

**CASE BEFORE HON'BLE PRESIDENT AND PRIME MINISTER OF
INDIA: PRSEC/E/2023/0037340 AND PMOPG/E/2023/0175708**

Date: 02 September 2023

To,

Pradeep Tayal,
Deputy Secretary (GAD),
Delhi Secretariat, New Delhi

Subject: Unlawful and Illegal declaration of Public Holiday in the National Capital Territory of Delhi vide Notification No. 53/634/CN/GAD/2023/dsgad iii/1802 dated 24.08.23 signed by Pradeep Tayal, Deputy Secretary (GAD)

As per notification released by General Administration Department, Delhi Secretariat, Public Holiday has been declared in view of G-20 Summit scheduled to be held in NCT of Delhi. All Organisations, Public and Private have been notified to adhere to Public Holiday including all shops, commercial and business establishments. Section 16 (3) (i) of The Delhi Shops and Establishments Act, 1954 has been used to mandatorily shut down shops and businesses.

Such an notification is violative of Article 19 and 21 of the Indian Constitution. Private Shops and Businesses will be required to close down without any compensation from the Government.

The Delhi Shops and Establishments Act Section 16 (3) (i) cannot be arbitrarily used to announce Close Day without any due reason. It is important to note that a matter is sub-judice in the Supreme Court of India in the case of All India Shiromani Singh Sabha vs Union of India & Ors WP (C) 1474/2020 where the Petitioners have said "In the absence of any guiding principle or any authority regarding declaration of gazetted/public holidays in India, the executive at the behest of political groups, who are in power/government, declare the holidays at

their whims and fancies, serving the political purpose of appeasement of a particular section of the public.” While the Public Interest matter is under consideration by the Supreme Court of India, such arbitrary measures cannot be taken by the Delhi Government.

The G20 summit is an international event organised for the welfare of people. Such an order is in direct opposition to the objectives and agenda of G20, as it deprives businesses and shops to conduct their business and earn their welfare. **Moreover, the Delhi Government has not considered the plight of daily wage earners who may be unable to earn a living during the days of shut down.** Government employees will earn their salaries for the notified shut down, however, private businesses and shop owners will have to bear the cost of paying their employees their salaries without any productive output. The Government has not announced any form of compensation for the same.

G20 summit would see world dignitaries come to the National Capital with appropriate security and arrangements. There is no need to disturb the lives of private citizens who are already in dire state economically due to high price inflation and other regulatory hurdles. It is irresponsible of the Delhi Government to announce such Holidays without due consideration and compensation of their citizens.

The notified shut down is also detrimental to the education of students. Closing down schools, colleges and other educational institutes creates a break in continuity of their studies for no apparent reason. Such notification is also violative of the Right to Education of Indian citizens.

We demand that the aforementioned circular be withdrawn with immediate effect.

Sincerely,



Ambar Koiri
National Steering Committee Member,
Awaken India Movememnt,
Mumbai
9920903825

