
**ANDHRA PRADESH MUTTA, JATTU, HAMAL AND OTHER
MANUAL WORKERS (REGULATION OF EMPLOYMENT AND
WELFARE) RULES, 1977**

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In exercise of the powers conferred by sub-section (1) of Section 28 of the Andhra Pradesh Mutta, Jattu, Hamaland other Manual Workers (Regulation of Employment and Welfare) Act, 1976 (Andhra Pradesh Act 61 of 1976) the Governor of Andhra Pradesh hereby makes the following Rules the same having been previously published as required by sub-section (1) of Section 28 of the said Act.

1. Short title and extent :-

(1) These rules may be called the Andhra Pradesh Mutta, Jattu, Hamal and other Manual Workers (Regulation of Employment and Welfare) Rules, 1977.

(ii) They shall extend to the whole of the State of Andhra Pradesh.

2. Definitions :-

In these rules, unless there is anything repugnant in the subject or context:

- (a) 'Act' means the Andhra Pradesh Muttu, Jattu, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1976;
- (b) 'Advisory Committee' means the Advisory Committee constituted under sub-section (1) Section 14 of the Act;
- (c) 'Board' means a Board established under sub-section (1) of Section 6 of the Act;
- (d) 'Chairman' means the Chairman of the Advisory Committee or the Board as the case may be.
- (e) 'Commissioner' means the Commissioner of Labour;
- (f) 'Form' means a form appended to these rules;
- (g) 'Section' means a section of the Act.

3. Constitution of the Advisory Committee :-

An Advisory Committee shall consist of the following members namely :-

- (a) two officials of whom one shall be a Deputy or Joint Commissioner of Labour and other a Deputy Director of Marketing to be nominated by the Government;
- (b) two persons to represent the employers to be nominated by the Government;
- (c) two persons to represent workers to be nominated by the Government.
- (d) two members of State Legislature to be nominated by the Government.

4. Term of office and vacation of seat of members of Advisory Committee :-

(1) The term of office of a non-official member shall be two years from the date on which his nomination is notified in the Andhra Pradesh Gazette by the Government.

*[Provided that the said term of two years may be extended by such period as the Government may deem necessary.]

(2) A non-official member of an Advisory Committee shall cease to be a member--

(a) if he is or becomes subject to any of the disqualifications, specified in sub-rule (3),

(b) if he absents himself from three or more consecutive meetings of the Advisory Committee without the leave of the Chairman for such absence.

Provided that the Chairman may, if he is satisfied that such member had sufficient cause for such an absence, by order declare that he has not ceased to be a member under this clause.

(3) A non-official member shall be disqualified for being or for being nominated a member of an Advisory Committee if such member--

(a) is or at any time has been adjudged as an insolvent or an undischarged insolvent, or

(b) is of unsound mind or stands so declared by a competent court; or

(c) is or has been convicted of any offence which in the opinion of the Government involves moral turpitude.

(4) A non-official member may at any time resign his office by writing under his hand addressed to the Secretary to Government in charge of Labour and upon the acceptance of the resignation of the Government the office of such member shall become vacant.

(5) A non-official member may be removed from his office if in the opinion of the Government, such member has ceased to represent the interest to represent which he was nominated;

Provided that no order of removal shall be made by the Government unless the member concerned has been given a reasonable opportunity of showing cause against such removal.

(6) If the office of any non-official member is vacated before the expiry of the term of his office, the resulting vacancy may be filled by fresh nomination by the Government and the member so nominated shall hold office for the remainder of the term of the office of the member in whose place he is nominated.

5. Disposal of business of Advisory Committee :-

Every question which the Advisory Committee is required to take into consideration shall be considered at a meeting or, if the Chairman so directs, by sending the necessary papers to every member for opinion, and the question shall be disposed of in accordance with the opinion of the majority:

Provided that in the case of equality of votes the Chairman shall have a second or a casting vote.

6. Meeting :-

The Advisory Committee shall meet at such places and at such times as may be specified by the Chairman.

(2) The Chairman shall preside over every meeting of the Advisory Committee.

7. Notice of Meeting and list of business of the Advisory Committee :-

(1) Ordinarily fifteen clear days notice shall be given to the members of a proposed meeting.

(2) No business which is not on the list of business for a meeting shall be considered at that meeting without the permission of the Chairman.

8. Quorum :-

The quorum for any meeting of the Committee shall be five and no business shall be transacted at any meeting without the required number of members being present.

Provided that, if at any meeting less than five members are present, the Chairman may adjourn the meeting to another date informing the members present and giving notice to the other members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not and it shall, thereupon be lawful for him to dispose of the business at the adjourned meeting irrespective of the number of members present at such meeting.

9. Term of office of the members of the Board :-

The term of office of a member shall be two years from the date of his nomination by the Government.

[Provided that the said term of two years may be extended by such period as the Government may deem necessary.]

9A. Meeting :-

(1) In the event of sudden and unforeseen absence of Chairman, the members may elect one of the other Government nominees to preside over the meetings of the Board.

(2) The quorum for any meeting of the Board shall be nine, and no business shall be transacted at any meeting without the required number of members being present provided that, if at any meeting less than nine members are present, the Chairman may adjourn the meeting to another date informing the members present and giving notice to the others members that he proposes to dispose of the business at the adjourned meeting whether there is prescribed quorum or not and it shall, therefore be lawful for him to dispose of the business at adjourned meeting, irrespective of the number of members present at such meeting.

(3) A Meeting of the Board shall also be convened whenever a requisition, in writing is received from not less than one-half of the total number of members of the Board.

(4) The proceedings of each meeting of the Board shall be communicated to all the members of the Board as early as practicable and preferably within fifteen days from the date of the meeting.

(5) The proceedings of any meeting of the Board shall be placed for confirmation at the next meeting of the Board.

10. Application of Rules 5 to 7 to Board :-

The disposal of business etc., specified in Rules 5, 6, and 7 shall mutatis mutandis apply to Board.

11. Maintenance of accounts etc. :-

The Board shall maintain its annual statements of accounts, balance sheet and its records in forms I, II and III and the budget shall be prepared in form IV.

12. Allowances of non official Members :-

The allowances of non-official members of the Advisory Committee or the Board shall be as determined by Government from time to time.

13. Qualifications of Inspectors :-

(1) No person shall be appointed to be an Inspector under the Act

unless he is a graduate of a recognised University and is able to speak, read and write Telugu. Provided that a person who is not a graduate may be appointed by the Board with the prior approval of the Government regard being had to the general qualifications of the person, his previous experience, if any, in the administration of labour laws.

(2) No person shall be appointed to be an Inspector under the Act or having been so appointed, shall continue to hold office if he or any member of his family has or acquires, directly or indirectly any share or interest in any establishment within the limits of his jurisdiction to which the Act applies.

Provided that nothing in this sub-rule shall apply to--

(1) any person who has been permitted by the Board to hold or acquire directly or indirectly by himself or in the name of any member of his family living with him or dependent on him, any share or interest in any Co-operative Society registered under any law relating to Co-operative Societies.

(2) any person who acquires by inheritance of any share or interest in any establishment but who is not a working partner therein and intimates such inheritance or interest as soon as he acquires them.

14. Duties of Inspector :-

The Inspector shall subject to any directions of the Board make such examination of establishments of schedule employments to which the Act applies as may appear to him to be necessary for the purpose to satisfy himself that provisions of the Act, Rules, and the Schemes framed in relation to such establishments are duly observed.

15. Reconstitution of Board :-

On supersession of a Board Government may reconstitute the Board within the period specified in sub-section (1) of Section 24 in the manner in which the Board is constituted by the Government under Section 6 and thereupon the provision of Rule 9 shall apply in relation to the members of the Board constituted under the section.