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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: 16<sup>th</sup> 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 Secretaries of All States and UTs
3. The Chief Electoral Officers of All States and UTs

**Subject: General Election to Lok Sabha, 2024 and Bye-elections to ACs of various States – 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 Lok Sabha, 2024 and Bye-elections to ACs of various States vide its Press Notes No. ECI/PN/23/2024 and No. ECI/PN/24/2024 respectively dated 16.03.2024 available on the Commission's website under URL <https://elections24.eci.gov.in/docs/press-note-no-23.pdf>

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 Constituency where the General Elections to Lok Sabha and bye-elections 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 shall be issued to all concerned for **all phase wise election schedules as mentioned in the Commission's Notification(s) for respective State/UT** 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**