

**Memorandum**

**Sub:** Elections – General Elections to Lok Sabha, 2024 and Bye-Election to Tamil Nadu Legislative Assembly from 233.Vilavancode Assembly Constituency – Grant of paid holiday on poll day (19.04.2024) to all employees/ casual workers /daily wages as required under Section 135 (B) of the Representation of People Act,1951 – Certain instructions issued - Regarding

- Ref:**
1. Govt. Letter No.4082/Ele-I/2024-2 of the Chief Electoral Officer & Principal Secretary to Government, Public (Elections-I) Department, dated:20.03.2024.
  2. Govt. letter No.418/J1/2024-1, Labour Welfare and Skill Development Department, dated:26.03.2024
  3. The Proceedings of the Principal Secretary/Commissioner of Labour, Chennai Proc.No. S4/9336/ 2024, Dated:27.03.2024

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With reference to the letters above cited (copy enclosed), all the Zonal Additional Commissioners of Labour and the Regional Joint Commissioners of Labour are instructed to conduct meetings with employers associations and employers of Industrial and Commercial Establishments, Shops, Public / Private Sector Undertakings including IT / BPO, etc., in their respective jurisdiction, for granting paid holiday to all the employees / casual workers / daily wages, on the poll day (i.e.) on 19.04.2024 (Friday), so as to enable them to exercise their franchise and to give press releases in this regard at least twice, one week prior to and two days before the said poll day.

Further, it is requested to ensure the compliance of granting Paid Holiday to all employees / casual workers / daily wages by the employers on the poll day and to send a detailed action taken report to this office along with the copy of the press releases in this regard.

**Encl:** As above

**Sd/-xxxx**  
**Principal Secretary/  
Commissioner of Labour**

**To**

1. All Zonal Additional Commissioners of Labour
2. All Regional Joint Commissioners of Labour

**Copy to**

1. The Chief Electoral Officer & Principal Secretary to Government, Public (Elections.I) Department, Secretariat, Chennai -9
2. The Additional Chief Secretary to Government, Labour Welfare and Skill Development Department, Chennai – 9

// forwarded by order //

*27.3.24*  
for Principal Secretary/  
Commissioner of Labour

*27/3/24*

**Proceedings of the Principal Secretary/Commissioner of Labour,  
Chennai – 6**

**Abstract**

**Elections** – General Elections to Lok Sabha, 2024 and Bye-Election to Tamil Nadu Legislative Assembly from 233.Vilavancode Assembly Constituency – Grant of paid holiday on poll day (19.04.2024) to all employees as required under Section 135 (B) of the Representation of People Act,1951 – Formation of Control Rooms to ensure the compliance of paid holiday granted to all employees by the employers– Regarding.

**S4/9336/ 2024**

**Dated: 27.03.2024**

- Read:**
1. Govt. Letter No.4082/Ele-I/2024-2 of the Chief Electoral Officer & Principal Secretary to Government, Public (Elections-I) Department, dated:20.03.2024
  2. Govt. letter No.418/J1/2024-1, Labour Welfare and Skill Development Department, dated:26.03.2024

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In the reference 2<sup>nd</sup> read above, it has been stated by the Government that “the Election Commission of India has announced the poll day of General Elections to Lok Sabha,2024 and Bye-Election to Tamil Nadu Legislative Assembly from 233.Vilavancode Assembly Constituency as 19.04.2024 (Friday). Section 135 (B) of the Representation of People Act, 1951 which provides for the grant of paid holiday to the employees on the day of poll is reproduced below:

**135B. 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 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.

(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.

The above provision require that all the electors who are employees of establishments and shops including those who work on shift basis shall be granted a paid holiday on the day of poll in the Constituency where the General/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/employed in an industrial undertaking or an establishment located outside the Constituency having General/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 135B (1) of the Representation of the People Act, 1951 and the daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the Representation of the People Act 1951".

Hence it is requested by the Government to open State Level Control Room and District Level Control Rooms to ensure the compliance of paid holiday granted to all employees/ casual workers /daily wages by the employers and to give wide publicity in this regard.

Based on the instructions of the Government, the State Level Control Room is constituted with the following officials to monitor the functioning of District Level Control rooms:

1.	The Joint Commissioner of Labour-1, Chennai	State Nodal Officer
2.	The Assistant Commissioner of Labour (Enforcement)-1, Chennai	Member
3.	The Assistant Commissioner of Labour (Enforcement)-2, Chennai	Member
4.	The Assistant Commissioner of Labour (Enforcement)-3, Chennai	Member

The State Nodal Officer shall co-ordinate with the District Nodal officers to ensure that the District Control Rooms are fully functional without leading to any complaints on the said poll day and shall submit a report to the Commissioner of Labour, by obtaining and consolidating the details of number of complaints received

and the action taken on them by all the District Level Control Rooms, at the end of the said poll day.

In respect of the District Level Control rooms, all the Zonal Additional Commissioners of Labour are instructed to constitute the District Level Control Rooms, comprising of District Nodal officer and 2 other members, to attend on the complaints against any employer for the non-grant of paid holiday to the employees on the said poll day and to take prompt action on such complaints. Copy of the proceedings regarding constitution of District Level Control Rooms, along with the details of name and contact number of the District Nodal officer and its members, shall be sent to the State Nodal Officer and to this office.

Further the Zonal Additional Commissioners of Labour are instructed to create awareness and make wide publicity by giving press releases at least twice, one week prior to and two days before the said poll day, about the formation of Control Rooms, along with the details of name and Contact number of the State Nodal officer, District Nodal officers and its members, for lodging complaints in case paid leave is not granted to any employee/ casual worker /daily wager by the employer.

The Zonal Additional Commissioners of Labour are also instructed to co-ordinate with the State Nodal officer and District Nodal officers to ensure that the Control Rooms are fully functional without leading to any complaints on the said poll day.

**Sd/-xxxx**  
**Principal Secretary/**  
**Commissioner of Labour**

**To**

1. All the Zonal Additional Commissioners of Labour
2. The Joint Commissioner of Labour-1, Chennai
3. The Assistant Commissioner of Labour (Enforcement)-1, Chennai
4. The Assistant Commissioner of Labour (Enforcement)-2, Chennai
5. The Assistant Commissioner of Labour (Enforcement)-3, Chennai

**Copy to**

1. The Chief Electoral Officer & Principal Secretary to Government, Public (Elections.I) Department, Secretariat, Chennai –9.
2. The Additional Chief Secretary, Labour Welfare and Skill Development Department, Secretariat, Chennai – 9

// forwarded by order //

*Ji*  
27.3.24  
for Principal Secretary/  
Commissioner of Labour

*Si*  
27.3.24