

I/499944/2024

LABR-22020/1/2018-IR SEC-Dept. of LABOUR

Government of West Bengal

Labour Department, I. R. Branch

New Secretariat Building, 12th Floor

1, Kiran Sankar Roy Road, Kolkata - 700001

No: Labr./ 294 /(20)/(LC-IR)/IR/75-06/17

Date : 22.03.2024

From: Additional Chief Secretary to the Government of West Bengal

To : _____

(All Chambers of Commerce & Employer's Organizations)

Sub: General Election to Lok Sabha, 2024 and Bye - Elections to 2 (Two) Assembly Constituencies in the State of West Bengal – Grant of Paid Holiday - Regarding.

Sir,

Consequent to the Press Note released by the Election Commission of India vide No. ECI/PN/23/2024 and No. ECI/PN/24/2024 both dated 16.03.2024, General Election to the Lok Sabha, 2024 and Bye-elections to 2 (two) Assembly Constituencies in the state of West Bengal is going to be held as per following schedule :

Phase	Date of Poll (Day)	No. & Name of Parliamentary Constituencies with total No. of PCs involved	No. & Name of Assembly Constituencies for Bye-elections
Phase - I	19.04.2024 (Friday)	1 – Coochbehar, 2 – Allipurduars, 3 – Jalpaiguri	3
Phase - II	26.04.2024 (Friday)	4 – Darjeeling, 5 – Raiganj, 6 - Balurghat	3
Phase - III	07.05.2024 (Tuesday)	7 – Maldaha Uttar, 8 – Maldaha Dakshin, 9 – Jangipur, 11 - Murshidabad	4
Phase - IV	13.05.2024 (Monday)	10 – Baharampur, 12 – Krishnanagar, 13 – Ranaghat, 38 – Bardhaman Purba, 39 - Bardhaman - Durgapur, 40 – Asansol, 41 – Bolpur, 42 - Birbhum	8
Phase - V	20.05.2024 (Monday)	14 – Bangaon, 15 – Barrackpur, 25 – Howrah, 26 – Uluberia, 27 – Sreerampur, 28 – Hooghly, 29 - Arambag	7
Phase - VI	25.05.2024 (Saturday)	30 – Tamluk, 31 – Kanthi, 32 – Ghatal, 33 – Jhargram, 34 – Medinipur, 35 – Purulia, 36 – Bankura, 37 - Bishnupur	8
Phase - VII	01.06.2024 (Saturday)	16 – Dum Dum, 17 – Barasat, 18 – Basirhat, 19 – Jaynagar, 20 – Mathurapur, 21 – Diamond Harbour, 22 – Jadavpur, 23 – Kolkata Dakshin, 24 – Kolkata uttar	9

The Governor has been pleased to make obligatory, on the part of the employers of any business, trade, undertaking, shops, commercial and industrial establishment including Tea Gardens to **declare the scheduled dates of poll for the Parliamentary and Assembly Constituencies concerned as paid holiday** under Section 135B of the Representation of Peoples Act, 1951, for their workers to enable them to exercise their franchise in the ensuing election. In case of re-poll, the employees / workers shall be allowed to cast their votes on the date of re-poll and the date of re-poll shall also be declared as paid holiday. Section 135B of the Representation of Peoples Act, 1951 is reproduced below : -

Section 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 an election to the House of 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 of that he would not ordinarily receive wages for such day, he shall none-the-less 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 provisions require that all establishments and shops including those which work on shift basis shall be closed on the day of poll in the Constituency where a General/Bye-election is to be held. However, 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 Constituencies having an Election. It is clarified that in such a Constituency concerned he would also be entitled to the benefit of a paid holiday extended under the Section 135B(1) of the Representation of the People Act, 1951.

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 Peoples Act, 1951.

You are therefore, requested to please instruct your constituent members to grant a paid holiday on the day of poll to the concerned Constituencies for all categories of workers and employees abiding by the Section 135(B) of the Representation of Peoples Act, 1951, so that, they can exercise their franchise in the aforesaid election.

Yours faithfully,

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22/3/24

Additional Chief Secretary
to the Govt. of West Bengal

I/499944/2024

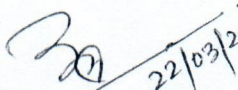
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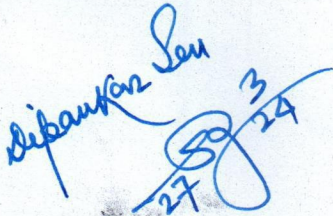
NO. Labr./ 294 /(20)/1(17)/(LC-IR)

Date : 22.03.2024

Copy forwarded for information to:

1. The Chief Electoral Officer, West Bengal, 21, N. S. Road, Kolkata – 700001.
2. Principal Secretary, Home & Hill Affairs Department, 'Nabanna', 325, Sarat Chatterjee Road, Shibpur, Mandirtala, Howrah – 711102.
3. Principal Secretary, The Industries Commerce & Enterprises Department, Govt. of W.B., 4, Camac Street, Kolkata – 700016.
4. Principal Secretary, Department of Micro, Small & Medium Enterprises and Textiles, Govt. of W.B., Shilpa Sadan, Camac Street, 7th Floor, Kolkata – 700016.
5. Secretary, Public Enterprise & Industrial Reconstruction Department, Govt. of W.B., 4, Camac Street, Kolkata – 700016.
6. Secretary, U. D. & M. A. Department, Govt. of W. B., Nagarayan, DF – 8, Salt Lake, Kolkata-700064.
7. Secretary, West Bengal State Election Commission, 18, Sarojini Naidu Sarani, Kolkata – 700017.
8. The All District Magistrates.
9. The D.G. & I.G. of Police, Govt. of West Bengal.
10. The O.S.D. & E.O. Labour Commissioner, West Bengal, New Secretariat Building, (11th Floor), 1, K.S. Roy Road, Kolkata – 700001.
11. Chief Inspector of Shops & Establishment, West Bengal, 6, Church Lane, Kolkata- 700001.
12. The Chief Inspector of Factories, Govt. of West Bengal.
13. Director of Boilers, Govt. of W.B., N.S. Building, 8th Floor, 1, K.S. Roy Road, Kolkata – 700001.
14. The Chief of News Bureau, Directorate of Information, Govt. of West Bengal, Nabanna, Howrah – 711102.
15. The Deputy Director of Publicity, Information & Cultural Affairs Department, Govt. of West Bengal, Nabanna, Howrah – 711102 with a request to give immediate publicity of the matter through A.I.R., Doordarshan and leading daily Newspapers.
- ✓ 16. Deputy Secretary, I.T. Cell, Labour Department – for uploading this Memorandum in the Department's website.
17. Office Copy.


22/03/24
Assistant Secretary
to the Govt. of West Bengal


27/3/24