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09/04/2024

**Andaman and Nicobar Administration
Secretariat**

Dated: 08th April, 2024

ORDER NO:- 156

Whereas, the election schedule has been announced by the Election Commission of India, vide Press Note No. ECI/PN/23/2024 dated 16.03.2024 and No. ECI/PN/24/2024 dated 16.03.2024, which stipulates that the General Election of Andaman and Nicobar Islands Parliamentary Constituency will be held in a single phase on 19.04.2024 (Friday).

Whereas, in the exercise of powers conferred under Section 25 of the Negotiable Instrument Act, 1881 read with MHA's Notification No.2/6/57-J dated 17.12.1957 and in pursuance of Section 135B of the Representation of People Act, 1951 read with letter No.78/EPS.2024 dated 16th March, 2024 of Election Commission of India, the Hon'ble Lt. Governor, Andaman and Nicobar Islands is pleased to declare a public holiday on the day of Poll i.e. 19.04.2024 (Friday) vide Notification No. E-231/25/2024-Accts.Sect-Election/AN/397 dated 01.04.2024 for all Public Offices, Local Bodies and Educational Institutions and a paid holiday for all Commercial Establishments/Undertakings in the UT of A&N Islands and also instructed the Secretary (Labour & Employment) to declare paid holiday on the day of poll i.e. 19.04.2024 (Friday) under the Factories Act, 1948 and the A&N Islands Shops & Establishments Regulation, 2004 read with the provisions laid down in Section 135-B of the Representation of the People Act, 1951.

Whereas, Section 135B of the Representation of the People Act, 1951 provides that:-

1. 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 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 she/he would not ordinarily receive wages for such a day, she/he would have drawn had not a holiday been granted to her/him on that day.
3. If an employer contravenes the provisions of sub-section (1) or sub-section (2), then such employers 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.
5. The daily wage/casual workers are also entitled for a holiday and wages on the poll day.

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Now, therefore, in pursuance of Section 135 B of the Representation of People Act, 1951 read with Notification No. E-231/25/2024-Accts.Sect-Election/AN/397 dated 01.04.2024, issued by the A&N Admn, it is hereby directed that all Business Establishments including Shops, Hotels, Restaurants, Resorts etc., Trade, Industrial Undertakings or any other Establishments which fall under the A&N Islands Shops & Establishments Regulation, 2004 and all Factories covered under the Factories Act, 1948 shall observe the day of poll i.e. the 19th April 2024 (Friday) as a paid holiday for their employees so as to enable them to exercise their franchise.


Secretary (Labour & Employment)

Copy to:

8/4/24

1. The Secretary to Hon'ble Lt. Governor, A&N Islands for kind information of HLG please.
2. SPS to CS, A&N Admn, for kind information of Chief Secretary.
3. PS to Commr-cum-Secretary (Labour & Employment) for kind information of Commr-cum-Secretary (Labour & Employment).
- ✓ 4. SPS to CEO for kind information of Chief Electoral Officer, A&N Administration.
5. The Labour Commissioner & DET for information and necessary action.
6. The Chief Editor, The Daily Telegrams with the request to publish the same in the DT immediately.
7. The Chief Editor, Doordarshan /All India Radio, Port Blair with the request to give wide publicity.
8. Office copy.


Secretary (Labour & Employment)