

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
GENERAL ADMINISTRATION DEPARTMENT  
COORDINATION BRANCH  
DELHI SECRETARIAT, I.P.ESTATE, NEW DELHI-110002**

No.F.54/07/2013/GAD/CN/dsgadiii/5214-25

Dated: 2/12/2013

To

The Director,  
Dte. of Information & Publicity,  
Govt. of NCT of Delhi,  
Old Sectt. Delhi.

Sub: Issue of Public Notice in the Newspapers.

Sir,

I am directed to enclose herewith a Public Notice in both English and Hindi versions regarding grant of holiday to every person employed in any business, trade, industrial undertakings or any other establishment and general public entitled to vote on the day of poll on 04/12/2013, under Section 135B of the Representation of the People Act, 1951.

It is requested that the aforesaid Notice may be given wide publicity in all the leading Newspapers as a 'News Item' and also on Radio and TV before the day of pole i.e. 04/12/2013. This may also be published as 'public Notice' in the leading newspapers in English (Three), Hindi (Three), Punjabi (Two), Urdu (Two) languages on 03/12/2013.

The payment will be made by GAD.

Yours faithfully,

  
(AMITABH KUNDOO)  
DEPUTY SECRETARY (GAD)

No.F.54/07/2013/GAD/CN/dsgadiii/5214-25

Dated: 2/12/2013

Copy forwarded alongwith copy of Public Notice for information:

1. The Pr. Secretary to Lt. Governor, Delhi.
2. The Pr. Secretary to Chief Minister, Govt. of NCT of Delhi.
3. The Secretary to the Minister of Health, Govt. of NCT of Delhi.
4. The Secretary to the Minister of Urban Development, Govt. of NCT of Delhi.
5. The Secretary to the Minister of Power, Govt. of NCT of Delhi.
6. The Secretary to the Minister of PWD, Govt. of NCT of Delhi.
7. The Secretary to the Minister of Education, Govt. of NCT of Delhi.

8. The Secretary to the Minister of Transport, Govt. of NCT of Delhi.
9. The Chief Electoral Officer, Govt. of NCT of Delhi.
10. The Commissioner (Labour), Govt. of NCT of Delhi, with the request that the contents of the Public Notice may be brought to the notice of all establishments, factories, other business establishments to ensure that the employees working in such establishments who are entitled to vote in the coming election to the Delhi Legislative Assembly are granted holiday so that they are able to cast their vote in the Election on 04.12.2013.
11. OSD to Chief Secretary, Govt. of NCT of Delhi, Delhi.



(AMITABH KUNDOO)  
DEPUTY SECRETARY (GAD)

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI**  
**GENERAL ADMINISTRATION DEPARTMENT**  
**(CO-ORDINATION BRANCH)**  
**DELHI SECRETARIAT, I.P. ESTATE, NEW DELHI-110 002**

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**PUBLIC NOTICE**

It is notified for information of the General Public that as per the provision of Section 135 B(1) of the Representation of People Act 1951, every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote, shall be granted a holiday on 04.12.2013, the day of Poll in Delhi, so that he/ she can cast his/ her vote at election to the Delhi Legislative Assembly.

As per sub-section 2 of Section 135 B of the Representation of People Act 1951, No deduction or abatement of the wages shall be made on account of above holiday and if any person is employed on the basis that he/ she would not ordinarily receive wages for such a day, he/ she shall nonetheless be paid wages he/ she would have drawn had not a holiday been granted to him/ her on that day.

Any contravention of the above provisions is punishable as per the Provisions of section 135 B (3) of the Representation of People Act, 1951.

However, as per Sub-section 4 of section 135 B of the Representation of the People Act 1951, 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.

It is further brought to the notice of all concerned that Election Commission of India vide letter No. 78/2013/EPS dated 24.10.2013 has clarified that there may be cases where a person is ordinarily resident of the constituency and registered as an electoral, may be serving/ employed in an industrial undertaking or an establishment located outside the constituency having a general/ bye-election, in such a situation even those electoral including casual worker working outside the constituency concerned would be entitled to the benefit of a paid holiday extended under section 135 B (1) of the Representation of People Act, 1951. The daily wage /casual worker are also entitled for a holiday and wages on whole day.

  
**(AMITABH KUNDOO)**  
**DY. SECRETARY (GAD)**

राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार  
सामान्य प्रशासन विभाग  
(समन्वय शाखा)  
दिल्ली सचिवालय, इन्द्रप्रस्थ इस्टेट, नई दिल्ली-02

सार्वजनिक सूचना


जन सहायण की जानकारी के लिए यह सूचित किया जाता है कि जन प्रतिनिधित्व अधिनियम, 1951 की धारा 135 ख (1) के उपबन्ध के अनुसार किसी व्यापार, व्यवसाय, औद्योगिक उपक्रम या किसी अन्य संस्थापना में कार्यरत तथा मतदान के पात्र प्रत्येक व्यक्ति को दिल्ली में मतदान के दिन दिनांक 04.12.2013 की छुट्टी प्रदान की जाएगी ताकि वे दिल्ली विधान सभा के चुनाव में अपना मत डाल सकें।

जनप्रतिनिधित्व अधिनियम, 1951 की धारा 135 ख की उपधारा 2 के अनुसार वेतन में किसी प्रकार की कटौती या कमी उक्त छुट्टी के कारण नहीं की जाएगी और यदि कोई व्यक्ति इस आधार पर नियुक्त है कि वह ऐसे किसी दिन के लिए सामान्यतः ऐसे दिन वेतन नहीं प्राप्त कर सकता हो फिर भी उसे वह वेतन दिया जाए जो कि वह प्राप्त करता अगर उस दिन उसे वह अवकाश प्रदान नहीं किया जाता।

जन प्रतिनिधित्व अधिनियम, 1951 की धारा 135 ख (3) के उपबन्धों के अनुसार उक्त उपबन्धों का उल्लंघन दंडनीय है।

तथापि जन प्रतिनिधित्व अधिनियम, 1951 की धारा 135 ख की उपधारा 4 के अनुसार ये धारा उस मतदाता पर लागू नहीं होगी जिसकी अनुपस्थिति के कारण उस रोजगार को संकट या भारी हानि हो सकती है जिसमें वह कार्यरत है।

सभी संबंधित की जानकारी में यह भी लाया जाता है कि दिनांक 24.10.2013 के पत्र सं० 78/2013/ईपीएस के द्वारा भारत के निर्वाचन आयोग ने स्पष्ट किया है कि ऐसे मामले हो सकते हैं जहां कोई व्यक्ति किसी निर्वाचन क्षेत्र का सामान्यतः निवासी है और मतदाता के रूप में पंजीकृत है, आम/उप चुनाव वाले किसी निर्वाचन क्षेत्र से बाहर स्थित किसी औद्योगिक उपक्रम या किसी संस्थापना में सेवारत या कार्यरत हो सकता है, इस प्रकार की स्थिति में उन मतदाताओं जिनमें आकस्मिक कामगार भी शामिल हैं, वे जन प्रतिनिधित्व अधिनियम, 1951 की धारा 135 ख (1) के अन्तर्गत भुगतान सहित छुट्टी का लाभ प्राप्त करने के हकदार होंगे। दैनिक वेतन या आकस्मिक कामगार भी छुट्टी के और पूरे दिन के वेतन के हकदार होंगे।

  
(अमिताभ चूडु )  
उप सचिव (सा0प्र0वि0)