on FCI Website.
5. PS to ED(P)/ED(IR-S), FCI, Hqrs., New Delhi.
7. All Staff Unions.
8. Notice Board.
9. Guard File
1. The relative strength of all the eligible Unions will be determined by way of Secret Ballot under the overall supervision of Chief Returning Officer and Dy. Chief Returning Officer appointed in consultation with CLC (C).

2. Chief Returning Officer shall conduct the election with the assistance of Dy. Chief Returning Officers and the FCI Officers.

3. A list of employees (Category III & IV) as on 01.08.2019 governed by FCI (Staff) Regulations, 1971 prepared in the prescribed Performa, Hqrs/Zones/Regions wise, will constitute the voters list.

4. The FCI Officers nominated by Chief Returning Officer as Returning Officers for their respective Hqrs/Zones/Regions shall display the draft voters list (as on 01.08.2019) by 12.06.2019(Wednesday) on the notice boards and other conspicuous places in their respective jurisdiction and shall also supply copies thereof to each of the staff unions inviting the objections, if any. The staff unions will file the objections to the Returning Officer by 17.06.2019 (Monday). The objections, if any, received will be disposed of by Returning Officers by 18.06.2019(Tuesday) and the decision of the Returning officer shall be final. After removing objection, final voters list shall be displayed by 19.06.2019(Wednesday).

5. Two copies of final voters list will be sent to Chief Returning Officer. Also copies of final voters list shall be given by Returning Officer to the staff unions functioning in their respective jurisdiction.

6. The Chief Nodal Officer shall make following arrangements to:

   a) Give wide publicity to the date/dates of election by informing the staff unions and by affixing notices on the notice boards and also at other conspicuous places for the information of all the employees;

   b) Print requisite number of ballot papers in the prescribed Performa incorporating therein the names of all the participating unions in an alphabetical order after ascertaining different symbols of respective unions, print ballot papers in the prescribed Performa both in Hindi/English and the concerned regional language;

   c) Set-up number of requisite polling stations and booths near the premises where the workers normally work;
d) Provide ballot boxes with requisite stationary, boards, sealing wax etc.

7. The Returning Officer shall appoint Presiding Officers and Polling Officers from amongst the list of Officers provided by the field offices to conduct the election in an impartial manner.

8. The Election schedule indicating the dates for filing of nominations scrutiny of nomination papers, withdrawal of nominations, polling, counting of votes and the declaration of results has been finalized and notified by the Chief Returning Officer in consultation with the FCI.

9. To be eligible for participating in the election, the unions must have valid registration under the Trade Union Act, 1926 for one year with an existing valid registration on the first day of filing of nomination (i.e. 21.06.2019(Friday). The Respective Returning Officers shall ensure verification of the claim of the staff union regarding validity of its subsisting registration.

10. The Presiding Officer shall allow only one authorized representative to be present at each polling station/booth as representative of the contesting Union.

11. At the time of polling, the polling officer will first score out the name of the employees/workman who comes for voting from the master copy of the voter's list and advise him thereafter to procure the secret ballot paper from the Presiding Officer.

12. The Presiding Officer will hand over the ballot paper to the workman/employee's concerned after affixing his signature thereon. The signatures of the workman/employee casting the vote shall also be obtained on the counterfoil of the ballot paper. He will ensure that the ballot paper is put inside the box in his presence after the voter is allowed to mark on the symbol of the candidate with the inked rubber stamp in camera. No employee/workman shall be allowed to cast his vote unless he produces his valid Identity Card before the Presiding Officer concerned. In the event of non-production of Identity Card due to any reason, the voter may bring an authorization letter from his controlling officer certifying that the voter is the bonafide employee of the FCI.

13. After closing of the polling, the Presiding officer shall furnish the detailed Ballot Paper Account in the prescribed Perforam indicating total Ballot Papers received, Ballot Paper used, unused Ballot Papers available etc. to the Returning Officer.

14. The ballot boxes will be deposited with the concerned Returning Officers in the strong room by the concerned Presiding Officer and on the day of counting i.e. 26.08.2019 (Monday) at 10:00 A.M., the Ballot boxes will be opened and votes will be counted by the Returning Officer or his representative in the presence of one representative of each of the Unions. All votes which are marked more
than once, spoiled, cancelled or damaged etc. will not be taken into account as valid votes but a separate account will be kept thereof.

15. The contesting Unions through their representatives present at the counting place may be allowed to file applications for recounting of votes to the Returning Officer. The request would be considered by the Returning Officer in consultation with the Observers and in a given case if he is satisfied that there is a reason to do so he may permit recounting. However, no application for recounting shall be entertained after the results of the votes are declared.

16. The result of voting shall be compiled on the basis of valid votes polled in favour of each union in the prescribed Performa and signatures obtained therein from the representative of all the unions concerned as a proof of counting have been done in their presence.

17. After declaring the results on the basis of the votes polled in favour of each union by the Returning Officer, he will send a report of his findings to the Chief Returning Officer.

18. The Union /Unions obtaining the highest number of votes in the process of election at the National, Zonal and Regional Level shall be given recognition by the FCI for a period of five (5) year from the dates of the conferment of the recognition at National, Zonal and Regional Levels respectively.

19. It would be open to the contesting unions to object to the result of the election or any illegality or material irregularity which might have been committed during the election before the Chief Returning Officer. Such objection can only be raised after the election is over. The objection shall be heard by the Chief Returning Officer and disposed of within 30 days of the filing of the same. The decision of the Chief Returning Officer shall be final subject to challenge before a competent court, if permitted under the law.

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

21. The Unions will keep a distance of 100 meters from the polling booth during the election.

It would be taken to the Returning Officers to deal with any situation not covered by the procedure detailed above. He may do so in consultation with the Chief Returning Officer at Headquarters level.

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Nomination Form

To be submitted before the Returning Officers in the Zonal Offices/Regional Offices/IFS Gurugram/Headquarters (EDs(Zone)/GMs(Region)/ Director (IFS)/DGM(Hqrs.)) having jurisdiction over the places where the registered offices of the Trade Unions filing the nomination are located.

Nomination form to be used by Trade Unions for Secret Ballot for assessing representative character of Trade Unions in the Food Corporation Of India.

1. Name of Trade Unions and full address of its registered Head Office.

2. Registration No. with the date of Registration (copy of Registration Certificate should be enclosed and the Original should be produced at the time of scrutiny)

3. Complete address of the Registrar of Trade Unions With whom the Trade Union is registered.

I hereby declare that the information/partial particulars furnished above are correct to the best of my knowledge and belief.

I certify that Trade Unions for which this nomination is filed is operating in the Food Corporation of India, has been registered under the Trade Unions Act, 1926 for at least one year as on 21.06.2019 and continues to have a valid registration on the date of filing this nomination form.

I understood that if any of the information particular furnished in the nomination form is found to be incorrect, this nomination form is liable to be rejected.

(Name in Capital letters of the President/Secretary signing the nomination)

Witness:

(To be witnessed by a member of the Trade Unions)

Date: Designation:

Place: Name of the Union:

Received the nomination form __________________________

at __________________ (time) on __________________ date __________________ place __________________

Signature of the Returning Officer