

# The Rajasthan Motor Transport Workers Rules, 1962

RAJASTHAN

India

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### Rule

## THE-RAJASTHAN-MOTOR-TRANSPORT-WORKERS-RULES-1962 of 1962

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The Rajasthan Motor Transport Workers Rules, 1962 Published vide Notification No. F. 3(35) Lab/60/2687, dated 27-6-1962, published in Rajasthan Gazette, Part 4-C, Extra-ordinary, dated 27-6-1962 In exercise of the powers conferred by section 40 read with sections 8, 9 and 10 of the Motor Transport Workers Act, 1961 (Central Act 27 of 1961), the State Government hereby makes the following rules the same having been previously published in the Rajasthan Gazette, Part III-B, Extraordinary, dated 21st January, 1962 as required by sub-section (1) of section 40 of the said Act. Preliminary

### 1. Short title & commencement.

(1) The Rules may be called the Rajasthan Motor Transport Worker Rules, 1962. (2) These Rules, except rules 17 to 23 and rule 25 shall come into force at once and rules 17 to 23 and rule 25 shall come into force on such date or dates as the State Government may, by notification in the Official Gazette appoint.

### 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) "Inspector" means an Officer appointed under section 4 of the Act and includes Chief Inspector; (d) "Qualified medical practitioner" means a person holding a qualification granted by an authority specified in the Schedule to the Indian Medical Degrees Act, 1916 (Central Act 7 of 1916) or in the Schedule to the Indian Medical Council Act, 1956 (Central Act 102 of 1956); (e) "Schedule" means a Schedule annexed to these Rules; (f) "Section" means a section of the Act; (g) "Undertaking" means Motor Transport Undertaking; (2) All other words and expressions used but not defined in these Rules and

defined in the Act shall have the meanings respectively assigned to them in the Act.

### **3. Interruption during running time.**

- Any interruption of less than ten minutes shall be counted towards running time.

## **Chapter II**

## **Registration of Motor Transport Undertaking**

### **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 the 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 where an undertaking has units operating in more than one State the employer of the undertaking shall apply for registration to the Chief Inspector as the case may be of the State in which its Head Office is located.

### **5. [ Grant of Certificate of registration. [Substituted by Notification dated 19-6-2000, published in R.G.G (Extra-ordinary) Part 4-C(1), dated 26-6-2000, Page 47(2).]**

- A certificate of registration for an undertaking shall be granted by the Chief Inspector or an Inspector duly authorised by him in this behalf in form No. II on payment of fees as specified below:-

Maximum Number of Motor Transport Workers to be employed during the year.	Fees in (Rs.)
2 to 5	100/-
6 to 25	500/-
26 to 50	1000/-
51 to 100	2000/-
101 to 250	5000/-
251 to 500	10,000/-
501 to 750	15,000/-
751 to 1000	20,000/-
1001 to 1500	30,000/-
above 1500 for every 100 or part thereof	2000/-]

## **6. Validity of Certificate of Registration.**

- Every certificate of registration granted under rule 5 or renewed under rule 8 shall remain in force up to 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 [twenty five rupees] [Substituted by Notification dated 19-6-2000, published in R.G.G (Extra) Part 4-C(1), dated 26-6-2000, Page 47(2).] 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 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 a 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 employed 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 in duplicate, may be granted on payment of a fee of [twenty five rupees] [Substituted by Notification dated 19-6-2000, published in R.G.G (Extra) Part 4-C(1), dated 26-6-2000, Page 47(2).].

## **12. Payment of fees.**

- [(1) All fees to be paid under these Rules shall be paid into the local treasury under the head "XXXII-Misc. Social and Development Organisation (a) Labour and Employment (i) Fees realised under Motor Transport Workers Act, 1961 and receipt obtained which shall be submitted along with the application.] [2 Substituted by Notification dated 19-6-2000, published in R.G.G (Extra) Part 4-C(1), dated 26-6-2000, Page 47(2).](2) If an application for the grant of 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 on 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. Qualification of the Inspector.**

- No person shall be appointed as an Inspector unless he possesses the following qualifications: -

### **1. Grade Inspectors.**

(1) Law Graduate of a University established by law in India or a degree of foreign university recognised as equivalent thereof by the Commission. OR M.A. or M. Com. of a University established by law in India or a degree of foreign University recognised as equivalent thereof by the Commission. Note. - In case of a candidate possessing degree of post graduation in Arts must be

M.A. in Economics or Sociology or Industrial Psychology with Labour as one of the subjects. ORA graduate with training in Labour Welfare from a recognised Institution, and (2) Must possess a good working knowledge of Hindi written in Devanagiri script and of Rajasthani dialects.

## **15. Powers of Inspector.**

- 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 record of such examination.

## **16. Duties of certifying surgeons.**

(1)For the purpose of examination and certificate 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 undertaking or class of undertakings assigned to him.(2)The certifying surgeon shall issue his certificate in Form 111. The foil and counterfoil shall be filled in and the left thumb mark or signature of the person in whose name the certificate is granted shall be taken on 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 or 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 employed in that 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 or 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 material) and chairs.

## **Chapter IV**

### **Welfare & 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 every day, an adequate canteen in or near the place wherein the undertaking is situated according to the standards prescribed in this rule.(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 adapted for use as a canteen.(3)The canteen building shall be situated not less than 50 feet from any latrine until or any other source of dust, smoke or obnoxious fumes:Provides that the Chief Inspector may in any particular case relax the provision of this sub-rule to such extent as may be reasonable in the circumstance 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 dinning 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 ceilings passages and staircases shall be lime-washed, colour-washed, or painted as the case may be. Lime-washing or colour-washing shall be carried out one in every year and painting shall be carried out once in every three years;(ii)all wood work 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 out shall be maintained in a register in Form No. IV.(9)The precincts of the canteen shall be maintained in clean and sanitary condition. Waste water shall be carried away in suitable covered drains and not be allowed to accumulate so as to cause a nuisance. Suitable arrangement shall be made for the collection and disposal of garbages.

#### **18. Canteen Hall.**

(1)The canteen hall shall accommodate at least thirty percent of the motor transport workers likely to come at a time:Provided that in 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 are occupied by service counter and any furniture, except tables and chairs, shall be not less than 10

sq. ft. per diner to be accommodated under sub-rule (1). (3) Sufficient table and chairs or benches shall be available for the number of dinners 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 sufficient 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 equipment shall be maintained in a clean and hygienic condition. A service counter if provided shall have a top of smooth and impervious materials. Suitable facilities including an adequate supply of hot water shall be provided for the cleaning of the utensils and other equipment.

## **20. Price 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 portion of food-stuff, 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 Departments may be audited in that Department.

## **22. Canteen Managing Committee.**

(1) The employer shall constitute a Canteen Managing Committee which shall be constituted from time to time as to:-(a) the quality and quantity of food-stuffs 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 50 workers employed in the undertaking. Provided that in no case shall there be more than 5 or less than 2 more 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 adapted:-(a)The building shall be soundly constructed and all the walls and roof shall be of suitable heat-resisting materials and shall be water-proof. The floor and walls to a height of 3 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; and(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 be order in writing approve any suitable alternative accommodation subject to such conditions as he may specify.

## **24. [Uniforms. [Substituted by Notification dated 10-7-1975, Published in Rajasthan Gazette, Part 4-C(I) Ordinary, dated 7-8-1975.]**

(1)The drivers, conductors and time checking staff employed in an undertaking shall be provided with uniforms and rain coats free of cost by the employer, as specified in Schedule I and it shall be obligatory on the said categories of motor transport workers to bear the uniforms, while on duty].(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 50 n.p. per uniform per week or [Rs. 5] [Substituted by Notification dated 19-4-1975 Published in Rajasthan gazette, Part 4-C, Ordinary, dated 24-4-1975.] per men-sum as the case may be.

## **25. Medical facilities.**

(1)At every operating centre and halting station (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 every day 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 sq. ft. 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 every day, 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.

## **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 in good order.

## **Chapter V**

### **Hours & 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 [250] [Substituted by Notification dated 19-4-1975 Published in Rajasthan gazette, Part 4-C, Ordinary, dated 24-4-1975.] kilometers 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 3 consecutive hours in 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 (hereafter referred to as the said day) unless-(a)he has, or will have, a holiday for a whole day (hereafter 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 to 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 Holiday.**

(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 day 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 Register of Compensatory holidays in Form No. VI, which shall be preserved for period of three years after the last entry in it and shall be produced before the Inspector on demand.

## **Chapter VI**

### **Wages and Leave**

### **31. Over time.**

- When any motor transport worker 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 1-1/2 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.**

- Seven paid festival and national holidays shall be admissible to motor transport workers in a year as given under:-

#### **1. Independence Day.**

**2. Republic Day.**

**3. Mahatma Gandhi's Birthday.**

**4. Holi.**

**5. Dashera.**

**6. Diwali.**

**7. Idd.**

**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 roll 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 shall be produced before the Inspector on demand.

**34. Leave Book.**

(1) Every employer shall provide each worker with a book of 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 of 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. Muster Roll.**

- Every employer shall maintain a muster-roll of all workers employed in the undertaking in Form No. X: Provided that if the Chief Inspector is of opinion that any muster-roll or register 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 muster-roll or register be maintained in place of, and treated as, the muster-roll required to be maintained under this rule.

### **37. Overtime Muster Roll.**

- Every employer shall maintain a muster-roll in Form No. XI in which it shall be correctly entered over-time hours of work and payments therefor. The muster-roll shall always be available for inspection: Provided that if the Chief Inspector is of opinion that any over-time muster-roll or register 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 overtime muster-roll or register be maintained in place of and treated as the muster-roll required to be maintained under this rule.

### **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 consequently: Provided that, if the Chief Inspector is of opinion that any individual Control Book 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 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. [The employer shall verify the entries made by the Employees] [Substituted by Notification dated 19-4-1975 Published in Rajasthan gazette, Part 4-C, Ordinary, dated 24-4-1975.]. (3) Every employer shall maintain the original copies of the Individual Control Book maintained 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 I (See Rule 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.
- 2A. [ [Added and Substituted by Notification dated 22-1-1968.] Name of the employer with full address].
3. Nature of motor transport service e.g. city service, long distant passenger service, long distance freight service.
4. Total number of routes.
5. Total route mileage.
6. Total number of motor transport vehicles [on the date of the application] [Added and Substituted by Notification dated 22-1-1968.].
7. Maximum number of motor transport worker employed [or proposed to be employed during the period of registration] [Added and Substituted by Notification dated 22-1-1968.].
8. Full names and residential address of the-
 

(i) Proprietor and partners of the motor transport undertaking in case of a firm not registered under the Companies Act, 1956 or

(ii) General Manager in case of a public sector undertaking.
9. Full name and residential address of the Directors in the case of a company registered under the Companies Act, 1956.
10. Amount of fee Rs..... (Rupees.....) paid in..... Treasury, on..... (Vide challan

No....enclosed).

Date : Signature of the employer.

Note: - This form should be completed in ink in Block Letters or typed. Form No. II(See Rule 5)Certificate of Registration to work a motor transport undertakingRegistration No.....Fee Rs.....Serial No.....Certificate of Registration is hereby granted to.....to operate motor transport services employing not more than persons on any one day during the year subject to provisions of the Motor Transport Workers Act, 11961 and the Rules made thereunder. The Certificate of Registration shall remain in force till the 31st day of December, 19.....

The.....19..... Chief Inspector

Inspector.

Date of renewal Date of expiry Signature of the Chief Inspector.

Form No. III(See Rule 10)Certificate of Fitness

1.	Serial No.....	Serial No.....
	Date....	Date....
2.	Name.....	I Certify that I have personally examined (name).....Son of.....
3.	Father's Name.....	
4.	Residence.....	
	.....	
	.....	
5.	Date of birth, if available.....and/or certified age.....	
6.	Physical fitness.....	
7.	Descriptive marks	Who is desirous of being employed in a motor transport undertaking and that his age, as nearly as can be ascertained from by examination is.....years and that he is fit for employment in motor transport undertaking as an adolescent.
8.	Reasons for: (1) Refusal of certificate.	His descriptive marks are.....
	.....	
	(2) Certificate being revoked	
	.....	
	Thumb	Thumb
	Impressions or signature	Impressions or signature

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, varnishingwas carried out (according to the English calendar)	Remarks
Day	Month	Year		

Category	Time of signing on	Time of signing off	Code of Serial No. of duty	No. of hours of work
1	2	3	4	5
1.	Drivers and Conductors.			
2.	Line Checking Staff.			
3.	Station and other staff			

Serial No.	S.No. in the Register of workers	Name	No. and date of exempting order	Year
1	2	3	4	5

Jan. to March	April to June	July to Sept.	Oct. to Dec.
6	7	8	9

Date of Compensatory holidays given in	Last rest days. carried to the next year	Remarks.			
Jan. to March	April to June	July to Sept.	Oct. to Dec.		
10	11	12	13	14	15

S. No..... Adults/Adolescent

Name of the Undertaking..... Name.....

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 days of work performed.....	
1	2	3	4	
Leave to Credit	Total of Cols. 5 and 6	Whether Leave was refused	Leave enjoyed from....to...	
Balance of leave from preceding year	Leave earned during the year mentioned in Col.I			
5	6	7	8	9
Balance of leave to credit	Normal rate of wages	Cash equivalent to advantage accruing through concessional rate of food-grains and other articles	Rate of wages for the leave period (Total of Cols. 11 & 12)	Remarks
10	11	12	13	14

Note:- Separate page will be allotted to each worker. Form No. VIII(See Rule 34) Leave Book

S. No.....

Adults/Adolescent

Name of the Undertaking..... Address.....

.....

Date of entry into Service.....

.....

Date of discharge.....

Calendar year of Service	Wage period from..... to.....	Wages earned during the wage period	No. of days of work performed
1	2	3	4

Leave to Credit	Total of Cols. 5 and 6	Whether Leave was refused	Leave enjoyed from....to...	
Balance of leave from preceding year	Leave earned during the year mentioned in Col.1			
5	6	7	8	9
Balance of leave to credit	Normal rate of wages	Cash equivalent to advantage accruing through concessional rate of food-grains and other articles	Rate of wages for the leave period (Total of Cols. 11 & 12)	Remarks
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

S. No. Name Father's Name Address Nature of work

1 2 3 4 5

Letter of group as in notice of period of work	No. & date of Certificate of fitness, if an adolescent	Remarks.
6	7	8

Form No. X(See Rule 36)Muster Roll

(For the month of.....)

Name of the Undertaking..... Place.....

S. No. Name Father's name Nature of work

For the period ending Remarks

1 2 3 4 5 6 7 8 9 10 30 31

Form No. XI(See Rule 37)Over-time Muster Roll

## Part I – . Over-time under first proviso to section 13 Part II. Over-time under second proviso to Section 13

Month ending 19.

S.No. S.No. in the Register of Worker's Name Nature of work

Dates on Extent of over-time has been worked	Extent of over-time on each occasion	Total over-time worked	Normal hours
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Normal rate of pay	Over-time rate of pay	Over-time earning	Date on which over-time payments made
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Form No. XII(See Rule 38)Individual Control BookSeal No.Week from Sunday to Saturday  
19....Name of the Motor Transport Worker

Day	Date	On Duty (D) or Rest (Rest)	Time and Place
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Of taking up duty Ending duty

1 2 3 4 5

Sunday

Monday  
Tuesday  
Wednesday  
Thursday  
Friday  
Saturday

Spread Over	Period vehicle on road	Period of interruption of 10 mts. or morereferred to in Col. F of Section 2	Running time 7.8	Time spend in subsidiary work
6	7	8	9	10

Periods of more attendance at terminals of less than 15 minutes	Hours of work 9+10+11	Interval of rest	Length of overtime worked	Circumstances under which over-time worked	Remarks.
11	12	13	14	15	16

Note: - A new working week begins 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 the following week. Date and Signature of the Motor Transport Worker. Form No. XIII (See Rule 39) Annual Return Year ending 31st December, 19....

1. Name of the Motor Transport Undertaking .....
2. Postal Address .....
3. [Average number] [The Adults.....  
average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days during the year. In reckoning attendances by temporary as well as permanent employees should be counted. Attendances on separate shifts should be counted separately. Days on which the undertaking was not operating, for whatever cause, should be treated as working days.] of workers

	employed daily		
Adolescents.....			
4.	Normal hours worked per day	Adults.....	
Adolescents.....			
5.	What rest intervals were given	Adults.....	
Adolescents.....			
6.	The number of workers exempted from the provisions of section 19.....	13.....	
7.	Leave with wages.....		
		No. of workers who are entitled to annual leave with wages during the calendar year to which this return relates.	Adults.....Adolescents.....
	(i)		
	(ii)	No. of workers who were granted leave during the year.	Adults.....Adolescents.....
	(iii)	No. of workers discharged or dismissed from service during the year.	Adults.....Adolescents.....
	(iv)	No. of discharged workers paid wages in lieu of leave.	Adults.....Adolescents.....
	(v)	Total amount of wages paid in lieu of leave.	.....
8.	Compensatory holidays:-		
	(i)	No. of workers exempted from section 19	Adults.....Adolescents.....
	(ii)	No. of workers who received holidays in the-	

- (a) same month .....
- (b) following month .....
- (c) third month .....
9. Canteen  
(Number of canteens and situations).....
10. Medical Facilities:-  
(i) No. of dispensaries & situations .....
- (ii) No. of doctors .....
- (iii) No. of nurses .....
11. Rest rooms  
(i) No. of rest rooms .....
- (ii) Details of accommodation, furniture and other equipment provided .....
- (iii) Approximate average daily attendance of workers. ....

Date..... Signature of the employer.

[Form XIV] [Added by Notification dated 18-1-1968, Published in Rajasthan Gazette, Part 4-C, Ordinary, dated 22-2-1968.](See Rule 24) Register of workers attending to transport undertaking

No.	Name and father's name of worker	Designation and nature of work	Date when clothes provided	Signature or thumb impression of the worker.
1	2	3	4	5

I

(See Rule 24)

Category of staff	Particular of articles	Quantity	Period of supply
1.	(i) Drivers, Conductors, traffic Inspectors and TicketExaminers	(a) Cotton shirt or coat	2 Every summer
	Cottonpant.Cotton cap or cotton turban	2	
	(ii) Cleaners, watchman and other line checking	(b) Woolen coat, woolen pant	1 Once in every

staff, if required to go with the vehicle. three years

Woolen cap or cotton turban 1

(c) Semi-closed chapels Pathani type 2 pairs Every year

Provided that the places where due to climatic conditions woolen clothes are not ordinarily worn, a cotton shirt, pant and cap or turban may be supplied every winter instead of woolen 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 watchman 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 "Checker and Traffic Incharge", if required to go with the vehicle. Notification The State Government hereby appoints the Deputy Labour Commissioner (II) Rajasthan, Jaipur as the Chief Inspector for the purpose of the State Act, for the State of Rajasthan. [Rajasthan Gazette, Extra-Ordinary Part 4-C (II) dated 23-7-1969 Page 171]