

Government of West Bengal  
Labour Department  
I.R. Branch  
East India House (2<sup>nd</sup> Floor)  
20B Abdul Hamid Street, Kolkata-700069

No: 426(15)-I.R.  
IR/75-11/2004

Dated : the 1<sup>st</sup> April, 2014

From: The Deputy Secretary  
to the Government of West Bengal

To : \_\_\_\_\_  
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(All Chambers of Commerce & Employees Organizations)

Sub: - General elections to Lok Sabha, 2014 and Bye-Elections to fill the clear vacancies in Assembly constituencies of the State of West Bengal – Grant of Paid Holidays – Regarding.

Sir,

I am directed to state that, the General Elections to Lok Sabha, 2014 and Bye Elections to fill the vacancies in Assembly Constituencies of the State of West Bengal are going to be held as per following schedule:

Phase	Date of Poll	No. & Name of the Parliamentary Constituency	No. & Name of the Assembly Constituency
Phase I	17.04.2014 Thursday	1-Coochbehar(SC), 2-Alipurduars(ST), 3-Jalpaiguri(SC), 4-Darjeeling	10-Kumargram(ST), 16-Maynaguri(SC)
Phase II	24.04.2014 Thursday	5-Raiganj, 6- Balurghat, 7-Maldaha Uttar, 8-Maldaha Dakshin, 9-Jangipur, 11-Murshidabad	
Phase III	30.04.2014 Wednesday	25-Howrah, 26-Uluberia, 27-Sreerampur, 28-Hooghly, 29-Arambag(SC), 38-Bardhaman Purba(SC), 39-Bardhaman- Durgapur, 41-Bolpur(SC), 42-Birbhum	274-Galsi (SC)
Phase IV	07.05.14 Wednesday	33-Jhargram(ST), 34-Medinipur, 35-Purulia, 36-Bankura, 37-Bishnupur(SC), 40-Asansol	256-Kotulpur(SC)
Phase V	12.05.14 Monday	10-Baharampur, 12-Krishnanagar, 13-Ranaghat(SC), 14-Bangaon(SC), 15-Barrackpur, 16-Dum Dum, 17-Barasat, 18-Basirhat, 19-Jaynagar(SC), 20-Mathurapur(SC), 21-Diamond Harbour, 22-Jadavpur, 23-Kolkata Dakshin, 24-Kolkata Uttar, 30-Tamluk, 31-Kanthi, 32-Ghatal	86-Santipur, 91-Chakdaha

It has been made obligatory on the part of the employers of any business, trade, industrial undertaking or any other establishments of the areas under the concerned Parliamentary Assembly Constituencies to grant paid holiday on the day of Poll to their workmen who are entitled to cast vote in the election under the Representation of the People Act, 1951. Section 135B of the Representation of the People Act, 1951 reads as follows:-

"135B. 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 election to the House of the people or the Legislative Assembly of a State shall, on the day of Poll, be granted a holiday.

ii) 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.

iii) 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.

iv) 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."

2) 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 are 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 Constituency having a 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 the Section 135B(1) of the Representation of the People Act, 1951.

3) 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.

I am therefore, directed to request you to advise your constituent members in whose units Monday/Wednesday/Thursday is a working day, to abide by section 135B of the Representation of the People Act, 1951 and grant a paid holiday on the day of poll to the concerned constituency to all categories of workers and employees to enable them to exercise their right to franchise in the aforesaid Election.

Yours faithfully,

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(M. N. Sarkar)

Deputy Secretary  
to the Government of West Bengal

NO. 426/1(11)-I.R

Dated : the 1<sup>st</sup> April, 2014

Copy forwarded for information to:

01. The Labour Commissioner, W.B., New Secretariat Building (11<sup>th</sup> Floor), 1 K.S.Roy Road, Kolkata -1.
02. The Chief Inspector of Shops & Establishments, West Bengal, 6 Church Lane, Kolkata -700001.
03. The Home(C&E) Department, Govt. of West Bengal, 21 N. S. Road, Kolkata -700001.
04. The Home (Poll) Deptt. , Govt. of West Bengal, Nabanna, Howrah - 711102.
05. The Commerce & Industries Department, Govt. of W. Bengal, 4, Camac Street, Kolkata-700017.
06. The Micro & Small Scales Enterprises and Textiles Deptt., Govt. of W. Bengal, Hemanta Bhaban, Kolkata -700001.
07. The Industrial Reconstruction Deptt., Govt. of W. Bengal, Writers' Buildings, Kolkata -700001.
08. The Home (Police) Department, Government of West Bengal, Nabanna, Howrah -711102.
09. Chief of the News Bureau, West Bengal, Nabanna, Howrah -711102.
10. The Deputy Director of Publicity, Information & Cultural Affairs Deptt, 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.
11. The Chief Electoral Officer, West Bengal, 21, Netaji Subhas Road (2<sup>nd</sup> floor), Kolkata-700001.

(M. N. Sarkar)

Deputy Secretary  
to the Government of West Bengal

No.426/2(2)

Dated : the 1<sup>st</sup> April, 2014

Copy forwarded for information to:

01. Minister in Charge, Labour Department, Government of West Bengal.
02. Principal Secretary, Labour Department, Government of West Bengal.

(M. N. Sarkar)

Deputy Secretary  
to the Government of West Bengal