



**GOVERNMENT OF KERALA**

**Abstract**

General Administration- Election to Kerala Legislative Assembly 2021 and Bye Election in Malappuram Parliamentary Constituency - Day of Poll - Declaration of public holiday on 6th April, 2021 to the institutions comes under the Negotiable Instruments Act - Orders issued.

**General Administration (Co-ordination) Department**

**G.O(Ms)No.88/2021/GAD.**

**Dated, Thiruvananthapuram, 31.03.2021.**

Read: 1) G.O(Rt)No.1295/2021/GAD dated 23.03.2021

**ORDER**

As per paper read above Government had declared Public holiday on 6<sup>th</sup> April, 2021 for all Public Offices and Educational institutions and a paid holiday for Commercial undertakings in the State, in connection with the General Election to the Kerala Legislative Assembly 2021 and Bye Election in Malappuram Parliamentary Constituency as per Section 135B of the Representation of the People Act, 1951.

2. In the above circumstances it is further ordered that the aforesaid holiday shall also be applicable to all the institutions comes under the purview of the Section 25 of The Negotiable Instruments Act, 1881 (The Central Act XXVI of 1881).

By Order of the Governor,  
**K.R.JYOTHILAL**  
**Principal Secretary**

The Under Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi - 110001

The Chief Electoral Officer, Election (General) Department, Thiruvananthapuram

The Regional Director, Reserve Bank of India, Trivandrum, Kerala

The PA to all Additional Chief Secretaries/ Principal Secretaries/ Secretaries.

All Heads of Departments/ All District Collectors

The Convenor SLBC, Canara Bank, Trivandrum

The Chief Executives of all Public Sector Undertakings

All Government / Quasi Government Industrial concerns

All Government Commercial undertaking.

} Through the District  
} Collector concerned

The Station Director, All India Radio, Thiruvananthapuram.

The Secretary to Governor

The Secretary, Kerala Legislative Assembly, Thiruvananthapuram

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.

The Labour Commissioner, Thiruvananthapuram.

The Registrar, High Court of Kerala, Ernakulam

The Advocate General, Ernakulam

The Secretary, Kerala Public Service Commission, Pattom, Tvpm.

The Registrar, University of Kerala, Thiruvananthapuram

The Registrar, Mahatma Gandhi University, Kottayam

The Registrar, University of Calicut, Malappuram

The Registrar, University of Kannur, Kannur

The Registrar, Sree Sankaracharya University of Sanskrit, Kalady  
The Registrar, Kerala University of Health and Allied Sciences, Thrissur – 680596  
The Registrar, Kerala Veterinary and Animal Sciences University,  
Camp Office, Kerala Agricultural University Campus, Mannuthi, Thrissur.  
The Registrar, Kerala University of Fisheries and Ocean Studies, Panagad, Kochi.  
The Registrar, Kerala Agricultural University, Thrissur  
The Registrar, Kerala Administrative Tribunal, Vanchiyoor, Thiruvananthapuram.  
The Registrar, Cochin University of Science and Technology, Kochi  
The Secretary, Kerala State Electricity Board, Thiruvananthapuram  
The Managing Director, KSRTC, Thiruvananthapuram  
All Departments in the Secretariat including Law and Finance  
The PA to Principal Secretary to Chief Minister  
The Private Secretary to Chief Minister  
The Private Secretary to Leader of Opposition.  
The Private Secretary to Speaker/Deputy Speaker.  
The Private Secretary to Ministers  
The Special Secretary to Chief Secretary  
The Web & New Media (for publishing in the Government Website)  
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Section Officer

5041  
2018/21



GOVERNMENT OF KERALA

Abstract

General Administration- Election to Kerala Legislative Assembly 2021 and Bye Election in Malappuram Parliamentary Constituency - Day of Poll - Declaration of public holiday on 6<sup>th</sup> April, 2021 to the Public Offices and Educational institutions - Orders issued.

General Administration (Co-ordination) Department

G.O(Rt)No.1295/2021/GAD. Dated, Thiruvananthapuram, 23.03.2021.

- Read: 1) Letter No.78/EPS /2021/183 dated 08.03.2021 from Election Commission of India.  
2) Circular No.Cdn1/253/2019/GAD, dated, 19.02.2020

ORDER

Government are pleased to declare Tuesday, the 6<sup>th</sup> April, 2021 as a public holiday for all Public Offices and Educational institutions and a paid holiday for Commercial undertakings in the State, in connection with the General Election to the Kerala Legislative Assembly 2021 and Bye Election in Malappuram Parliamentary Constituency as per Section 135B of the Representation of the People Act, 1951.

The Labour Commissioner will make necessary arrangements with all Private Enterprises, Private Industrial centres and other Private Institutions under the Shops and Commercial Establishment Act to declare the day of poll viz: the 6<sup>th</sup> April, 2021 (Tuesday) as a paid holiday for all their employees. No deduction or abatement of the wages of any such persons shall be made on account of a holiday having been granted in accordance with law and if such person is employed on the basis that he would not accordingly receive wages for such a day, he shall nonetheless be paid for such a day, the wages he would have drawn had not a holiday been granted to him on that day.

Employees including daily wage/casual workers who are ordinarily resident of the Constituency where poll is taking place, and registered as an elector, in that constituency but serving/employed in an industrial undertaking or an establishment located outside the constituency where he/she is resident have to be given the benefit of paid holiday on the day of poll.

The Section 135B of the Representation of the People Act, 1951 is reproduced below for information:-

- “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/UT 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.”

The above provisions require that all the electors who are 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 the General Elections / 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/employed in an industrial undertaking or an establishment located outside the Constituency having a general/bye-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 the 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 Representation of the People Act, 1951.

By Order of the Governor,  
**DR.V.P.JOY**  
 Chief Secretary

The Under Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road,  
 NewDelhi - 110001

The Chief Electoral Officer, Election (General) Department, Thiruvananthapuram  
 The PA to all Additional Chief Secretaries/ Principal Secretaries/Secretaries.

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The Registrar, University of Kannur, Kannur

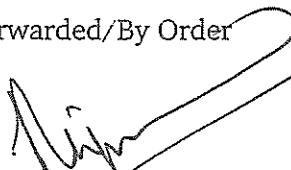
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The Registrar, Kerala University of Health and Allied Sciences, Thrissur – 680596

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