

Endorsement No. DTETVM/4671/2025-EA2 (EA) Dated: 03-06-2025

Ref: Letter No. EL3/77/2025-ELEC dated 27-05-2025 from the office of Chief Electoral Officer, Kerala.

I am to forward herewith a copy of the letter cited for information and further action.

**JAYAPRAKASH P
DIRECTOR(INCHARGE)**

To,

All Head of Institutions under DTE through official website.

Signed by

Jayaprakash P

Date: 03-06-2025 14:52:44



ELECTION / URGENT

**OFFICE OF THE CHIEF ELECTORAL OFFICER,
KERALA**

No. EL3/77/2025-ELEC
From
The Chief Electoral Officer

Election (General) Department
27-05-2025, Thiruvananthapuram

To

1. The Chief Secretary, Government of Kerala.
2. The Secretary, General Administration (Co-ordination) Dept
- ✓ 3. The Principal Secretary, Higher Education Department.
4. The Principal Secretary, General Education Department.
5. The Principal Secretary, Industries Department.
6. The Secretary, Labour & Rehabilitation Department.

Sir,

Sub: Election Department - Bye-Election to the 35-Nilambur AC -
Declaration of paid holiday on polling day - reg.

I am to invite your attention to the subject cited and to apprise that the Election Commission has announced bye-election to the 35-Nilambur LAC via its Press Note No. ECI/PN/220/2025 dated 25.05.2025 available on the Commission's website under URL <https://www.eci.gov.in/issue-details-page/press-releases>. The date of the poll for the said bye-election has been fixed for **19.06.2025 (Thursday)**.

In this regard, your attention is invited to Section 135B of the Representation of the People Act, 1951, which provides for the grant of paid holiday to the employees on the day of the poll. Section 135B of the Representation of the People Act, 1951, is reproduced below: Section 135B: Grant of paid holiday to employees on the day of poll:

- a) Every person employed in any business, trade, industrial undertaking, or any other establishment and entitled to vote at an election to the House of the People or the Legislative Assembly of a State/UT shall, or Bye-election to Parliamentary Constituency/Assembly Constituency, on the day of poll, be granted a holiday.
- b) 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 she/he would not ordinarily receive wages for such a day, she/he shall nonetheless be paid for such day the wages she/he would have drawn had not a holiday been granted to her/him on that day.

c) If an employer contravenes the provisions of sub-section (1) or subsection (2), then such employer shall be punishable with fine, which may extend to five hundred rupees.

d) 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 employee of establishments and shops, including those which work on a shift basis, shall be granted a paid holiday on the day of the poll in the constituency where the bye-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 or employed in an industrial undertaking or an establishment located outside the Constituency having a bye poll. 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 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 R.P. Act, 1951.

The respective departments are requested to declare the day of Poll (19.05.2025) as a paid holiday as indicated above, and a copy of the intimation/order issued in this regard may also be forwarded to this office urgently.

Yours Faithfully,
DR RATHAN U KELKAR I A S
CHIEF ELECTORAL OFFICER & SECRETARY

Approved for Issue,

Signed by
Shivlal R V

Date: 27-05-2025 17:37:02
Section Officer.