

OFFICE OF THE CHIEF ELECTORAL OFFICER, ODISHA
BEHIND LOK SEVA BHAWAN, UNIT-V, BHUBANESWAR, PIN-751001
E-mail-ceoorissa@gmail.com

No. EC-CON-COE-0020-2022- 3172 /Elec Dated Bhubaneswar the 17th May 2022
From

Sushil Kumar Lohani, IAS
Chief Electoral Officer & Ex-Officio
Principal Secretary to Government

To
Principal Secretary to Government,
Revenue & Disaster Management Department

Sub: Bye-election to 6-Brajarajnagar Assembly Constituency - Grant of paid holiday to employees on the day of poll- regarding.

Sir,

In enclosing a copy of letter No. 78/EPS/2022 dated 10.05.2022 received from Election Commission of India, New Delhi on the subject cited above, I am to say that the **Bye-Election to 6-Brajarajnagar Assembly Constituency will be held on 31.05.2022 (Tuesday)**. Section 135B of the Representation of the People Act, 1951 provides for the grant of paid holiday to the employees on the day of poll.

2. The Representation of People Act, 1951 as amended in August, 1995 provided that every person employed in any Business, Industrial Undertaking or any other establishment and is entitled to vote at election to the House of the People or the Legislative Assembly of the State shall on the day of the Poll, be granted a holiday and that no deduction or abatement of the wages of any such person shall be made on account of the holiday having been granted to him / her.

With a view to making it convenient for every voters to exercise his/her right of franchise in the above election, it is requested that necessary steps to be taken to declare the Poll day i.e. **31.05.2022** as a public holiday under the Negotiable Instrument Act, 1981 and as a holiday for all officers under the Government of Odisha operating in the area of **6-Brajarajnagar Assembly Constituency under Jharsuguda district**.

Yours faithfully,


Chief Electoral Officer & Ex-Officio
Principal Secretary to Govt.

Memo No. 3173 /Elec Dated: 17th May 2022

Copy forwarded to all Revenue Divisional Commissioners for information and necessary action at their end.


Chief Electoral Officer & Ex-Officio
Principal Secretary to Govt.

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BEHIND LOK SEVA BHAWAN, UNIT-V, BHUBANESWAR, PIN-751001**

E-mail-ceoorissa@gmail.com

No.EC-CON-COE-0020-2022-374 /Elec Dated Bhubaneswar the 17th May 2022
From

**Sushil Kumar Lohani, IAS
Chief Electoral Officer & Ex-officio
Principal Secretary to Government**

To

All Addl. Chief Secretaries/
Principal Secretaries/
Secretaries of Government
All Heads of Department
All Revenue Divisional Commissioners
All DEOs & Collectors
All Public Sector Undertakings / Corporations/ Boards

Sub: Bye-election to 6-Brajarajnagar Assembly Constituency - Grant of paid holiday to employees on the day of poll- regarding.

Sir / Madam,

In enclosing a copy of letter No.78/2021-EPS Dtd.07.09.2021 received from Election Commission of India, New Delhi on the subject cited above, I am to say that the poll for byè-election to 6-Brajarajnagar Assembly Constituency will be held on **31.05.2022 (Tuesday)**. The 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 poll. The Section 135B is reproduced below:-

“135B- Grant of paid holiday to employees on the day of poll -

- (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”.

(PTO.)

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The above provisions require that all 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 an election is to be held. Further, there may be cases where a person is ordinarily a 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 an 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 Section 135 B (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.

The above instruction may be scrupulously followed.

Yours faithfully,



**Chief Electoral Officer & Ex-officio,
Principal Secretary to Government**

Memo No. 3175/Elec., Bhubaneswar, dated the 17th May 2022

Copy forwarded to Sumit Mukherjee, Senior Principal Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road. New Delhi-110001 for information.



**Chief Electoral Officer & Ex-officio,
Principal Secretary to Government**

75

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No.EC-CON-COE-0020-2022-3176 /Elec Dated Bhubaneswar the 17th May 2022

From

Sri Sushil Kumar Lohani, IAS
Chief Electoral Officer & Ex-officio
Principal Secretary to Government

To

All Department of Government
All Heads of Department
All Public Sector Undertakings
All Corporation / Boards

Sub: Bye-election to 6-Brajarajnagar Assembly Constituency - Special Casual Leave to Government Servants for enabling them to Vote.

Madam/Sir,

In order to enable the Government employees who are required to exercise their franchise at a place away from their headquarters, special casual leave for a maximum period of two days was allowed during previous elections. It has been decided that similar facilities will also be extended during the **Bye-Election to 6-Brajarajnagar Assembly Constituency scheduled to be held on 31.05.2022 (Tuesday).**

2. The day of poll is declared as a Public Holiday in the Constituency area. Government employees who are stationed at a place away from their Polling Stations have to travel for casting their votes. Such employees who are to vote on **31.05.2022 (Tuesday)** may be allowed Special Casual Leave **for a period of up to two days (the day preceding the poll and the succeeding the poll)**, if required, in order to enable them to travel and vote at their Polling Stations.

3. The leave to be granted may be treated as Special Casual Leave which will not be taken into account in reckoning the total period of casual leave and special casual leave of 15 days usually admissible to a Government servant in the Calendar Year.

4. The written application by the staff will be sufficient to presume their enrollment in the Electoral Roll of particular Constituency.

5. The Head of Offices granting the Special Casual Leave will determine the requirement of no. of days to be sanctioned as Spl. C.L. and as to whether the employees can be spared and granted the leave without detriment to official work. Ordinarily, the staff should not be inconvenienced in exercise of their franchise and the expression "without detriment to official work" should be liberally interpreted.

6. The Sub-Ordinate offices may be informed accordingly.

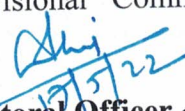
Yours faithfully,




**Chief Electoral Officer & Ex-officio
Principal Secretary to Government**

Memo No. 3177 /Elec., Bhubaneswar, dated the 17th May 2022

Copy forwarded to all Revenue Divisional Commissioners for information and necessary action.


17/5/22
**Chief Electoral Officer & Ex-officio
Principal Secretary to Government**

Memo No. 3178 /Elec., Bhubaneswar dated the 17th May 2022
Copy forwarded to DEO & Collector, Jharsuguda / Returning Officer for 6-Brajarajnagar AC for information, and necessary action.


17/5/22
**Chief Electoral Officer & Ex-officio
Principal Secretary to Government**

Memo No. 3179 /Elec., Bhubaneswar, dated the 17th May 2022
Copy forwarded to Sumit Mukherjee, Senior Principal Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi-110001 for information.


17/5/22
**Chief Electoral Officer & Ex-officio
Principal Secretary to Government**

BYE-ELECTION URGENT
E-mail/ Fax / Speed Post

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No.EC-CON-COE-0020-2022- 3180 /Elec Dated Bhubaneswar the 17th May 2022
From

Sri Sushil Kumar Lohani, IAS
Chief Electoral Officer & Ex-officio
Principal Secretary to Government

To

All Departments of Government
All Heads of Department

Sub: Bye-election to 6-Brajarajnagar Assembly Constituency -Grant of Special Casual Leave to the employees deputed for conducting the Election.

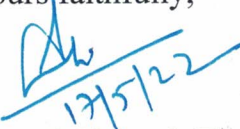
Madam/Sir,

In consideration of the arduous nature of work undertaken by Government servants engaged in the conduct of election, I am to say that such Government servants who will be deployed on election duty in connection with the Bye-election to **6-Brajarajnagar Assembly Constituency** shall be allowed Special Casual Leave for one day after attending to poll duty in addition to the Casual Leave and Special Casual Leave ordinarily admissible to them during the calendar year, 2022. This facility shall be extended only to those who are engaged for a period of three days or more during the period of poll.

This will be granted subject to administrative convenience at the discretion of the Heads of Offices concerned.


The Sub-Ordinate offices may be informed accordingly.

Yours faithfully,


17/5/22

Chief Electoral Officer & Ex-officio
Principal Secretary to Government

Memo No. 3181 /Elec., Bhubaneswar, dated the 17th May 2022
Copy forwarded to Revenue Divisional Commissioner, Sambalpur / DEO & Collector, Jharsuguda / RO, 6-Brajarajnagar Assembly Constituency for information and necessary action.


17/5/22

Chief Electoral Officer & Ex-Officio
Principal Secretary to Government.