

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.

October, 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:- Parliamentary & Assembly Bye-Elections-2021
Memo,

It is brought to your notice that bye-elections to 02-Mandi Parliamentary Constituency and 08-Fatehpur, 50-Arki and 65-Jubbal-Kotkhari Assembly Constituencies in H.P. are scheduled to be held on 30-10-2021(Saturday) as per schedule announced by the Election Commission of India. 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.

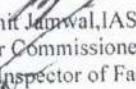
(2) No deduction or abatement of the wages of any such person shall be made on account of holiday having being granted in accordance with sub section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the 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, 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 special casual leave / special paid holiday to the employees / workers working in their factories/ industrial establishments/ shops and other commercial establishments on 30-10-2021(Saturday), in order to exercise their right of franchise in bye- elections of Parliamentary & Assembly constituencies where bye- elections are scheduled to be held.


It is also clarified that special casual leave / special paid holiday may be given to those employees who are working in different places in the State but have a right to vote in bye-elections of Parliamentary & Assembly constituencies on the production of certificate from the concerned Presiding Officer that the employee has actually cast his/ her vote.


Rohit Jamwal, IAS
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 Sr.Spl.P.S.to Chief Secretary to the Government of Himachal Pradesh, Shimla-2,HP
2. The Chief Electoral Officer, H.P. Shimla w.r.t. their letter no. 3-17/2021-ELN-1483, dated 04-10-2021.
3. The Joint Secretary (GAD) to the Government of H.P., Shimla-2 w.r.t. their notification no. GAD-A(B)8-1/2019, dated 08-10-2021.
4. All the Deputy Commissioners in Himachal Pradesh.
5. The 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. The 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 immediately.


Rohit Jamwal, IAS
Labour Commissioner-cum-
Chief Inspector of Factories, H.P.