

राज्य निर्वाचन आयोग, राजस्थान

(द्वितीय तल, विकास खण्ड, सचिवालय, जयपुर)
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क्रमांक: एफ. 4(1)(1)/नपा/रानिआ/2026/7791

दिनांक: 07.09.2026

समस्त जिला निर्वाचन अधिकारी, (कलक्टर)
(नगरपालिका), राजस्थान ।।

विषय:- 309 नगरीय निकायों के आम चुनाव अगस्त – सितम्बर 2026 के निर्वाचन में मतदान दिवस को सवैतनिक अवकाश के संबंध में।

संदर्भ:- भारत निर्वाचन आयोग का पत्रांक 78/ईपीएस/2019 दिनांक 30.09.2019

महोदय,

राजस्थान नगरपालिका अधिनियम 2009 की धारा 28 के अनुसार जनप्रतिनिधित्व अधिनियम 1951 की धारा 135-B, जो कि कार्मिकों को मतदान दिवस के सवैतनिक अवकाश के संबंध में हैं, के प्रावधानों को नगरीय निकाय निर्वाचन के संबंध में भी यथारूप अंगीकृत किया गया है।

इस संबंध में भारत निर्वाचन आयोग द्वारा संदर्भित पत्र के माध्यम से जनप्रतिनिधित्व अधिनियम 1951 की धारा 135B के अन्तर्गत उन कार्मिकों को भी मतदान के दिन सवैतनिक अवकाश का पात्र माना है, जो चुनाव वाले निर्वाचन क्षेत्रों में मतदाता के रूप में पंजीकृत है, किन्तु इन क्षेत्रों से अन्य स्थानों पर अपने काम-काज के सिलसिले में नियोजित हैं।

चूंकि राजस्थान नगरपालिका अधिनियम 2009 की धारा 28 के अनुसार उक्त संदर्भित धारा 135B को नगरीय निकाय चुनावों के लिये भी अंगीकृत किया गया है, अतः आयोग का मत है कि आगामी नगर ये निकाय चुनावों के मतदाताओं को भी भारत निर्वाचन आयोग के प्रासंगिक पत्र के बिन्दु संख्या 02 एवं 03 के अनुरूप सवैतनिक अवकाश प्रदान किया जायें।

भारत निर्वाचन आयोग के संदर्भित पत्र की प्रति संलग्न करते हुये आपको निर्देशित किया जाता है कि तदनुसार कार्यवाही किया जाना सुनिश्चित करें।

भवदीय,

(राजेश वर्मा)

मुख्य निर्वाचन अधिकारी
एवं सचिव

भारत निर्वाचन आयोग
ELECTION COMMISSION OF INDIA

Tel: 011-23052100
Fax: 011-23052001
Website: www.eci.gov.in

निर्वाचन सदन,
अशोक रोड, नई दिल्ली-110001
Election Sadan,
Ashoka Road, New Delhi-110001

Dated: September, 2019

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No. 79/EPS/2019

To

1. The Secretary to the Govt. of India, M/o Personnel Public Grievances & Pensions, Department of Personnel and Training North Block, New Delhi.
2. The Chief Secretaries and Chief Electoral Officers of Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Himachal Pradesh, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana and Uttar Pradesh.

Subject: -Bye-elections to fill casual vacancy in the Parliamentary and Assembly constituencies of various States/UTs, 2019- Grant of Paid Holiday - Regarding.

Sir/Madam,

The Commission has announced the Schedule for Bye-elections to fill casual vacancies in the Parliamentary and Assembly constituencies of various States/UTs, 2019 vide its Press Note No. ECI/PN/84/2019, ECI/PN/85/2019 and ECI/PN/87/2019 dated 21st, 22nd & 24th September 2019, which are available on Commission's website <http://eci.gov.in>, under the head press releases. In this regard, I am directed to invite your attention 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 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 subsection (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."

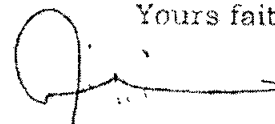
2. The above provisions require that all the electors who are employees of establishments and shops including those which work on shift basis shall be granted a paid holiday on the day of poll in the Constituency where a bye-election is to be held. Further, there may be cases where a person is ordinarily 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 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.

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.

4. The Commission desires that suitable instructions should be issued to all concerned and a copy thereof be endorsed to the Commission for its information and record.

5. The receipt of this letter may please be acknowledged.

Yours faithfully



(SANJEEV KUMAR PRASAD)
UNDER SECRETARY

Copy to concerned Zonal Sections