

Email/By-Registered Post
Election Holiday Notice

No.1-18/85(Fac)Lab-Vol-II
Government of Himachal Pradesh
Inspectorate of Factories, H.P

Dated Shimla

April, 2023

From

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



To

1. The Assistant Director Factories, Una, HP
2. The Assistant Director Factories, Solan, HP
2. The All the Labour Officers in the State of HP

Subject:- Paid Holiday on the day of polling i.e. 10.05.2023
(Wednesday) on account of Bye Election in 04-Jalandhar (SC)
Parliamentary Constituency of Punjab State-instructions
thereof

Sir,

It is brought to your notice that bye election 2023 to Lok Sabha in 04-Jalandhar (SC) Parliamentary Constituency of Punjab State are scheduled to be held on 10.05.2023 as per schedule announced by Election Commission of India.

In this regard, 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/owners of factories/Industrial establishments, shops and other commercial establishments situated in the State of Himachal Pradesh and direct them to grant additional / special paid holiday to the employees / workers working in their factories/shops & commercial establishments who are registered voters of Jalandhar Parliamentary Constituency of Punjab State but working in Himachal Pradesh as per section 135-B of Act ibid on scheduled dates in order to exercise their right of franchise.

It is however, clarified that the special casual leave/special paid holiday may be given to those employees/workers who are working in the State of Himachal Pradesh but have a right to vote in the Jalandhar Parliamentary Constituency of Punjab State, on the production of certificate from the concerned Presiding Officer that the employee has actually casted his/her vote.

Yours Faithfully

Labour Commissioner-cum-
Chief Inspector of Factories, HP

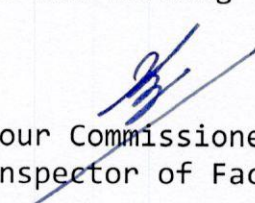


Endst. No. As above Dated,

Shimla (H.P.) 1710014

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

1. The Chief Secretary to the Government of Himachal Pradesh, Shimla-2, HP
2. The Chief Electoral Officer, H.P. Shimla.
3. The Chief Electoral Officer, Punjab.
4. The Secretary (Lab.& Emp.) to the Government of Himachal Pradesh, Shimla-2.
5. All the District Election Officers in the State of Himachal Pradesh.
6. 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.
7. Director, All India Radio, H.P. Shimla-4 with the request to broadcast the above as news for information of all concerned.
8. 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.
9. Shri Kapil, System Analyst (outsourced basis) with the direction to upload the circular in the website of the department.
10. All the Industrial Associations with the request that their member industries may be informed about the said provisions and they may be asked to grant additional paid holiday to the workers working in their factories who are registered voters of Jalandhar Parliamentary Constituency of Punjab State but working in Himachal Pradesh on scheduled date of election.


Labour Commissioner-cum-
Chief Inspector of Factories, HP