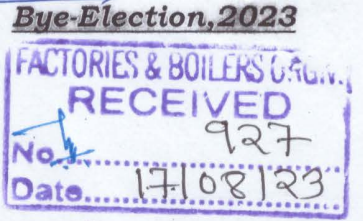


All Dept

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CIFB

No.F.19(21)-CEO/CONDT/2008/3916
Election Department
Office of the Chief Electoral Officer
Tripura : Agartala



Dated, Agartala, the *14th* August, 2023

To
The Secretary,
Labour Department,
Government of Tripura,
Agartala.

Subject:-Bye-Election to 20-Boxanagar and 23-Dhanpur Assembly Constituencies-
Grant of Paid Holiday to Employees on the day of Poll-regarding.

Sir,

I am directed to inform you that as per Notification issued by the Election Commission of India, the poll in the ensuing Bye-Election to 20-Boxanagar and 23-Dhanpur Assembly Constituencies is scheduled to be held **on 5th September, 2023** to fill the casual vacancy of Tripura Legislative Assembly.

As per provision of Section 135B of the Representation of People Act, 1951, it would be required to grant paid holiday to the employees of 20-Boxanagar and 23-Dhanpur Assembly Constituencies on the day of poll scheduled to be held on 5th September, 2023. Details clarification in respect of implementation of the above provisions has been contained in the Election Commission's letter No.78/EP/2023 dated 10th August, 2023. A copy of the Commission's above letter is sent herewith for ready reference.

In view of the above, I would, therefore, request you to take appropriate action in light of the guidelines issued by the Commission so that every voter of Bye-Election to 20-Boxanagar and 23-Dhanpur Assembly Constituencies can exercise his/her right of franchise in the ensuing Bye-Election to the above Constituencies under Sepahijala District.

A copy of the Notification to be issued in this respect may kindly be sent to this Department for taking further follow up action.

Yours faithfully,

Encl:-As stated.

U. G. S. 23
Addl. Chief Electoral Officer,
Tripura.

*Estt.
Pl. arrange
to upload in
Dept. website.*

भारत निर्वाचन आयोग
ELECTION COMMISSION OF INDIA

Tel. No. 011-23052246
Fax 011-23052001
Website: www.eci.gov.in

निर्वाचन सदन
अशोक रोड, नई दिल्ली-110001
Nirvachan Sadan
Ashoka Road, New Delhi-110001
Dated: 10th August, 2023

78/EPS/2023

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, Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal
3. The Chief Electoral Officers of, Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal

Subject: Bye-Elections to Assembly Constituencies of Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal - PAID HOLIDAY - regarding.

Madam/Sir,

I am directed to refer to the subject cited and to inform that the Commission has announced Bye-elections to Assembly Constituencies of Jharkhand, Kerala, Uttar Pradesh, Uttarakhand, Tripura and West Bengal, 2023 vide its Press Note No. ECI/PN/47/2023 dated 08.08.2023. The date of Poll for the said Bye-elections **has been fixed on 05.09.2023(Tuesday)** and the date of Counting is on **08.09.2023(Friday)**.

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 is reproduced below:

Section 135B of RP Act, 1951- 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

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 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.
- 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."

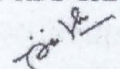
3. The above provisions require that all the **electors** who are employee of establishments and shops including those which work on shift basis shall be granted a paid holiday on the day of poll in the Constituency where the Bye election is to be held. Further, there may be cases where a person is ordinarily 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 a bye-election. 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



(AJAY KUMAR VERMA)
SECRETARY