

Election Holiday Notice

No.1-18/85(Fac)Lab-Vol-II
Government of Himachal Pradesh]
Inspectorate of Factories, H.P.
Ph.No.2625085,Fax.No.2624209, E-Mail ID. lep-hp@nic.in.

7 January, 2021

From

Labour Commissioner-cum-
Chief Inspector of Factories, H.P. Shimla-1

To

1. The Assistant Director(Factories),O/O DDF, Una, District Una H.P.
2. All Labour Officer / Labour Inspectors in H.P.

Subject:- General Elections to Municipal Councils/Nagar Panchayat and Panchayati Raj Institutions
Memo,

It is brought to your notice that general elections to Municipal Councils/Nagar Panchayat and Panchayati Raj Institutions are scheduled to be held on 10.01.2021(Sunday), 17-01-2021(Sunday), 19-01-2021 (Tuesday) and 21-01-2021(Thursday) respectively as per schedule announced by the 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--- (I) 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.

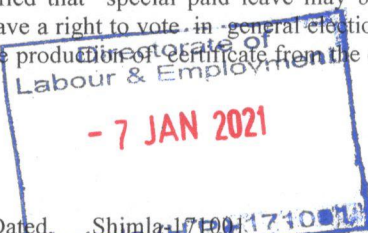
(2) No deduction or abatement of the wages of any such person shall be made on account of holiday having being granted in accordance with sub section (I) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the 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 (I) 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, directed to bring the said provisions to the notice of occupiers/managers of factories/Industrial establishments, shops and other commercial establishments situated under said constituencies and direct them to grant additional / special paid holiday to the employees / workers working in their factories/ industrial establishments/ shops and other commercial establishments on 10.01.2021(Sunday), 17-01-2021(Sunday), 19-01-2021 (Tuesday) and 21-01-2021(Thursday) respectively, in order to exercise their right of franchise in general elections of Municipal Councils/Nagar Panchayat and Panchayati Raj Institutions.

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 general elections of Municipal Councils/Nagar Panchayat and Panchayati Raj Institutions on the production of certificate from the concerned Presiding Officer that the employee has actually cast his/ her vote.



Neeraj Kumar, IAS
Labour Commissioner-cum-
Chief Inspector of Factories, H.P.

Endst. No. As above Dated, Shimla-1, H.P. 17-01-2021
Copy to the following for information and necessary action please:-

- 1.The Sr.Spl.P.S.to Chief Secretary to the Government of Himachal Pradesh, Shimla-2,HP
- 2.The Chief Electoral Officer, H.P. Shimla
- 3.The Joint Secretary (GAD) to the Government of H.P.,Shimla-2 w.r.t. their notification no. GAD-A(B)8-4/2001-II,dated 05-01-2021.
4. All The Deputy Commissioners in Himachal Pradesh.
- 5.Director, Information & Public Relation, H.P. Shimla-2 with the request to publish news item/ press release in various news papers for the information of all concerned.
- 6.Director, All India Radio, H.P.Shimla-4 with the request to broadcast the above as news for information of all concerned.
- 7.Sh.Naresh Kumar, Programme Planning Officer, Directorate of Labour & Employment, H.P. Shimla with the request to upload the circular in the website of the department.

Neeraj Kumar, IAS
Labour Commissioner-cum-
Chief Inspector of Factories, H.P.