

URGENT
Election Holiday Notice

135-B of the Lab. Act,
Government of Himachal Pradesh
Department of Factories,
Phone No. 2625085, Fax No. 2625209,
-Mail Add. Jp-hp@nic.ni
Shimla-171001

June 2016

From

To

1. The Deputy Director (Factories), N/Z Una, District Una H.P.
2. The Labour Officer, Mandi/Kangra/Una, H.P.

Subject:- Public Holiday on the day of polling i.e. 17.06.2016 in view of bye elections to the vacancies of Urban Local Bodies - instructions regarding

Sir,

It is brought to your notice that bye elections to the vacancies of Urban Local Bodies (in the areas of those ULBs, where the elections are scheduled to be held), is scheduled to be held on 17.06.2016 as per schedule announced by State Election Commission H.P. In this context, your attention is drawn to the provision of Section 135-B of Representation of the People Act, 1951. For your ready reference the provision of Section 135-B, is as under:-

"135-B Grant of paid holiday to employees on the day of poll--- (1) Every person employed in any business, trade, Industrial undertaking or any other establishment and entitled to vote at an election to the House of the People or the Legislative Assembly of a State shall, on the day of poll, be granted a holiday.

(2) No deduction or abatement of the wages of any such person shall be made on account of holiday having being granted in accordance with sub section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day.

(3) If an employer contravenes the provisions of sub section (1) or sub section (2), then such employer shall be punishable with fine which may extend to five Hundred Rupees.

(4) This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."

You are therefore, requested to bring the said provision to the notice of occupiers/managers of factories/Industrial establishments situated under your jurisdiction and direct them to grant additional paid holiday to the workers working in their factories as per section 135-B of Act ibid on 17.06.2016 in order to exercise their right of franchise in Urban Local Bodies elections. This additional paid holiday will only be applicable within the area of District Mandi, Kangra and Una (in the areas of those ULBs, where the elections are scheduled to be held).

It is also clarified that special paid leave may be given to those employees who are working in different places in the State but have a right to vote in above elections of Urban Local Bodies on the production of certificate from the concerned Presiding Officer that the employee has actually cast his/her vote.

Yours faithfully,

[Signature]
Labour Commissioner-cum-
Chief Inspector of Factories, H.P.

Endst: No. As above Dated, Shimla-171001

Copy to the following for information and necessary action please:-

1. The Secretary, State Election Commission, H.P. Shimla-2
2. Principal Secretary (Lab. & Emp.) to the Government of Himachal Pradesh, Shimla-2.
3. The Additional Secretary (GAD) to the Government of Himachal Pradesh w.r.t. his letter No. GAD(A(B)8-4/2001-III, dated 28.05.2016.
4. Deputy Commissioner, Mandi, Kangra and Una H.P.
5. Director, Information & Public Relation, H.P. Shimla-2 with the request to give press release in news papers for the information of all concerned.
6. Director, All India Radio, H.P. Shimla-4 with the request to broadcast the above information for the information of all concerned.
7. Sh. Naresh Kumar, Computer Operator, Directorate of Labour & Employment, H.P. Shimla with the request to upload the circular in the website of the department.

[Signature]
Labour Commissioner-cum-
Chief Inspector of Factories, H.P.