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Government of Kerala
2016



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കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം

EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

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GOVERNMENT OF KERALA

Abstract

GENERAL ADMINISTRATION—ELECTION TO KERALA LEGISLATIVE ASSEMBLY
2016—DAY OF POLL—DECLARATION OF PUBLIC HOLIDAY ON
16TH MAY, 2016 TO THE PUBLIC OFFICES AND EDUCATIONAL
INSTITUTIONS—ORDERS ISSUED

General Administration (Co-ordination) Department

G. O. (Ms.) No. 59/2016/GAD.

Dated, Thiruvananthapuram, 23rd April, 2016.

Read:—Letter No. 78/2016/EPS dated 10-3-2016 from Election Commission of India.

ORDER

Government are pleased to declare Monday, the 16th May, 2016 as a public holiday for all Public Offices and Educational institutions and a paid holiday for Commercial undertakings in the State, in connection with the General Election to the Kerala Legislative Assembly, 2016 as per Section 135 B of the Representation of the People Act, 1951.

The Labour Commissioner will make necessary arrangements with all Private Enterprises, Private Industrial centres and other Private Institutions under the Shops and Commercial Establishment Act to declare the day of poll viz. the 16th May, 2016 (Monday) as a paid holiday for all their employees. No deduction or abatement of the wages of any such persons shall be made on account of a holiday having been granted in accordance with law and if such person is employed on the basis that he would not accordingly receive wages for such a day, he shall nonetheless be paid for such a day, the wages he would have drawn had not a holiday been granted to him on that day.

Employees including daily wage/casual workers who are ordinarily resident of the above Constituency where poll is taking place, and registered as an elector, in that constituency but serving/employed in an industrial undertaking or an establishment located outside the constituency where he/she is resident have to be given the benefit of paid holiday on the day of poll.

The Section 135 B of the Representation of the People Act, 1951 is reproduced below for information:—

- “(1) 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.
- (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 provisions require that all the electors who are employees 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 General 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 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 135 B(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 135 B of the Representation of the People Act, 1951.

By order of the Governor,

P. K. MOHANTY,
Chief Secretary.

To

The Chief Electoral Officer, Election (General) Department,
Thiruvananthapuram (with CL).

All Heads of Departments/All District Collectors.

The Chief Executives of all Public Sector Undertakings.

All Government/Quasi Government Industrial concerns.	} Through the District Collector concerned.
All Government Commercial undertaking.	

The Station Director, All India Radio, Thiruvananthapuram.

The Secretary to Governor (with CL).

The Secretary, Kerala Legislative Assembly, Thiruvananthapuram
(with CL).

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.

The Labour Commissioner, Thiruvananthapuram.

The Registrar, High Court of Kerala, Ernakulam (with CL).

The Advocate General, Ernakulam (with CL).

- The Secretary, Kerala Public Service Commission, Pattom, Thiruvananthapuram (with CL).
- The Registrar, University of Kerala, Thiruvananthapuram (with CL).
- The Registrar, Mahatma Gandhi University, Kottayam (with CL).
- The Registrar, University of Calicut, Malappuram (with CL).
- The Registrar, University of Kannur, Kannur (with CL).
- The Registrar, Sree Sankaracharya University of Sanskrit, Kalady (with CL).
- Registrar, Kerala University of Health and Allied Sciences, Thrissur-680 596.
- Registrar, Kerala Veterinary and Animal Sciences University, Camp Office, Kerala Agricultural University Campus, Mannuthi, Thrissur.
- The Registrar, Kerala University of Fisheries and Ocean Studies, Panangad, Kochi.
- The Registrar, Kerala Agricultural University, Thrissur (with CL).
- The Registrar, Kerala Administrative Tribunal, Vanchiyoor, Thiruvananthapuram.
- The Registrar, Cochin University of Science and Technology, Kochi (with CL).
- The Secretary, Kerala State Electricity Board, Thiruvananthapuram.
- The Managing Director, KSRTC, Thiruvananthapuram.
- All Departments in the Secretariat including Law and Finance.
- The PA to Principal Secretary to Chief Minister.
- The Private Secretary to Chief Minister.
- The Private Secretary to Leader of Opposition.
- The Private Secretary to Speaker/Deputy Speaker.
- The Private Secretary to Ministers.
- The Additional Secretary to Chief Secretary.
- The PA to all Additional Chief Secretaries/Principal Secretaries/Secretaries.
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