

No.1-18/85(Fac)Lab-Vol-1
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

November, 2011

From

The Labour Commissioner-cum-
Chief Inspector of Factories,
Himachal Pradesh, Shimla-1

To

The Labour Officer,
Shimla, Sirmour, Kullu, Mandi, Bilaspur, Hamirpur,
Una,Kangra,Chamba, Kinnaur, H. P.

Subject:-
Sir,

Bye- Elections of Panchayati Raj Institutions in Himachal Pradesh.

It is brought to your notice that bye election to Panchayati Raj institutions except District Solan and Lahaul Spiti is scheduled to be held on 30.11.2011 as per schedule announced by State Election Commission H.P. 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, requested to bring the said provision 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 30.11.2011 in order to exercise their right of franchise in bye elections of Panchayati Raj Institutions. This additional paid holiday only be applicable only in those areas where bye elections are taking place.

20 NOV 2011

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. Secretary, State Election Commission, H.P. Shimla-2
2. Additional Chief Secretary (Lab.& Emp.)to the Government of Himachal Pradesh, Shimla-2. w.r.t. her letter no. Shram(F)(6)1-1/92-1, dated 19.11.2011
3. Deputy Secretary(GAD)to the Government of Himachal Pradesh w.r.t. his letter No.GAD(A(B)8-4/2001-II, dated 14.11.2011.
4. All Deputy Commissioner except District Solan & Lahaul Spiti H.P.
5. Director, Information & Public Relation, H.P. Shimla-2 with the request to give press release in news papers for the information of all concerned.
6. State Informatics Officer, NIC, Shimla-2 with the request to flash this circular in the Departmental Web Site till 30.11.2011.
7. Director, All India Radio, H.P. Shimla-4 with the request to broadcast the above information for the information of all concerned.
8. President, Mehatpur Industries Association, c/o Service Building, Industrial Area Mehatpur, Distt. Una, HP
9. President, H.P. Chamber of Commerce & Industry, C/O Sh. Kailash Azad, (Vice President) M/S Malwa Cotton Spinning Mills, Patlian, Paonta Sahib, Distt. Sirmour, HP.
10. President Kala Amb, Chamber of Commerce & Industry, C/O M/S Ruchira Paper Mills, Trilokpur Road Kala Amb, Distt. Sirmour H.P.
11. President, Amb Sub-Division, Industrial Association, C/O M. M. Ferrochem, VPO Tibbi, Karloohi, Tehsil Amb,, District Una H.P.

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

