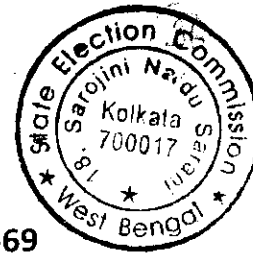


Government of West Bengal  
Labour Department  
I.R. Branch  
East India House, 2<sup>nd</sup> Floor,  
20B, Abdul Hamid Street, Kolkata-69



My No - 920  
13-04-15  
By Post

No: 379(20) - IR/7S-11/2004

Dated, Kolkata, the 09.04.15

From: The Assistant Secretary to the Government of West Bengal

To: \_\_\_\_\_

\_\_\_\_\_

(Chamber of Commerce & Employees Organization)

**Sub: Declaration of the day of poll on the 18<sup>th</sup> April, 2015 and 25<sup>th</sup> April, 2015 as a paid holiday for all the Shops, Commercial and Industrial Establishments.**

Sir,

I am directed to state that the Municipal General Elections, 2015 in the following ninety two (92) Urban Local Bodies spread over nineteen districts of the state are scheduled to be held on 18<sup>th</sup> April, 2015 in Kolkata Municipal Corporation and on the 25<sup>th</sup> April, 2015 at remaining 91 Municipalities.

The list of the Municipal Bodies attached below.

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 said Assembly Constituency 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 Peoples Act, 1951.

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

ii) No deduction or amendment 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 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.

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 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 Municipal Corporation/Municipality. It is clarified that in such a situation, even

JS  
I  
13/4  
H A  
Copies to all Dms  
13/4

: 2 :

those electors including casual workers working outside the Municipal Corporation/Municipality 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 paid 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 SATURDAY is a working day, to abide by section 135B of the Representation of People Act, 1951 and grant a paid holiday on 18<sup>th</sup> April, 2015 in Kolkata (Saturday) and 25<sup>th</sup> April, 2015 at remaining 91 Municipalities (Saturday) to all categories of workers and employees to enable them to exercise their right of franchise in the aforesaid ~~election~~.

Yours faithfully,

*edf*  
Assistant Secretary to the Govt. of W.B.

NO. 379/ 1(34)-I.R

Dated, Kolkata, the 09.04.15

Copy forwarded for information to:

01. The Labour Commissioner, West Bengal, New Secretariat Buildings, (11<sup>th</sup> Floor), 1, K.S. Roy Road, Kol-1
02. The Chief Inspector of Shops & Establishment, W. Bengal, 6, Church Lane, Kol-1
03. The Home (C&E) Department, Govt. of W. 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, B.B.D. Bag East, Kolkata- 700001.
07. The Industrial Reconstruction Deptt., Govt. of W. Bengal, Writers' Buildings, Kol-1
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 W. 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 Secretary, West Bengal State Election Commission, 18, Sarojini Naidu Sarani (Rawdon Street), Kolkata-17. This has a reference to his letter No. 647-SEC/1M-20/2015 dated 18.03.2015.
12. O.S.D., C.M.O., Nabanna, Howrah-711102.
13. District Municipal Election Officer for Kolkata Municipal Corporation & District Magistrate, South 24-Parganas.
14. District Municipal Election Officer & District Magistrate, Darjeeling / Cooch Behar/ Jalpaiguri/ Uttar Dinajpur / Dakshin Dinajpur / Malda / Murshidabad / Purba Medinipur / Paschim Medinipur / Nadia / North 24 Parganas / South 24 Parganas / Howrah / Hooghly / Bankura / Purulia / Burdwan / Birbhum.

*Assistant Secretary*

Assistant Secretary to the Govt. of W.B.

No. 379/2(2) - IR

Dated, Kolkata, the 09.04.15

Copy forwarded for information to:

01. P.S. to Hon'ble M.I.C., Labour Department, Government of West Bengal.
02. P.A. to Secretary, Labour Department, Government of West Bengal.

Assistant Secretary to the Govt. of W.B.

Government of West Bengal  
Labour Department  
I.R. Branch  
East India House, 2nd Floor  
20 B, Abdul Hamid Street, Kolkata- 69

No. 378 - IR/7S-11/2004

Dated, Kolkata, the 09.04.15

**NOTIFICATION**

WHEREAS, the Governor thinks fit so to do in the interest of Public Service

NOW, THEREFORE, in exercise of the power conferred by Sub -Section (2) of Section 4 of the West Bengal Shops & Establishments Act, 1963 (West Bengal Act XII of 1963), the Governor is pleased hereby to exempt, where the said Act applies in the State, all classes of petrol and diesel pumps (filling stations) situated within the area of Kolkata Municipal Corporation and remaining 91 Municipalities in the State on the occasion of Municipal General Elections, 2015 to the said Kolkata Municipal Corporation and remaining 91 Municipalities to be held on 18<sup>th</sup> April, 2015 and 25<sup>th</sup> April, 2015 respectively from the operation of the provision of sub-section (2) of section 6 of the said Act, subject to the condition that any work beyond eight and half hours a day or 48 hours a week shall be regarded as overtime work for payment of overtime wages under section 13 of the said Act.

By Order of the Governor

*sdt*

Assistant Secretary to the Govt. of W. Bengal

Dated, Kolkata, the 09.04.15

NO. 378/1(35) - IR

Copy forwarded for information to :-

01. The Labour Commissioner, West Bengal, New Secretariat Buildings. (11<sup>th</sup> Floor), 1, K.S. Roy Road, Kol-1
02. The Chief Inspector of Shops & Establishment, W. Bengal, 6, Church Lane, Kol-1
03. The Home (C&E) Department, Govt. of W. Bengal, 21, N.S Road, Kol-1
04. The Home (Poll) Deptt., Govt. of West Bengal, Nabanna, Howrah-711102.
05. The Commerce & Industries Department, Govt. of W. Bengal, 4, Camac Street, Kol-17
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, Kol-1
08. Deputy Director of Publicity, Information & Cultural Affairs Department, Govt. of W. Bengal Nabanna, Howrah-711102, with request to give immediate publicity of the matter in A.I.R, Doordarshan & leading daily Newspapers
09. The Chief of News Bureau, Nabanna, Howrah-711102.
- ✓ 10. The Secretary, West Bengal State Election Commission, 18, Sarojini Naidu Sarani (Rawdon Street), Kolkata-17. This has a reference to his letter No. 647-SEC/1M-20/2015 dated 18.03.2015.
11. The Home (Police) Department, Government of West Bengal, Nabanna, Howrah-711102.
12. O.S.D., C.M.O., Nabanna, Howrah-711102.
13. District Municipal Election Officer for Kolkata Municipal Corporation & District Magistrate, South 24-Parganas.
14. District Municipal Election Officer & District Magistrate, .....

*airbanyas*

Assistant Secretary to the Govt. of W. Bengal

Dated, Kolkata, the 09.04.15

No. 378/2(2) - IR

Copy forwarded for information to : 1) P.S. to Hon'ble M.I.C., Labour Deptt. 2) P.A. to Secretary, Labour Deptt.

Assistant Secretary to the Govt. of W. Bengal