

Government of Himachal Pradesh
Inspectorate of Factories, H.P.
Ph.No.2625085, Fax.No.2624209,
E-Mail Add. lep-hp@nic.in.
Dated, Shimla-171001

15th November, 2011

From

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

To

1. Labour Officer, Baddi,
District Solan H. P.
2. Labour Officer, Sirmour
at Nahan, District Sirmour H. P.

Subject:- **Assembly Bye Elections-2011 in Nalagarh and Renuka Constituencies in District Solan & District Sirmour respectively**

Sir,

It is brought to your notice that Assembly Bye Elections are scheduled to be held on 30th November, 2011

in Nalagarh and Renukaji constituencies in District Solan & District Sirmour respectively as per schedule announced by 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--- (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, requested to bring the said provisions to the notice of Occupiers/managers of factories/Industrial establishments situated under your jurisdiction and direct them to grant additional paid holiday to the workers working in their factories as per section 135-B of Act ibid on 30th November, 2011 in order to exercise their right of franchise in these constituencies where the assembly bye elections are scheduled to be held.

Yours faithfully,

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 Chief Electoral Officer H.P.Shimla-2. w.r.t his letter No.3-19/96-Eln. dated 09.11.2011.
2. The Additional Chief Secretary (Lab.& Emp.) to the Government of Himachal Pradesh, Shimla-2.
3. Deputy Commissioner Solan H.P.
4. Deputy Commissioner Sirmour H.P.
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. State Informatics Officer, NIC, Shimla-2 with the request to flash this circular in the Departmental Web Site till 30.11.2011.

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

Endst.No.As above Dated, Shimla-171001

Copy to the following for information 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 on 30.11.2011 as per section 135-B of Act ibid:-

1. President, B.B.N. Industries Association (Registered) C/O Single Window Clearance Agency, Industrial Area, District Solan H.P.
2. President, H.P. Chamber of Commerce & Industry, C/O Sh.Kailash Azad,(Vice President) Malwa Cotton Spinning Mills, Patlian, Paonta Sahib, Distt. Sirmour, H.P.
3. President Kala Amb, Chamber of Commerce & Industry, C/O M/S Ruchira Paper Mills, Trilokpur Road Kala Amb, Distt. Sirmour H.P.

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