

The Orissa Motor Transport Workers' Rules, 1966

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Rule

THE-ORISSA-MOTOR-TRANSPORT-WORKERS-RULES-1966 of 1966

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The Orissa Motor Transport Workers' Rules, 1966Published vide Notification No. 1634-2S-8/62-L.E.H., dated 11th February, 1966, Orissa Gazette Extraordinary No. 130/22.2.1986Notification No.1634-IIS-8/62-L.E.H., dated 11th February, 1966 - In exercise of the powers conferred by Section 40 of the Motor Transport Workers' Act, 1961 (27 of 1961), the State Government do hereby make the following rules, the same having been previously published as required by Sub-section (1) of the said section, namely :Chapter-I Preliminary

1. Short title and commencement.

(1)These rules may be called The Orissa Motor Transport Workers' Rules, 1966.(2)The whole of these rules except Rules 17 to 23 and 25 shall come into force at once and the State Government may, by notification in the Official Gazette, direct that Rules 17 to 23 and 25 shall come into force on such date or dates as may be specified in the notification.

2. Definitions.

(1)In these rules unless the context otherwise requires-(a)"Act" means the Motor Transport Workers Act, 1961 (27 of 1961);(b)"Form" means a Form appended to these rules;(c)"Government" means the Government of Orissa;(d)"Inspector" means an officer appointed as such under Section 4 of the Act;(e)"Schedule" means Schedule annexed to these rules;(f)"section" means a section of the Act;(g)"undertaking" means a motor transport undertaking.(2)All other words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Exclusion of interruptions from running time.

- Any interruption for a period exceeding ten minutes shall be excluded from running time. Chapter-II Registration of motor transport undertakings

4. Application for registration.

- Every employer of an undertaking shall, within not less than thirty days before the date on which he proposes to operate the undertaking, submit to the Chief Inspector or an Inspector duly authorised by him in this behalf, an application in Form No. I in duplicate, for the registration of the undertaking and grant of a certificate of registration: Provided that in case of an undertaking existing immediately before the commencement of these rules, such application shall be made within sixty days from such commencement : Provided further that employees of an undertaking which is registrable under the Act, shall, notwithstanding the fact that the undertaking has not been registered, be entitled to all the benefits contained in the Act from the date the undertaking became registrable, unless the employees are entitled to benefits under any agreement, etc., which are considered more favourable than the benefits referred under the Act : Provided also that where an undertaking has units operating in more than one State, the employer of the undertaking shall apply for registration to the Chief Inspector or the Inspector, as the case may be, of the State in which its Headquarters Office is located.

5. [Grant of certificate of registration. [Substituted vide O.G.E. No. 540 dated 31.3.2005.]

- A certificate of registration for an under taking shall be granted by the Chief Inspector or an Inspector duly authorized by him in this behalf in Form No. 11, on payment of appropriate fees as specified in the Table below:-Table

No. of workers employed in an undertaking	Amount of fees
(1)	(2)
01 to 50	Rs. 500.00
51 to 150	Rs. 1,500.00
151 and above	Rs. 3,000.00]

6. Validity of the certificate of registration.

- Every certificate of registration granted under Rule 5 or renewed under Rule 8 shall remain in force up to the 31st December of the year for which the certificate is granted or renewed.

7. Amendment of certificate of registration.

(1) The certificate of registration granted under Rule 5 may be amended by the Chief Inspector or an Inspector duly authorised by him in this behalf. (2) An employer who desires to have his certificate of

registration amended shall submit to the Chief Inspector or an Inspector duly authorised by him in this behalf an application stating the nature of amendment and reasons therefor.(3)The fee for the amendment of the certificate of registration shall be [one hundred rupees] [Substituted vide O.G.E. No. 540 dated 31.3.2005.] plus the amount, if any, by which the fee that would have been payable, if the licence had been originally issued in the amended form exceeds the fee originally paid for the certificate of registration.

8. Renewal of certificate of registration.

(1)Every employer shall apply to the Chief Inspector or an Inspector duly authorised by him in this behalf for renewal of the certificate of registration before its validity expires.(2)Every such application shall be in Form No. I in duplicate, and shall be made not less than sixty days before the date on which the certificate of registration expires and if the application is so made, the undertaking shall be deemed to be duly registered until such date as the certificate of registration is renewed.(3)The fees chargeable for renewal of a certificate of registration shall be the same as for the grant thereof :Provided that if the application for renewal is not received within the time specified in Sub-rule (2), a fee of twenty-five per cent in excess of the fee ordinarily payable for the certificate of registration shall be payable for such renewal ;Provided further that in cases where the Chief Inspector or the Inspector is satisfied that delay in submission of the application is due to unavoidable circumstances beyond the control of the employer, he may reduce or remit, as he thinks fit, the payment of such excess fee. ,

9. Transfer of certificate of registration.

(1)An employer holding a certificate of registration may, at any time, before the expiration of its validity apply for permission to transfer the certificate to another person.(2)Such application shall be made to the Chief Inspector or an Inspector duly authorised by him in this behalf who shall, if he approves of the transfer, enter upon the certificate of registration under his signature, an endorsement to the effect that the certificate of registration has been transferred to the person named.

10. Procedure on death or disability of employer.

- If an employer holding a certificate of registration dies or becomes insolvent, the person carrying on the business of the undertaking shall not be liable under the Act during such time as may reasonably be required to allow him to make an application for the amendment of the certificate of registration under Rule 7 in his name.

11. Issue of duplicate certificate of registration.

- Where a certificate of registration granted or renewed under Rule 5 or Rule 8, as the case may be, is lost, defaced or accidentally destroyed, a duplicate may be granted on payment of a fee of [one hundred rupees] [Substituted vide O.G.E. No. 540 dated 31.3.2005.].

12. Payment of fees.

(1) All fees to be paid under these rules shall be paid into the local treasury under the receipt head 'XXXII-Miscellaneous Social and Development Organisation-Labour and Employment-fees realised under the Orissa Motor Transport Workers' Rules' and receipt obtained, which shall be submitted to the Inspector along with the application. (2) If an application for the grant, renewal, amendment or issue of a duplicate of a certificate of registration is rejected, the fee paid shall be refunded to the applicant.

13. Marking of the registration number of the vehicles.

- The registration number of the undertaking shall be marked on the left hand side of every vehicle in lettering 3" high and 1/2" thick. Chapter-III Inspecting staff

14. Qualifications of an Inspector.

- No person shall be appointed as an Inspector unless he possesses the following qualifications-(a) he possesses a University degree; (b) he has thorough knowledge of Oriya; (c) he has obtained a degree in Labour and Social Welfare Personnel-Management or any allied course or study from any institution recognised by the State Government : Provided that any person who has at least worked for two years as a Labour or Welfare Officer in the State Labour Department shall be eligible for appointment as an Inspector notwithstanding the fact that he does not possess the above qualifications : Provided further that any person not below the rank of the Deputy Labour Commissioner serving in the State Labour Directorate, shall be deemed eligible for appointment as the Chief Inspector under the Motor Transport Workers' Act, 1961, notwithstanding that he does not possess the qualification prescribed above.

15. Powers of Inspectors.

- An Inspector shall for carrying out the purposes of the Act, have power to do all or any of the following acts ;(i) to photograph any motor transport worker, to inspect or sketch, as the case may be, any motor transport vehicle, building room, appliance, apparatus, register or document, which is under use or occupation of any undertaking or anything provided for the purpose of securing health and welfare of motor transport workers; (ii) to prosecute, conduct or defend before any Court any complaint or other proceeding arising under the Act or these rules or in discharge of his duties as an Inspector; (iii) to require any employer to supply or send any return or information relating to the provisions of the Act or of these rules; and (iv) to have a person residing in a State other than one in which an offence under the Act or these rules has been committed, examined through his opposite number in that State and to obtain a record of such examination.

16. Duties of Certifying Surgeons.

(1) For the purpose of examination and of adolescents who wish to obtain certificates of fitness, the Certifying Surgeon shall arrange a suitable time and place for the attendance of such persons and shall give previous notice in writing of such arrangements to the employers of undertakings concerned within the local limits of his jurisdiction or undertakings or class of undertakings assigned to him. (2) The Certifying Surgeon shall issue his certificates in Form No. III. The foil and counterfoil shall be filed in and the left thumb mark of the person in whose name the certificate is granted shall be taken or them. On being satisfied as to the Correctness of the entries made therein and of the fitness of the person examined, he shall sign the foil and initial the counterfoil and shall deliver the foil to the person in whose name the certificate is granted. The foil so delivered shall be the certificate of fitness granted under Section 23. All counterfoils shall be kept for a period of at least two years after the issue of the certificate. (3) The Certifying Surgeon shall upon request by the Chief Inspector carry out such examination and furnish him with such report as he may indicate in respect of any undertaking or class of transport undertakings where- (a) cases of illness have occurred which it is reasonable to believe are due to the nature of work other conditions of work prevailing therein, or (b) adolescents are or are about to be employed in any work which is likely to cause injury to their health. (4) If the Certifying Surgeon finds as a result of his examination that any person employed in any work in any undertaking is no longer fit to work for medical reasons, he shall inform the employer in writing accordingly On receipt of this information it shall be obligatory on the employer to suspend such a person from working in that work for the period recommended by the Certifying Surgeon and no person after such suspension shall be employee in the work unless he is certified fit for the work by the Certifying Surgeon. (5) The employer shall afford to the Certifying Surgeon facilities to inspect any work in which any person is employed or is likely to be employed. (6) The employer shall provide for the purpose of any medical examination which the Certifying Surgeon wishes to conduct at a place of the undertaking to be fixed in consultation with the representatives of the workers (for his exclusive use on the occasion of the examination) a room which shall be properly cleaned and adequately ventilated and lighted and furnished with a screen, a table (with writing materials) and chairs. Chapter-IV Welfare and health

17. Canteen.

(1) The employer of every undertaking shall provide for the use of the motor transport workers at every place wherein one hundred motor transport workers or more ordinarily call on duty during everyday, an adequate canteen in or near the place wherein the undertaking is situated according to the standards prescribed in this rule : Provided that in suitable cases the State Government may relax one or more of the conditions. (2) The employer shall submit for the approval of the Chief Inspector, plans and site plan in duplicate of the building to be constructed or adopted for use as a canteen. (3) The canteen building shall be situated not less than 50 feet from any latrine, urinal or any other source of dust, smoke or obnoxious fumes: Provided that the Chief Inspector may in any particular case relax the provision of this sub-rule to such extent may be reasonable in the circumstances and may require measures to be adopted to secure the essential purpose of this sub-rule. (4) The canteen building shall be constructed in accordance with the plans approved by the Chief Inspector and shall accommodate at least a dining hall, kitchen, store room, pantry and

washing places separately for workers and for utensils.(5)In a canteen, the floor and inside walls up to a height of 4 feet from the floor shall be made of smooth and impervious material; the remaining portion of the inside walls shall be made smooth by cement plaster or in any other manner approved by the Chief Inspector.(6)The doors and windows of a canteen building shall be of fly-proof construction and shall allow adequate ventilation.(7)The canteen shall be sufficiently lighted at all times when any person has access to it.(8)(a)In every canteen-(i)all inside walls of rooms and all ceilings, passages and staircases shall be lime-washed or painted, as the case may be. Lime-washing or colour-washing shall be carried out once in every year and painting shall be carried out once in every three years;(ii)all woodwork shall be varnished or painted once in every three years; and(iii)all internal structural iron or steel work shall be varnished or painted once in every three years :Provided that inside walls of the kitchen shall be lime-washed once in every four months.(b)Records of dates on which lime-washing, colour-washing, varnishing or painting, as the case may be, is carried on shall be maintained in a register in Form No. IV.(9)The precincts of the canteen shall be maintained in a clean and sanitary condition. Waste water shall be carried away in suitably covered drains and shall not be allowed to accumulate so as to cause a nuisance. Suitable arrangement shall be made for the collection and disposal of garbage.

18. Canteen hall.

(1)The canteen hall shall accommodate at least thirty per cent of the motor transport workers likely to come at a time :Provided that any particular undertaking or in any particular class of undertakings, the State Government may, by notification in this behalf in the Official Gazette, alter the percentage of workers to be accommodated.(2)The floor area of the canteen hall excluding the area occupied by service counter and any furniture, except tables and chairs, shall be not less than 10 square feet per diner to be accommodated under Sub-rule (1).(3)Sufficient tables, chairs or benches shall be available for the number of diners to be accommodated under Sub-rule (1).

19. Equipment.

(1)There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen. Suitable clean clothes for the employees serving the canteen shall also be provided and maintained.(2)The furniture, utensils and other equipments shall be maintained in a clean and hygienic condition. A service counter, if provided, shall have a top smooth and impervious material. Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and other equipment.

20. Prices to be charged.

(1)Food, drink and other items served in the canteen shall be sold on a non-profit basis and the prices charged shall be subject to the approval of the Canteen Managing Committee constituted under Rule 22.(2)The charges per any quantity or number or container of foodstuff, beverages and any other items served in the canteen shall be conspicuously displayed in the canteen.

21. Accounts.

(1) Proper accounts pertaining to the canteen shall be maintained. All books of accounts, registers or any other documents used in connection with the running of a canteen shall be produced on demand to an Inspector. (2) The accounts pertaining to the canteen shall be audited once in every 12 months by registered Accountants and Auditors. The balance-sheet prepared by the said Auditors shall be submitted to the Canteen Managing Committee not later than 2 months of the closing of the audited accounts: Provided that the accounts pertaining to the canteen in a public sector undertaking having its own Accounts Department may be audited in that Department.

22. Canteen Managing Committee.

(1) The employer shall constitute a Canteen Managing Committee which shall be consulted from time to time as to—(a) the quality and quantity of foodstuffs to be served in the canteen; (b) the arrangement of the menus; (c) times of meals in the canteen; and (d) any other matter as may be directed by the Committee. (2) The Canteen Managing Committee shall consist of an equal number of persons nominated by the employer and elected by the motor transport workers. The number of elected workers shall be in the proportion of one for every 100 workers if the total number of workers is less than 500 and one for every 250 workers if the total number of workers are 500 or more: Provided that in no case shall there be more than 5 or less than 2 Motor transport workers on the Committee. (3) The employer shall determine the procedure for and supervise the election of the representatives of the motor transport workers to the Canteen Managing Committee. (4) The members of Canteen Managing Committee shall hold office for a period of two years from the date on which it is constituted: Provided that such members shall notwithstanding the expiration of their term continue to hold their office until the constitution of the next Canteen Managing Committee.

23. Rest-rooms.

- The rest-rooms shall conform to the following standards and the employer of every undertaking shall submit for the approval of the Chief Inspector plans and site plan in duplicate of the building to be constructed or adopted: (a) The building shall be soundly constructed and all the walls and roofs shall be of suitable heat-resisting materials and shall be water-proof. The floor and walls to a height of 30 ft. shall be so laid or finished as to provide a smooth, hard and impervious surface; (b) The height of every room in the building shall be not less than 12 ft. from the floor level to the lowest part of the roof and there shall be at least 50 sq. ft. of floor area for every motor transport worker required to halt at night; (c) Effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there shall also be provided and maintained sufficient and suitable natural or artificial lighting; (d) Every rest-room shall be adequately furnished with chairs and cots; (e) Every rest-room building and precincts thereof shall be kept in a clean and tidy condition: Provided that where the Chief Inspector is satisfied that in respect of any particular place the provision of rest-rooms to the above standards is not reasonably practicable, he may by order in writing approve any suitable alternative accommodation subject to such conditions as he may specify.

24. Uniforms.

(1)The drivers, conductors and line-checking staff employed in an undertaking shall be provided free by the employer with uniforms and rain-coats as specified in Schedule I.(2)Where washing of uniforms provided under Sub-rule (1) is not arranged by the employer, the staff concerned shall be entitled to a washing allowance at the rate of Rs. 2 each per month.

25. Medical facilities.

(1)At every operating centre and halting stations (which, in the case of city service, shall include only depots and other offices) wherein 250 motor transport workers or more ordinarily call on duty during everyday, a dispensary shall be provided and maintained with such equipment and drugs as the State Government may direct.(2)The dispensary shall be in charge of a qualified medical practitioner assisted by such staff as the State Government may direct.(3)The dispensary shall have a floor area of at least 250 square feet, and smooth, hard and impervious walls and floor and shall be adequately ventilated and lighted by both natural and artificial means. An adequate supply of wholesome drinking water shall be provided.(4)At every operating centre and halting station where less than 250 motor transport workers call on duty everyday, first-aid boxes or cup-boards of the standard set out in Schedule II shall be provided. Every first-aid box or cup-board shall be clearly marked "First-aid" and shall be kept stocked and in good order. These first-aid boxes or cup-boards shall be readily accessible during all working hours and shall be in charge of an employee of the undertaking, trained in first-aid.(5)[(a) Every employer shall provide medical check up to the Motor Transport Workers for HIV test to detect AIDs at least once in a calendar year in the nearest Voluntary Confidential Counselling and Testing Centre opened by the Government in Government Hospitals through Orissa AIDs Control Society under Health and Family Welfare Department.(b)If any Motor Transport Worker is detected HIV positive in the test specified in clause (i), the employer shall not disengage him or her and shall not take any action which may lead to discrimination of such person. The employer shall bear all expenses towards treatment of such worker.(c)The employer shall conduct regular awareness programme (at least once in a month) to make the workers aware of the modes of transmission of HIV virus to prevent AIDs.]

26. First-aid facilities.

- First-aid box containing the equipment mentioned in Schedule III shall be provided in every motor transport vehicle. Every first-aid box shall be clearly marked "First-aid" and shall be kept stocked and in good order.

Chapter-V Hours and limitations of employment

27. Hours of work.

(1)The Chief Inspector may on written application from an employer, subject to such conditions and for such period as he may think fit, permit motor transport workers to work for more than 8 hours in any day or 48 hours in any week but in no case more than 10 hours in a day and 54 hours in a week-(i)on any route of 100 kilometres or more, and(ii)on such festive or other occasions as may be

notified by the State Government in the Official Gazette.(2)In any case referred to in the second proviso to Section 13, an employer shall not require or allow any motor transport worker to work for more than 16 hours in a day and 72 hours in a week with at least 8 consecutive hours of rest between the termination of duty and commencement of the next duty.

28. Notice of hours of work.

(1)The notice of hours of work shall be in Form V.(2)It shall be written in English and in a language understood by the majority of workers and shall be displayed at a conspicuous place where the motor transport workers ordinarily call for duty and shall be maintained in clean and legible condition :Provided that if the Chief Inspector is of opinion that the duty Schedule or any other record maintained as a part of the routine of the undertaking gives the particulars required under this rule, he may by order in writing, direct that the maintenance of such record shall be sufficient compliance with the provisions of this rule.(3)No change in the notice of hours of work shall be allowed unless a three days' clear notice is given to the Inspector indicating the contemplated change in the notice of hours of work.

29. Weekly rest.

(1)No motor transport worker shall be required or allowed to work on a day of rest fixed for him (hereinafter referred to as the said day), unless-(a)he has or will have a holiday for a whole day (hereinafter called the substituted day) on one of the three days immediately before or after the said day; and(b)the employer has before the said day or substituted day whichever is earlier-(i)delivered a notice at the office of the Inspector of his intention to require the worker to work on the said day and the day which is to be substituted; and(ii)displayed a notice to that effect at the premises.(2)Notices given under Sub-rule (1) may be cancelled by a notice delivered at the office of the Inspector and a notice displayed at the premises of the undertaking not later than the day before the said day or the substituted day o be cancelled, whichever is earlier.(3)Where in accordance with the provisions of Sub-rule (1) any motor transport worker works on the said day and has/had a holiday on one of the three days immediately before it, that said day shall, for the purpose of calculating his weekly hours of work, be included in the immediately preceding week.

30. Compensatory holidays.

(1)Every employer shall display, on or before the end of the month in which holidays are lost, a notice in respect of workers allowing compensatory holidays during the same month or the immediately following two months and of the dates thereof, at the place at which the notice of hours of work prescribed under Section 18 of the Act is displayed. Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.(2)Any compensatory holiday or holidays to which a worker is entitled shall be given to him before he is discharged or dismissed and shall not be reckoned as part of any period of notice required to be given before discharge or dismissal.(3)Every employer shall maintain a register of compensatory holidays in Form No. VI which shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

31. Overtime.

- When any motor transport worker works for more than 8 hours on any day or more than 48 hours in any week in any case referred to in the second proviso to Section 13 he shall be entitled to the rate of wages in respect of overtime work at 1½ times the rates of his ordinary wages subject to a maximum of one-half of his ordinary wages. Note - Overtime work means any work in excess of 8 hours a day or 48 hours a week.

32. Holidays.

- The State Government may notify in the Official Gazette the holidays which shall be granted to the motor transport workers.

33. Leave with wages.

(1) Every employer shall maintain a register of leave with wages in Form No. VII : Provided that if the Chief Inspector is of opinion that any muster-roll or register maintained as part of the routine of any undertaking, or return made by the employer, gives in respect of any or all of the workers, the particulars required for the enforcement of Chapter-VII of the Act he may, by order in writing, direct that such muster-roll or register or return shall, to the corresponding extent, be maintained in place of and be treated as the register required to be maintained under this rule in respect of that undertaking. (2) The Register of Leave with wages shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

34. Leave book.

- Every employer shall provide each worker with a book in Form No. VIII (hereinafter called the Leave Book). The leave book shall be the property of the worker and the employer or his agent shall not demand it except to make necessary entries and shall not keep it for more than a week at a time : Provided that if any leave card or similar record giving full particulars of the leave as shown in the leave book is issued by the employer, to the motor transport worker such card or record may be accepted by order in writing by the Chief Inspector.

35. Register of workers.

- Every employer shall maintain a Register of Workers in Form No. IX : Provided that if the Chief Inspector is of opinion that any Register of Workers or similar record maintained as part of the routine of an undertaking gives the particulars required under this rule, he may by order in writing direct that such Register of Workers or record shall be maintained in place of and treated as, the Register of Workers required to be maintained under this rule. [36 Combined Muster Roll-cum-Register of wages [Substituted vide O.G.E. No. 419 dated 23.3.2009.] - Every employer shall maintain a combined Muster Roll-cum-Register of wages of all workers employed in the undertaking in Form X.] [Substituted vide O.G.E. No. 1137 dated 12.6.2008.] [37 Combined Register

of overtime working and payment [Substituted vide O.G.E. No. 419 dated 23.3.2009.]- Every employer shall maintain a combined register of overtime hours of works and payments thereof. The combined register of overtime working and payment shall always be available for inspection in Form XI].

38. Individual control book.

(1) No employer shall allow operation of any motor transport vehicle unless each motor transport worker travelling with the vehicle is provided with and maintains individual control book in Form No. XII. The book shall be bound with the forms in duplicate and each form shall be numbered consecutively : Provided that if the Chief Inspector is of opinion that any individual control book or similar record maintained as a part of the routine of an undertaking gives the particulars required under this rule, he may by order in writing direct that such individual control book or record be maintained in place of and treated as the individual control book required under this rule. (2) Every motor transport worker travelling with the vehicle shall make entries daily in the individual control book and forward or hand over to his employer the original copy of the form not later than the first working day after completion of the week to which the form related. (3) Every employer shall maintain the original copies of the individual control book mentioned in Sub-rule (2) in separate files for each motor transport worker for a period of three years and shall produce it on demand by an Inspector. (4) Every motor transport worker travelling with the vehicle shall carry and retain with himself the individual control book for at least 6 months after the last entry and produce for inspection on demand by an Inspector. Chapter-VII Miscellaneous

39. Returns.

- The employer of every undertaking shall furnish to the Inspector or other officer appointed by the State Government in this behalf not later than the first February of the year immediately succeeding to that to which it relates, an annual return, in duplicate, in Form No. XIII. Form No. I [See Rules 4 and 8] Application for registration and grant or renewal of certificate of registration

1. Name of motor transport undertaking.....

2. Full address to which communications relating to the motor transport undertaking should be sent.....

3. Present and permanent address of the owner of the undertaking.....

4. Nature of motor transport service, e.g., City Service, long distance passenger service, long distance freight service.....

in motortransport undertaking as an adolescent.

3 Father's Name.....

4 Residence.....

Date of birth, if

5. available..... and/or
certified age.....

6. Physical fitness.....

Descriptive

7. marks.....

8. Reason for-

(1) Refusal of
certificate.....

His descriptive marks are.....

(2) Certificate being
revoked.....

Thumb

impression Initials of

Thumb impression Certifying Surgeon.

Certifying Surgeon

Form No. IV[See Rule 17]Record of lime-washing, painting, etc.

Name of Room	Parts Lime-washed, painted, varnished, e.g.walls, ceilings, wood work, etc.	Treatment whether lime-washed, painted, varnished	Date on which lime-washing, painting, varnishing was carried out (according to the English calendar)	Remarks
Day	Month	Year		
1	2	3	4	5 6 7

Signature of employerForm No. V[See Rule 28]Notice of periods of work for Motor Transport Workers for the Year 20.....Place.....Name of undertaking.....

Periods of work	Total Number of men employed	Total number of adolescent employed	Description of Groups
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Groups	A	B	C	D	E	F	G	H	Groups of work	Name of which weekly holiday is allowed	Remarks
Relays	123	123	123	123	123	123	123	123			
Hours of work on working											

days

1.
FromTo A

2,
FromTo B

3.
FromTo C

4.
FromTo D

5.
FromTo E

6.
FromTo F

On
partial
working
days

7.
FromTo G

8.
FromTo H

Date on which this notice is first exhibitedSignature of employerForm No. VI[See Rule 30]Register of compensatory holidays

Serial No.	Serial No. in the Register of worker	Name	No. and date of exempting order	Weekly rest day lost due to the exempting orderin
Year	January to March	April to June	July to September	October to December
1	2	3	4	5 6 7 8 9

Date of Compensatory holidays given in

Remarks

January to March	April to June	June to September	October to Dec	Last rest days carried to the next year
10	11	12	13	14 15

Form No. VII[See Rule 33]Register of leave with wages

Serial No.

Adults/Adolescents Name

Name of the Undertaking Father's name.....

Address

Date of entry into service...

Date of discharge.....

Date and amount of payment made in lieu of leave due.....

Calendar year of service	Wage period from.... to....	Wages earned during the wage period	No. of day of work performed	Leave to credit	Leave earned during the year, mentioned in Column1	Total of Columns 5 and 6
Balance of leave from preceding year						

1 2 3 4 5 6 7

Whether leave was refused	Leave enjoyed from.... to....	Balance of leave to credit	Normal rate of wages	Cash equivalent of advantage accruing through concessional rate of food grains and other articles	Rate of wages for the leave period (Total of Columns 11 and 12)	Remarks
8	9	10	11	12	13	14

Note. - Separating page will be allotted to each worker. Form No. VIII [See Rule 34] Leave Book Serial No.

Name of undertaking..... Adults/Adolescents

Address.....

Date of entry into service.....

Date of discharge.....

Date and amount of payment made in lieu of leave due.....

Calendar year of service	Wages period from... to...	Wages earned during the wage period	No. of days of work performed	Leave to credit.	Total of Cols. 5 and 6
Balance of leave from preceding year	Leave earned during the year, mentioned in Col. 1				
1	2	3	4	5	6

Whether leave was refused	Leave enjoyed from... to...	Balance of leave to credit	Normal rate of wages	Cash equivalent of advantage accruing through concessional rate of food grains and other articles	Rate of wages for the leave period (Total	Remark
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						ofCols. 11 and 12)	
8	9	10	11	12		13	14

Note - The leave book shall be made out for each worker on thick bound sheets. Form No. IX [See Rule 35] Register of workers Part-I-Adults Part II-Adolescents

Serial No.	Name	Father's name	Address	Nature of work	Letter of group as in notice of period of work	No. and date of certificate of fitness if an adolescent	Remarks
1	2	3	4	5	6	7	8

[Form-X] [Substituted vide O.G.E. No. 419 dated 23.3.2009.] [see rule-36] Combined Muster Roll-Cum-Register Of Wages See Rule 104 of Orissa Factories Rules, 1950 See Rule 26(5) of Orissa Minimum Wages Rules, 1954. See Rule 26(1) of Orissa Minimum Wages Rules, 1954. See Rule 33(1) of Orissa Beedi & Cigar Workers (Condition of Employment) Rules, 1969. See Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002. See Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002. See Rule 239(1) a of Orissa Building & Other Construction Workers etc. Rules, 2002. See Rule 52(2)(a) of Orissa Inter-State Migrant Workmen (RE&CS) Rules, 1980. See Rule 52(2)(a) of Orissa Inter-State Migrant Workmen (RE&CS) Rules, 1980 of Orissa Shops and Commercial Establishment Rules, 1958. (Daily record of works & orders relating to compensating Leave and Deduction from wages of Orissa Shops and Commercial Establishment) Rules, 1958. See Rule 36 of Orissa Motor Transport Workers Rules, 1966. See Rule 77(2)(a) of Orissa Contract Labour (R&A), Rules, 1975. See Rule 77(2)(a) of Orissa Contract Labour (R&A), Rules, 1975. See Rule 9 of Orissa Industrial Employment (N&F) H. Rules, 1972.

Name and Address of theFactory /Establishment		Name and Address of theContractor (if any)/Place of work			Name of Address of thePrincipal employerMonth/Year	
Sl. No.	1. Name of the employee2. Father/ Husbandname	Sex M/F	Date of Birth	Emp No./Sl. No. in Register of employees	Degn/ Department	Date of joining

ESI No.	P.F. No.	ATTENDANCE done (if piece rated)	Unitsof work	No. of payable days/ Total units of work done	Name of N & FH for which wages have been
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		paid				
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
Month & Year						
EARNINGS						

EARNINGS

Basic	DA/ VDA	HRA	Conv. allow.	Med. allow.	ATT/ bonus	allow.- all	Spl. OT	Misc Earnings	Others	Total	ESI
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DEDUCTIONS

PF	PT TDS Socy Insurance	Sal. Adv.	Fine	Damage	Others	Total	Net payable	Date of payment
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Complete Signature of the Employer/Principal Employer/Authorized Signatory Form XI[See Rule 37] Combined Register of Overtime Working and Payment See Rule 79 of Orissa Factories Rules, 1950 (N.B. : Rule 80 & Form 11 may be annulled) See Rule 25(2) of Orissa Minimum Wages Rules, 1954. See Rule 77(2)(e) of Orissa Contract Labour (R&A) Rules, 1975. See Rule 12(4) & Rule 15(3) of Orissa Shops & Commercial Establishment Rules, 1956. See Rule 33(5) of Orissa B.C.W. (COE) Rules, 1969. See Rule 37 of Orissa M.T. Workers Rules, 1966. See Rule 52(2)(a) of Orissa ISMW (RE & CS) Rules, 1980. See Rule 239(1)(c) of Orissa Building and other Construction Workers (Regulation of Employment & Condition of Service) Rules, 2002.

Sl. No.	Name of the Employee/ Father's/ Husband's Name	Sex	Designation	Emp. No./ Sl. No. in register of employees	Particulars of OT work
Date	Hours				
(1)	(2)	(3)	(4)	(5)	(6)
					(7)

Normal rate of the wages per hour	Overtime rate of wages per hour	Total OT earnings	Signature of the employee	Signature of the paying Authority
(8)	(9)	(10)	(11)	(12)

Form No. XII[See Rule 38]Individual control bookWeek from Sunday to Saturday
20..... Sheet No.....Name of the motor transport worker.....

Day	On duty(d) or Rest (Res)	Time and place	Period of vehicle on road	Period of 15 mts. or more referred to in Clause (f) of Section 2	Running time (7-8)
				Spread over	
	Date	Of taking	Ending duty		

						up duty				
1						2	3	4	5	6
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday				
Period of more		Hours of		Interval	Length of	Circumstances	Remarks			
Time spent in subsidiary work	attendance at terminals of less than 15 minutes	work (9+10+11)		of rest	overtime worked	under which overtime worked				
10	11	12	13	14	15	16				

Note-A new working week beings at midnight on Saturday. Particulars of hours of work and rest on Saturday should be included in the Form for the previous week and those on Sunday should be included in the Form for following week. Date and Signature of the Motor Transport Worker [Form-XIII] [Substituted vide O.G.E. No. 419 dated 23.3.2009.] Combined Annual Returns See Rule-101(1) Orissa Factories Rules, 1950 See Rule-81 (I) Form XXI, Rule-81 (2) Orissa Contract Labour (R&A) Rule-1975 See Rule-21 (4-A) Orissa Minimum Wages Rules-1954 See Rule-18, Orissa Payment of Wages Rules-1936 See Rule-5, Payment of Bonus Rules, 1975 (Central) See Rule-28, Orissa Shops and Commercial Rules-1958 See Rule-39, Orissa Motor Transport Workers Rules, 1966 See Rule-16, Orissa Maternity Benefit Rules, 1966 See Rule-8, O.I.E. (N&A) II Rules, 1972 See Rule 240, Orissa Building and Other Construction Workers (RECS), Rules-2002 See Rule 56(2) of Orissa Inter State Migration Workers (RECS) Rules, 1980 A. General Particulars-

1.

(a) Name and full address of the Factory/Establishment (including Building and Other Construction of Work/Motor Transport undertakings)

Factory/Establishment Regd./Administrative/ Head Office

Name Address Tel : Fax : E-mail : Website :

(b) Name and Residential address of the Proprietor/ Partner/ Directors /Employer/ Principal/Employer/Occupier, (tick which ever is applicable)

Sl. No.	Name	Father's Name	Designation	Residential Address	Tel/Mobile/E-mail
(1)	(2)	(3)	(4)	(5)	

(c) Name and Residential Address of the Person responsible for the day to day conduct and control of business.

Name Residential Address Tel/Mobile/E-mail

(d) Name and Residential address of the occupier and Mgr. as named under the Factories Act, 1948.

Sl. No. Name Designation Residential Address Tel/Mobile/E-mail

(1) (2) (3) (4) (5)

2. Date of commencement of Manufacturing/Business/Establishment/ Factories/Construction of Works.

2. (A) Nature/Type of Industries/Establishments.

2. (B) Particulars of Products Manufactured/Services Rendered.

Name of the Product/ Services	Annual Installed capacity	Quantity Manufactured	Percentage achieved	Value
(1)	(2)	(3)	(4)	(5)

3. Registration and License Registration No. License No.

(a) Factories Act, 1948 (b) Contract Labour (R&A) Act, 1970 (c) O.S and C.E. Act, 1956 (d) ISMW
(R&CE) Act, 1979 (e) M.T.W. Act, 1961 (f) Building and Other Construction Workers (RECS) Act, 1996

4. No. of Workmen/employees/employed

Sl. No.	Category	Male	Female	Adolescent/ Adult	Child	Total No. of Employees
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Unskilled					
2	Semi-skilled					
3	Skilled					
4	Highly skilled					
5	ITI / Diploma					
6	Degree-Engg.					
7	Executive					
8	Probationer /Trainees					

5. Particulars of Employment/Payment in Factories/Establishments/Motor Transport Undertakings / Building Construction of Work.

(a) { | - | No of Person on Roll as on 1st January | No. of Person on Roll as on 31st December | No. of
days Factory/ Establishment/ Building & Other Construction Works/Carried on | No. of days Factory
/ Establishment/ Closed | No. of Mandays worked during the year | No. of man-hours worked
including O.T. during theyear | Total Amount of salary/ wage paid including O.T.wages &
allowances | - | } (b) Average Number of Employment during the year:-

Men Women Total

(c)No. of employees discharged/dismissed/terminated/retrenched/Resigned or retired during the year.

Men Women Total

In respect of Minimum Wages & Payment of Wages etc.

6. Particulars of deduction made from salary (wages) under M.W. and P.W. Act.

No. of Employees involved Total Amount of deduction made

1. Fines
2. Damages / Loss
3. Breach of Contract
4. Others
5. Total

In respect of the Factories Act / Orissa Shops & Commercial Establishment Act, 1956 /Orissa Industrial Establishment (National & Festival) Holidays Act, 1972.

7. Particulars of Earned Leave with Wages/National Festival Holidays with Wages.

Total No. of Persons employed	No. of Employees eligible for Earned Leave	No. of employees availed/granted Earned Leave	No. of employees paid wages/salary in lieu of Earned Leave	No. of Person who were paid wages for the NFIT(separate figure for each day may be furnished)
1. Man				(i) 26th January
2. Woman				(ii) 1st May
				(iii) 15th August
				(iv) 2nd October
				(v)(vi)(vii)(viii)
Total				

In respect of Payment of Bonus

8. Payment of Bonus paid during the year

Name of the Accounting year	Total No. of employees	No. of Employees eligible for Bonus	Percentage of Bonus/Ex gratiadeclared	Total amount of Bonus/Ex gratiapaidd	Date of Payment
-----------------------------	------------------------	-------------------------------------	---------------------------------------	--------------------------------------	-----------------

1

2

3

4

5

6

Relating to the Factories Act

9. Does the Factory carry on hazardous process under section-2(cb) dangerous operation u/s 87 of Factories Act. 1948.

If Yes

Yes/No

(i) Whether Health and Safety Policy prepared and published

Yes/No

(ii) Whether occupational Health Centre provided

Yes/No

(iii) Whether Medical Officer appointed

Yes/No

(iv) Whether Ambulance Van provided

Yes/No

(v) Average no. of persons employed daily in hazardous process/dangerous operation

Yes/No

10. Safety and Welfare Officers:-

(a) { | - | | No. of Officers required to be appointed | No. of Officer actually appointed | - | (i) Safety Officers as per Section

40.

(B) of Factories Act. (ii) Welfare Officers as per Section 49 of the Factories Act. | | | (b) Whether the following Welfare measures are provided ?

(i) Ambulance Room as per Section 45(A)

Yes/No

(ii) Canteen as per Section 46(1)

Yes/No

(iii) Whether the canteen is run departmentally or through contractor departmentally/Contractor

(iv) Creche as per Section 48(i)

Yes/No

(v) Shelters, Rest Rooms and Lunch Room as per Section 47(1)

Yes/No

11. Particulars of Accidents, Man's days lost and others:-

(i) Total no. of accidents that have taken place in the year.

(ii) Number of employees involved in such accidents:- (a) Male (b) Female

(iii) Total number of man days lost in such accident

(iv) No. of employees returned to work within 48 hours of the accident

(v) No. of employees returned to work after 48 hours of the accident (Reportable accident)

(a) Without Permanent / Partial / Total Disablement

(b) With Permanent / Partial / Total Disablement

(vi) Number of employees involved in accidents with either immediately or later within 7 days

resulted in death.

Maternity Benefit Act

12. Maternity Benefit Act.

(a) Rating to Maternity Benefits :

- (i) Total no. of women workers who worked for a period of 160 days in the last 12 months immediately preceding the date of delivery.
- (ii) No. of women workers discharged/dismissed in the last 12 months.
- (iii) No. of women worker for whom pre-natal confinement and postnatal confinement.
- (iv) No. of women workers died.
 - (a) Before delivery. -
 - (b) After delivery -

(b) Leave/additional leave details :-

Item	No. of women applied for leave	Leave sanctioned	Leave reject
(i) Mis-carriage			
(ii) Illness (additional leave under sec-10)			

(c) Maternity Benefit Paid :-

Item	No. of claim received	No. of leave sanctioned	No. of claims rejected	Total benefit paid in rupees
(i) Confinement				
(ii) Mis-carriage				
(iii) Illness				
(iv) Medical Bureaus				

Rating to Contract Labour (R&A) Act

13.

(a) Contractor Labour

Name & Address of the Contractor/Contractors	Period of contract From/To	Nature of work/operation in which contract labour were employed Department/Section	No. of person employed	Maximum no. of contract workman employed on any day during the year	No. of days worked	No. of man days worked
(i)						
(ii)						
(iii)						
(iv)						
Total						

(b) Whether contract has provided ?

- (i) Canteen Yes/No.
- (ii) Rest Room Yes/No.
- (iii) Drinking Water Yes/No.
- (iv) Creche Yes/No.
- (v) First Aid Yes/No.
- (vi) Remarks Yes/No.

Relating to Building and Other Construction Workers (RE & CS) Act.

14. Particulars of accident that took place during the year :-

- (i) The total No. of accident.
- (ii) The number of accidents resulting in disablement of buildingworkers for less than 48 hours, the number of building workersinvolved and the number of man-days lost.
The number of accidents resulting in disablement of buildingworker beyond 48 hours, but not
- (iii) resulting in any permanentpartial or permanent total disablement, the number of buildingworkers involved and the number of man-days lost on account ofsuch accident.
- (v) The number of accidents resulting on permanent partial ortotal disablement, the number of building workers involved andthe number of man-days lost on account of such accident.
- (v) The number of accident resulting in deaths of building workersand the number of resultant deaths.

15. Inter-State Migrant Workmen (RE & CS) Act,

In respect of Principal Employer :(i)Number of contractors who worked in the establishment during the year with details.

Name & Address of the Contractor	Period of Contract	Nature of work	Maximum number of workers supplied by eachcontractor	No. of days worked	No. of man days worked
From	To				

16. Beedi and Cigar Workers (Condition of Employment) Act, 1966 :-

(i)Average number of employees employed daily in the Industrial Premises:-MenWomenYoung personMaleFemale(ii)Average monthly number of home workers employed (i.e. who work in their homes)(iii)Number of days worked in the year in the industrial establishment.(iv)No. of employees who were granted leave during the calendar year.

- Young persons
 - (a) employees in the Industries Premises.
 - (b) employees in home.

Other than young Persons (a) employees in the Industrial Premises

(b) employed in home

(v) Number of female employees who were given maternity benefit during the year (a) employees in the Industrial Premises (b) employed in home

I

[See Rule 24]

	Category of Staff	Particulars of articles	Quantity	Period of supply
1.	(i) Drivers, Conductors, Traffic Inspectors and Ticket examiners	(a) Cotton shirt or coat, Cotton pant, Cotton cap or turban	22	{ Every summer
	(ii) Cleaners, Watchmen and other line checking staff if required to go with the vehicle	(b) Woollen coat, Woollen pant, woollen cap or cotton turban.	11	{ Once in every three years
	(c) Semi-closed chappals (Pathani type)	2 pairs		Every year
	Provided that in places due to climatic conditions woollen cloths are not ordinarily worn, a cotton shirt, pant and cap or turban may be supplied every winter instead of woollen clothes as provided in sub-clause (b).			
2.	(i) Traffic Inspectors and Ticket examiners	Rain Coat with Cap	1	Once in every five years
	(ii) Cleaners, Watchmen and other line checking staff if required to go out in rains for their normal work			

Note - "Inspectors" shall include "Ticket Inspectors", "Travelling Ticket Inspectors" and "Road Inspectors" and also "Controllers", "Assistant Traffic Inspectors" and "Checkers as

Traffic-in-charge" if required to go with the vehicle.

II

[See Rule 25](A)For operating centres and halting stations wherein 10 and not exceeding 50 motor transport workers ordinarily call on duty during everydayEach first-aid box or cupboard shall contain the following equipment:(i)twelve small sterilized dressings;(ii)six medium size sterilized dressings;(iii)six large size sterilized dressings;(iv)six large size sterilized burn dressings;(v)six (½ oz.) packets sterilized cotton wool;(vi)one (2 oz.) bottle containing a two per cent alcoholic solution of iodine;(vii)one (2 oz.) bottle containing sal - volatile having the dose and mode of administration indicated on the label;(viii)one roll of adhesive plaster.....(ix)a snake bite lancet;(x)one (1 oz.) bottle of potassium permanganate crystals.....(xi)one pair scissors;(xii)one copy of the approved first-aid leaflet.(B)For operating centres and halting stations wherein more than 50 motor transport workers ordinarily call on duty during everydayEach first-aid box or cupboard shall contain the following equipment:(i)twenty-four small sterilized dressings;(ii)twelve medium size sterilized dressings;(iii)twelve large size sterilized dressings;(iv)twelve large size sterilized burn dressings;(v)twelve (½ oz.) packets sterilized cotton wool;(vi)one snake bite lancet;(vii)one pair scissors;(viii)two (1 oz.) bottles of Potassium permanganate crystals;(ix)one (4 oz.) bottle containing a two per cent alcoholic solution of iodine;(x)one (4 oz.) bottle of sal-volatile having the dose and mode of administration indicated on the label;(xi)one copy of the approved first-aid leaflet;(xii)twelve roller bandages 4 inches wide;(xiii)twelve roller bandages 4 inches wide;(xiv)two rolls of adhesive plaster;(xv)six triangular bandages;(xvi)two packets of safety pins;(xvii)a supply of suitable splints(xviii)one tourniquet.

III

[See Rule 26](i)six small sterilized dressings;(ii)three medium size sterilized dressings;(iii)three large size sterilized dressings;(iv)three large size sterilized burn dressings;(v)one (1 oz.) bottle containing a two per cent alcoholic solution of iodine;(vi)one (1 oz.) bottle containing sal-volatile having the dose and mode of administration indicated on the label;(vii)a snake-bite lancet;(viii)one (1 oz.) bottle of potassium permanganate crystals;(ix)one pair scissors;(x)one copy of approved first-aid leaflet.