**MOST IMMEDIATE/ BY MAIL**

Secretariat,
Chennai - 09.

Labour Welfare and Skill Development Department
Letter.No.2779 /J1/2022- 1, Dated 11.02.2022.

From
Thiru.R.Kirlosh Kumar, I.A.S.,
Secretary to Government.

To
The Principal Secretary / Commissioner of Labour, Chennai -600 006.(w.e)
The Director of Employment and Training, Chennai-600 032.(w.e)
The Director of Industrial Safety and Health (FAC), Chennai-600 032. (w.e)
The Director of Medical and Rural Health Services, (ESI) (FAC),
Chennai-600 006. (w.e)

Sir,

Sub: Urban Local Body Elections - 2022 to be held on 19th February, 2022 (Saturday) – Declaration of holiday with wages to the labourers on the date of polling – Requested.

Ref: 1. G.O.(Ms).No.27, Municipal Administration and Water Supply (Election) Department, dated 09.02.2022.

2. From the Chief Secretary to Government, Letter No. 2268 / Election/2022-2, Municipal Administration and Water Supply (Election) Department, dated 09.02.2022.

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I am directed to enclose a copy of the reference cited together with its enclosure and to state that the Tamil Nadu State Election Commission has notified the Programme of Election for the ordinary Election to Urban Local Bodies, in the State 2022. As per the Programme of Election, the Poll is scheduled to take place on 19th February 2022.

2) Section 43-BB of the Tamil Nadu District Municipalities Act, 1920 (Tamil Nadu Act V/1920) pertaining to grant of paid holiday to employees on the day of poll, which is extracted below:

"(i) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to any Municipality and Town Panchayat shall on the day of poll, be granted a holiday.

(ii) 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.

(iii) 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.

(iv) This section shall not apply to any elector whose absence any cause danger or substantial loss in respect of the employment in which he is engaged. "

In respect of City Municipal Corporations, identical provisions are available in section 58 – A of the Chennai City Municipal Corporation Act, 1919, section 65-A of the Madurai City Municipal Corporation Act, 1971, section 67-A of the Coimbatore City Municipal Corporation Act, 1981 (applicable to rest of the other Corporations as well).

3. In G.O.(Ms).No.27, Municipal Administration and Water Supply (Election) Department, dated: 09.02.2022 the Government, under section 25 of the Negotiable Instruments Act, 1881 (Central Act XXVI of 1881) have declared Saturday, the 19th February, 2022, the date on which the poll for the Ordinary Elections to the Urban Local Bodies, 2022 will take place, to be a public holiday, in those areas wherever such polling takes place. The Order has been notified in the Tamil Nadu Government Gazette, Extraordinary.

4. I am therefore request you to strictly adhere to the instructions thereon scrupulously and direct the employers of all Industrial establishments, Shops, Factories and other Public Sector Undertakings to provide holiday with wages to all the labourers under the control on the poll day, 19.02.2022 in those areas wherever such poll takes place.

5. I am also to request you to send a copy of the instructions issued in this regard to Government immediately. Receipt of this letter may be acknowledged.

Yours faithfully

11.2.2022.

for Secretary to Government.

11.2.22

Copy to

The Additional Chief Secretary to Government,
Municipal Administration and Water Supply (Election) Department, Chennai - 600 009.
The Secretary, Tamil Nadu State Election Commission, Chennai - 600 106.
The Senior Private Secretary to the Secretary to Government,
Labour Welfare and Skill Development Department, Chennai - 600 009.
The Personnel Clerk to the Deputy Secretary to Government,
Labour Welfare and Skill Development Department, Chennai - 600 009.
The Labour Welfare and Skill Development (F) Department, Chennai - 600 009.
Stock File /Spare Copy.