



**Circular No – 030/2024**

Date:10.04.2024

To

All Members of the Association

**KEA RAISES ITS CONCERN IN THE MATTER OF NOTICE REGARDING  
LOKSABHA ELECTION ISSUED BY LABOUR OFFICERS – INSPECTOR  
UNDER KARNATAKA INDUSTRIAL ESTABLISHMENT  
(N&F HOLIDAYS) ACT**

The Association came across a notice dated 22.03.2024 issued by the Labour Officer and Inspector Sub-Division-3 Bengaluru under Karnataka Industrial Establishment (N&F Holidays) Act 1963. The Association has taken up the matter with the Labour Commissioner. Copy of the letter dated 10.04.2024 addressed to the Labour Commissioner is enclosed for the information of the members.

**For KARNATAKA EMPLOYERS' ASSOCIATION  
Sd/  
[B C Prabhakar]  
President**



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# KARNATAKA EMPLOYERS' ASSOCIATION

NO.74, 2<sup>nd</sup> FLOOR, SHANKARA ARCADE, VANIVILAS ROAD,  
BASAVANAGUDI, BENGALURU - 560 004  
Reg. No. TU 507 / 20-3-1962

**B.C. Prabhakar, B.A., B.L.,**  
President

Date: 10.04.2024

## **Commissioner of Labour**

Government of Karnataka  
Karmika Bhavana  
Bannerhatta Road,  
Bengaluru – 560029

Dear Sir

### **Sub: General Election to Lok Sabha, 2024 and Bye election to 36 Shorapur (ST) Assembly Constituency – Grant of Phase wise Paid Holiday to Employees on the day of poll**

1. We acknowledge the receipt of your order no. P&S/NFC/CR-03/2023-24 dated 25.03.2024.
2. The Association would forward the directions of your office to its members with an advice that they should comply with the directions as contained in the order and ensure that the employees are granted paid holiday on the day of polling to enable the employees who are registered as voters to exercise their franchise.
3. The association has also come across a notice dated 22.03.2024 issued by the Labour Officer and Inspector Sub-Division-3 Bengaluru, under the Karnataka Industrial Establishment (N&F Holidays) Act 1963. Copy of the notice dated 22.03.2024 is enclosed.
4. The order issued by your good office dated 25.03.2024 contains detailed guidelines to the Industrial and Commercial Establishments, the notice issued by the Labour Inspector is very cryptic and does not contain complete instructions as issued in your office order dated 25.03.2024. No doubt that the order dated 25.03.2024 directs the

Labour Officers and Inspectors to ensure that the directions issued under order dated 25.03.2024 are followed by all concern, it does not empower the Labour Inspector to issue some direction on his own. Such directions would create avoidable confusion among the employers, employer's association and trade unions.

5. We are of the view that the best course of action available to Labour Officer and Inspector is to forward your officer order dated 25.03.2024 to the Industrial and Commercial Establishments in their respective area and ensure complete compliance thereof.
6. Your good office may like to issue appropriate direction to the Labour department Officer and Labour Inspectors.

**For Karnataka Employers' Association**

*B. C. Prabhakar*

**B.C. Prabhakar**

**President**

Mob: 98440 33348



**GOVERNMENT OF KARNATAKA**  
**DEPARTMENT OF LABOUR**

No.LOB-3/NFH/2023-24

Office of the Labour Officer,  
Sub-Division-3, Karmika Bhavan,  
Bannerghatta Road, Bengaluru - 29,  
Date: 22-03-2024.

**NOTICE**

- Sub** : General Elections to Lok Sabha, 2024 – Grant of Phase Wise Paid Holiday to employees on the day of Poll.
- Ref** : 1. Letter No. 78/EP/2024, dated: 16<sup>th</sup> March 2023 of the Election Commission of India.  
2. Letter No. DPAR 09 CHULOSA 2024, dated: 22<sup>nd</sup> March 2024 of the Chief Electoral Officer, Karnataka.

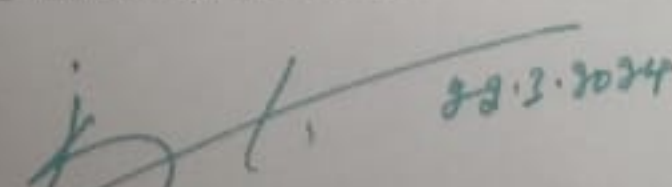
With reference to the above mentioned subject, the Election Commission of India has announced General Elections to Lok Sabha, 2024. As per section 135 B of the Representation of the People Act, 1951 and Section 3A of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963 provides for mandatory grant of paid holiday to all the employees on the day of polling to exercise their franchise.

**Section 3A of the Karnataka Industrial Establishments (National and Festival Holidays) Act, 1963** states that: -

*"Notwithstanding anything contained in the Section 3, when a general election to the House of the People or to the State Legislative Assembly or an election to fill up any casual vacancy in the House of the People or to the State Legislative Assembly is held under the Representation of the People Act, 1951 (Central Act 43 of 1951), every employee (other than an employee in an industrial establishment owned or controlled by the Government of India) whose name is included in the electoral roll of the Constituency where such election is held, shall be allowed on the polling day, a day's paid holiday to enable him to exercise his franchise".*

The said provision requires all the electorates who are employees of factories, establishments and shops shall be granted paid holiday on the date of polling. The daily wage / casual workers are also entitled for a holiday with wages on the date of polling. If any employer is found contravening the said provision shall punishable with fine.

Hence, all the employers are hereby to informed to adhere to the said provisions strictly.

  
Labour officer and Inspector,  
The Karnataka Industrial Establishments  
(National and Festive Holidays) Act, 1963  
Sub Division -3, Bangalore.  
Labour Officer  
Sub-Division-3, Bangalore