

By Speed Post/Email

भारत निर्वाचन आयोग

ELECTION COMMISSION OF INDIA

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निर्वाचन सदन

अशोक रोड, नई दिल्ली-110001

Nirvachan Sadan

Ashoka Road, New Delhi-110001

No.78/EPS/2024

Dated: 16th March, 2024

To

1. The Secretary to the Govt. of India, M/o Personnel Public Grievances & Pensions, Department of Personnel and Training North Block, New Delhi.
2. The Chief Secretary of Andhra Pradesh
3. The Chief Electoral Officer of Andhra Pradesh

Subject: General Election to Legislative Assembly of Andhra Pradesh, 2024 – PHASE WISE PAID HOLIDAY - regarding.

Madam/Sir,

I am directed to refer to the subject cited and to inform that the Commission has announced General Election to Legislative Assembly of Andhra Pradesh vide its Press Note No.ECI/PN/23/2024 dated 16.03.2024 available on the Commission's website under URL <https://elections24.eci.gov.in/docs/press-note-no-23.pdf>. The date of poll for the said election is on **13.05.2024(Monday)** and date of counting is on **04.06.2024(Tuesday)**.

2. In this regard, your attention is invited to Section 135B of the Representation of the People Act, 1951 which provides for the grant of paid holiday to the employees on the day of poll. Section 135B of Representation of the People Act, 1951 is reproduced below:

Section 135B: Grant of paid holiday to employees on the day of poll:

- a) 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.

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

3. The above provisions require that all the electors who are employee of establishments and shops including those which work on shift basis shall be granted a paid holiday on the day of poll in the Assembly Constituency are to be held. Further, there may be cases where a person is ordinarily resident of the Constituency and registered as an elector, may be serving or employed in an industrial undertaking or an establishment located outside the Constituency having General poll. It is clarified that in such a situation, even those electors including casual workers working outside the constituency concerned would be entitled to the benefit of a paid holiday extended under the Section 135B (1) of the Representation of the People Act, 1951.

4. The daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the R.P. Act, 1951.

5. The Commission desires that suitable instructions should be issued to all concerned and a copy thereof be endorsed to the Commission for its information and record.

The receipt of this letter may kindly be acknowledged.

Yours faithfully



(BREJESH KUMAR)
UNDER SECRETARY