

THE ANDHRA PRADESH MOTOR TRANSPORT WORKERS RULES, 1963

CHAPTER-I

Preliminary

1. Short title and commencement:— (1) These rules may be called the Andhra Pradesh Motor Transport Workers Rules, 1963.

(2) These rules extend to the whole of the State of Andhra Pradesh.

(3) Rules 17, 18, 19, 20, 21, 22 and 25 shall come into force on the 15th October, 1963, and the other rules shall come into force at once.

2. Definitions:— In these rules, unless the context otherwise requires,—

(a) "*Act*" means the Motor Transport Workers Act, 1961 (Central Act 27 of 1961);

(b) "*Form*" means a Form appended to these rules;

(c) "*Government*" means the Government of Andhra Pradesh;

(d) "*Inspector*" means an officer appointed under Section 4 of the Act and includes a Chief Inspector;

(e) "*Qualified Medical Practitioner*" means a person holding a qualification granted by authority specified in the Schedule to the Indian Medical Degrees Act, 1961 or in the Schedules to the Indian Medical Council Act, 1933;

(f) "*Schedule*" means a Schedule annexed to the rules;

(g) "*Section*" means a section of the Act;

(h) "*Undertaking*" means a motor transport undertaking.

3. Interruptions during running time:— Any interruption of less than ten minutes shall be counted towards running time.

CHAPTER-II

Registration of Motor Transport Undertakings

4. Registration:— Every employer of an undertaking shall, within one month from the date of receipt by him of the permit from the Road Transport Authority submit to the Chief Inspector or Inspector duly authorised

1. Pub. in A.P. Gaz. R.S. to Part-I, dated 4-4-1963.

2. Subs. by G.O.Ms.No. 485, dt. 10.5.1977.

by him in this behalf, an application in Form No. 1, in duplicate, for 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.

¹[x x x]

5. Grant of certificate of registration:— A certificate of registration for an undertaking shall be granted to the employer within a period of ninety days from the date of receipt of the application for registration, by the Chief Inspector or an Inspector duly authorised by him in this behalf in Form No. II on payment of fees as prescribed in the Schedule below.

²[The Schedule

Maximum number of motor transport workers employed during the year	Fees Rs.
5	300.00
25	600.00
50	1,500.00
100	1,800.00
250	3,000.00
500	3,750.00
750	6,000.00
1,000	7,500.00
1,500 and above	10,500.00]

6. Validity of a 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.

1. Proviso omitted by G.O. Ms. No. 205, (Lab-II), dt. 9.7.1984.
2. Schedule Subs. by G.O.Ms.No.66 LET & F (Lab-II) dt. 17-11-2003, w.e.f. 5-12-2003 (Pub. in A.P. Gaz. R.S. to Pt.I Ext. No. 60, dt. 5-12-2003.) Prior to the Substitution the Schedule is as in Annexure I at P.53.

7. Amendment of a 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 duly authorised by him in this behalf an application stating the nature of the amendment and the reasons therefor.

(3) The fee for the amendment of the certificate of registration shall be five rupees 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 to an Inspector duly authorised by him in this behalf for the renewal of the certificate of registration in Form No. I, in duplicate, and such application shall be made not less than sixty days before the date on which the period of validity of 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.

(2) The fees chargeable for renewal of a certificate of registration shall be the same as for grant thereof:

[Provided that if the application for renewal is not received within the time specified in sub-rule (1), a penal fee in excess of the ordinarily payable for the certificate of registration shall be payable such renewal as specified below:—

- (1) Application submitted within 15 days after the expiry date, 50% of the fee prescribed shall be charged as penal fee;
- (2) Application submitted after 15 days and before 30 days, 75% of the fee prescribed shall be charged as penal fee;
- (3) Application submitted after one month and before 3 months, 100% of the fee prescribed shall be charged as penal fee;
- (4) Registration/Renewal application submitted after three months of the due date and on conviction 100% in excess of the fee ordinarily payable for the certificate of registration or renewal shall be payable. The registration or renewal of the certificate

1. Subs. by G.O. Ms. No. 445, Labour, Employment, Nutrition & Technical Education (Lab-II), dt. 31.12.1985.

shall be issued to the Employer within 30 days from the date of receipt of application of the Employer.

The Road transport authority shall renew the permit of the employer on granting certificate for renewal by the Chief Inspector or Inspector duly authorised in this behalf]:

Provided further that in cases where the Chief Inspector or the Inspector is satisfied that the 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.

¹[(3) The employer may apply for renewal of certificate of registration for a period upto two or three years at a time.]

9. Transfer of the certificate of registration:— (1) An employer holding a certificate² of registration may, at any time, before the expiration of the period 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 under Rule 8 is lost, defaced or accidentally destroyed a duplicate may be granted on payment of a fee of five rupees.

12. Payment of fees:— ³[(1) The fees prescribed under these rules shall be paid into the local treasury under the head of account ³[087. Labour

1. Added vide G.O. Ms. No. 485, Labour, Employment & Technical Education (Lab-V), dt. 10.5.1977.
2. Subs. vide G.O. Ms. No. 265, dt. 19.3.1975, A.P. Gaz., R.S., Pt. II, dt. 17.4.1973, p. 251.
3. Sub-rule (1) Sub. by G.O. Ms. No. 2078, Home (Labour-IV), dt. 8.11.1963, pub. at p. 4249 of the A.P. Gaz., Pt. I, dt. 28.11.1963.

and Employment Receipts under Labour Laws; Fees realised under Motor Transport Workers Act, 1961] and the receipt shall be enclosed to the application form.]

(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 on the vehicles:— The registration number of the undertaking shall be marked on the left hand side of every vehicle in letters ¹[80 Centimetre high/and 1 Centimetre thick.]

CHAPTER-III

Inspecting Staff

14. Qualification of an Inspector:— (a) No person shall be eligible for appointment as an Inspector for the purposes of the Act, unless he possesses the following qualifications:—

- (i) must be less than 25 years of age;
- (ii) (a) must possess a degree of a recognised University;
(b) must have obtained a Degree or Diploma in Social Science from any institution recognised by the State Government in this behalf; and
- (iii) (a) must have worked at least for two years as a Labour or Welfare Officer in any industrial establishment or Government Department.
(b) Notwithstanding anything contained in sub-rule (a), a Labour Officer, an Assistant Inspector of Labour, Regional Inspector of Factories or an Inspector of Factories is qualified for appointment as Chief Inspector or Inspector as the case may be under the Act.

15. Powers of an Inspector:— An Inspector shall for carrying out the purposes of the Act, have power to do all or any of the following acts, namely:—

- (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 the health and welfare of motor transport workers;

1. Subs. by G.O. Ms. No. 100 (Lab. & Emp.) (Lab-V), dt. 7.2.1977.

- (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 the one in which an offence under the Act or these rules had been committed examined through counterpart in that State and to obtain a 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 suitable time and place for the attendance of such persons and shall give previous notice in writing of such arrangements to the employees of the undertaking concerned within the local limits of his jurisdiction or the undertakings or class of the undertakings assigned to him.

(2) The certifying Surgeon shall issue his certificates in Form No. III. The foil and counterfoil shall be filled in and the left thumb mark 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 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 undertaking 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 shall after such suspension be employed in that work unless he is certified to be fit for the work by the certifying surgeon.

(5) The employer shall afford to the certifying surgeon facilities to inspect any work to 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 waiting material) and chairs:

Provided that no separate room need be provided for the purpose of any medical examination, if the undertaking has a dispensary with a room for such examination at any place where the certifying surgeon wishes to conduct.

CHAPTER-IV

Welfare and Health

17. Canteens:— (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 every day, an adequate canteen in or near the place wherein the undertaking is situated according to the standards prescribed in this rule:

* Provided that where refreshment rooms or canteens are provided for to travelling public by the undertaking and where this service is found to be adequate, by the Inspector, the undertaking shall not be required to run a second canteen:

Provided further that the motor transport workers may be given the benefit in the shape of selling canteen coupon books at a concessional rate.

(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 '[15.0 metres] from any latrine, urinal or any other source of dust, smoke, obnoxious fumes:

1. Subs. by G.O. Ms. No. 100, Labour, Employment and Technical Education (Labour-V), dt. 7.2.1977.

Provided 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 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 upto a height of '[1.0 metre] from the floor shall be made of smooth and imperious materials 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)(a) In every canteen,—

- (i) all wood work shall be varnished or painted once in every three years; and
- (ii) all inside walls of rooms and all ceilings, passages and stair cases shall be lime-washed, colour washed or painted as the case may be. Lime washing or painting shall be carried out once in every year and painting shall be carried out once in every three years;
- (iii) all internal structural iron or steel work shall be varnished or painted once in every three years:

Provided that the inside walls of kitchen shall be lime-washed once in every four months;

(b) A record of the dates on which lime-washing, colour washing, varnishing or painting, as the case may be, is carried out, shall be maintained on 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 suitable 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:

1. Subs. by G.O. Ms. No. 100, Labour, Employment and Technical Education (Lab-V), dt. 7.2.1977.

Provided that in any particular undertaking or in any particular class of undertakings, the 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 not be less than 9.2 Sq. decimetres or 0.39 Sq. metres 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).

(4) Soaps and towels shall be provided at the washing places in the canteen.

19. Equipment:— (1) There shall be provided and maintained sufficient number of utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of 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 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 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 in every twelve 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 two 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 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 motor transport workers. The number of elected workers shall be in the proportion of one for every five hundred workers employed in the undertaking:

Provided that in no case shall there be more than five or less than two motor transport workers in 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 the 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-room 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 roof shall be of suitable heat-resisting materials and shall be water-proof. The floor and walls to be a height of '[91.0 Centimetres = 0.91 metres] 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 '[4.0 metres] from the floor level to the lowest part of the roof and there shall be at least '[5.0 Sq. metres] of floor area for every motor transport worker required to halt at night;

1. Subs. by G.O. Ms. No. 100, Labour, Employment and Technical Education (Lab-V), dt. 7.2.1977.

- (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 provisions of rest rooms to the above standards is not reasonably practicable, he may by order in writing approve suitable any alternative accommodation subject to such conditions as he may specify:

¹[Provided further that the employer shall pay an amount of ten rupees to the employees employed on the vehicles individually, who make night halt between 10 P.M. and 4 A.M. towards lodging expenses. This amount shall be exclusive of batta for night halts. The employers who provide rest rooms need not however pay this to their employees.

24. Uniforms:— ²[(1) The drivers, conductors ³[cleaners] 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 and, it shall be obligatory on the said categories of motor transport workers to wear the uniforms while on duty.]

(2) Where washing of uniforms provided under sub-rule (2) is not arranged by employer, the staff concerned shall be entitled to a washing allowance at the rate of Rs. ⁴[30.00 per month.]

25. Medical Facilities:— (1) At every operating centres and halting stations (which, in the case of city service, shall include only depots and other offices) wherein two hundred and fifty 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 Government may require.

1. Added by G.O. Ms. No. 133, (Lab-II), dt. 18.4.1984.

2. Subs. by G.O. Ms. No. 1134, dt. 20.7.1970, A.P. Gaz., R.S. Pt. I, dt. 20.8.1970, p. 287.

3. Ins. by G.O. Ms. No. 133, (Lab-II), dt. 18.4.1984.

4. Subs. for "10.00 per month" by G.O. Ms. No. 127, (Lab-II), dt. 7.12.1993, w.e.f. 1.1.1994.

(3) The dispensary shall have a floor area of at least ¹[23.0 Sq. metres] and smooth, hard and impervious walls 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 two hundred and fifty 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:— A 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 Limitation 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 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^a 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 mentioned in a clean and legible condition:

¹ Subs. by G.O. Ms. No. 100, Lab., Emp. & Tech. Education (Lab-V), dt. 7.2.1977.

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 be ordered 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 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 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.

(2) The employer shall, before the expiry of the first week of the succeeding month submit a statement giving particulars of the workers required or allowed in a day of rest fixed for them during the preceding month.

(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 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.

(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.

CHAPTER-VI

Wages and Leave

31. Overtime:— When any motor transport worker works for more than eight hours in any day or more than forty-eight 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 such overtime work at one and half 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 eight hours a day or forty-eight hours a week.

32. Holidays:— The Government may notify in the Official Gazette the holidays which shall be granted to the motor transport workers with wages.

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 undertakings, on a 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 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:— (1) 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.

¹[35-A. Every employer shall issue letters of appointment in Form XIV to all his employees and obtain acknowledgement in token of having served on them.]

36. Muster Roll:— Every employer shall maintain a muster roll of 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 shall be correctly entered overtime 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 overtime 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.

²[37-A. The Registers, records and notices maintained and exhibited under the provisions of these rules shall always be available, or as near as practicable to the site of employment and shall be produced or caused to be produced for inspection at all reasonable hours by an Inspector having jurisdiction over the establishment]:

Provided that where an establishment has been closed or where an establishment has no building, the Inspector may demand the production of the registers and records in his office or such other public places may be nearer to the employer.

38. Individual Control Book:— (1) No employer shall allow the operation of any motor transport vehicle unless each motor transport worker

1. Rule 35-A, ins. by G.O. Ms. No. 446 (Lab-II), dt. 31.12.1985.

2. Rule 37-A, ins. by G.O. Ms. No. 827 (Lab-V), dt. 26.7.1977.

travelling with the vehicle is provided with and maintains the 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 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 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 six months after the last entry and produce it 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 Government '[by Registered post acknowledgment due] in this behalf not later than the first February of the immediately succeeding to that to which it relates, an annual return, in duplicate, in Form No. XIII.

FORM-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.

1. Ins. by G.O. Ms. No. 827 (Lab-V), dt. 24.7.1977.

3. Nature of motor transport service, e.g.
City Service, long distance passenger service, long distance freight service.
4. Total number of routes.
- 5.(a) Total number of routes, on the last date of the preceding year.
- (b) Total route mileages.
6. Total number of motor transport vehicles owned by the undertaking and their registration numbers under the Motor Vehicles Act on the last date of the preceding year.
7. Number of motor transport workers in each category.]
8. Full names and residential addresses of the,—
 - (i) Proprietors 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 an undertaking run in the public sector.
9. Full names and residential addresses of the Directors in the case of a company registered under the Companies Act, 1956.
10. Full name and address of the Chief Executive Officer, or General Manager of the State Transport.
11. Amount of fee Rs. undertaking paid in vide Challan No. (Rupees.....)
enclosed) Treasury on

Signature of the employer:

Date:

Note:— This form should be completed in ink in Block letters or types.

FORM-II

[See Rule 5]

Certificate of Registration to work a Motor Transport Undertaking

Registration No.

Serial No.

Fee: Rs.

A 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, 1961 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-III

[See Rule 16]

Certificate of Fitness

1. Serial No.

Serial No.

Date

Date

2. Name

I certify that I have personally examined (name)

3. Father's name

Son of

4. Residence

Residing at

5. Date of birth, if available
and/or certified age

Who is desirous of being employed in a motor transport undertaking and that his age, as nearly as can be ascertained from my examination is years, and that he is fit for employment in motor transport undertaking as an adolescent. His descriptive marks are:

6. Physical fitness

7. Descriptive marks

8. Reasons for,—

- (1) Refusal of certificate
- (2) Certificate being revoked

Thumb impression:

Thumb impression:

Initials of certifying Surgeon

Certifying Surgeon.

Note:— Exact details of cause of physical disability should be clearly stated.

FORM-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)

FORM-V

[See Rule 28]

Notice of periods of work for Motor Transport Workers for the year 19.....

Name of the undertaking

Place

Periods of work	Total number of men employed						Total number of adolescents employed	
Groups	A	B	C	D	E	F	G	H
	----	----	----	----	----	----	----	----
Relays	123	122	123	123	123	123	123	123

Hours of work on working days

1. From		
To		A
2. From		
To		B
3. From		
To		C
4. From		
To		D
5. From		
To		E

Periods of work	Total number of men employed						Total number of adolescents employed	
Groups	A	B	C	D	E	F	G	H
	----	----	----	----	----	----	----	----
Relays	123	122	123	123	123	123	123	123

6. From		
To		F
7. From		
To		G
On partial Working Days		
8. From		
To		H

Description of Groups			
Group	Nature of work	Day on which weekly holiday is allowed	Remarks

* Date on which this notice is first exhibited. Signature of employer.

.....

FORM-VI

[See Rule 30]

Register of Compensatory Holidays

S.No.	S.No. in the Register of workers	Name	No. and date of exempting order	Year	Weekly rest days lost due to the exempting order in			
					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	July to September	October to December	Lost rest days carried to the next year	
10	11	12	13	14	15

FORM-VII

[See Rule 33]

Register of Leave with Wages

S.No. Adults/Adolescents
 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	Leave to credit		Total of Columns (5) and (6)
				Balance of leave from preceding year	Leave earned during the year mentioned in Col. (1)	
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 Cols. (11) and (12)]	Remarks
8	9	10	11	12	13	14

Note:— Separate page will be allotted to each worker.

.....

FORM-VIII

[See Rule 34]

Leave Book

S.No.

Adults/Adolescents

Name of the undertaking

Name

Address

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	Leave to credit		Total of Columns (5) and (6)
				Balance of leave from preceding year	Leave earned during the year mentioned in Col. (1)	
1	2	3	4	5	6	7

Whether leave was re-fused	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 Cols. (11) and (12)]	Remarks
8	9	10	11	12	13	14

Note:— The leave book shall be made out for each worker on thick bound sheets.

.....

FORM-IX

[See Rule 35]

Register of Workers

Part I — Adults

Part II — Adolescents

Sl. No.	Name	Father's name	Address	Nature of work	Letters 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

[See Rule 36]

Muster Roll

For the month of

Name of the undertaking

Place

Sl. 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-XI

[See Rule 37]

Overtime Muster Roll

Part I — Over-time under the first proviso to Section 13

* Part II — Over-time under the second proviso to Section 13

Name of the undertaking:

For the month ending..... 19....

[illegible]

FORM-XII

[See Rule 38]

Individual Control Book

Sheet No.

Name of the Motor Transport Worker Week from Sunday
to Saturday 19....

[illegible]

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-XIII

[See Rule 39]

Annual Return

Year ending 31st December, 19....

- | | |
|--|------------------------|
| 1. Name of the Motor Transport undertaking | |
| 2. Postal Address | |
| 3. *Average number of workers employed daily. | *Adults
Adolescents |
| 4. Normal hours worked per day | Adults
Adolescents |
| 5. What rest intervals were given? | Adolescents |
| 6. The number of workers exempted from the provisions of sections. | 13
19 |
| 7. Leave with wages: | |
| (i) Number of workers who are entitled to annual leave with wages during the calendar year to which this return relates. | Adults
Adolescents |
| (ii) Number of workers who were granted leave during the year | Adults
Adolescents |
| (iii) Number of workers discharged or dismissed from service during the year | Adults
Adolescents |
| (iv) Number of discharged workers paid wages in lieu of leave | |
| (v) Total amount of wages paid in lieu of leave. | |
| 8. Compensatory holidays | |
| (i) Number of workers exempted from Section 19 | Adults
Adolescents |

- (ii) Number of workers who received holidays in the,—
 - (a) Same month;
 - (b) following month;
 - (c) third month

9. Canteens

Number of canteens and situations.

10. Medical Facilities

- (i) Number of dispensaries and situations
- (ii) Number of doctors
- (iii) Number of nurses

11. Rest Rooms

- (i) Number of rest rooms
- (ii) Details of accommodation, furniture and other equipment provided
- (iii) Approximate average daily attendance of workers

Date.....19....

Signature of the employer.

.....
'FORM NO. XIV

[See Rule 35-A]

Letter of Appointment

Name and address of the Motor Transport Undertaking:

Name and address of the employer:

Reg. No.

Sri/Smt./Kumari.

1. Son/wife/daughter of..... is appointed as
(describe here the nature of appointment) in this establishment with effect on and from in the scale of pay of Rs.

2. His/Her Scale of pay/rate of increment in wages per.....
(insert the period) shall be Rs.

3. He/She will draw a total of Rs. per day/week/month composed of the following namely:—

- (i) Basic Pay:
- (ii) Dearness allowance:
- (iii) Other allowance.

Place:

Signature of Employer

Date:

Office Seal.

.....

SCHEDULE-I

[See Rule 23]

Category of staff	Particulars of articles	Quantity	Period of supply
(1)	(2)	(3)	(4)
1.(i) Drivers, Conductors, Traffic Inspectors and Ticket Examiners	¹ [(a) Cotton Shirt or closed coat of Khaki colour with brass buttons.	2	Every summer
	Cotton pant of khaki colour	2	
	Forage cap or khaki colour as headgear]	1	
	(b) Woollen coat	1	Once in every three years
	Woollen pant	1	
	Woollen cap or cotton turban	1	
	(c) Semi closed chappals (pathani type)	2 pairs	Every year
	Provided that in places where due to climatic conditions woollen clothes 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).		

1. Subs. by G.O. Ms. No. 674 (Lab-II), dt. 20-5-1972.

2.	Traffic Inspectors and Ticket examiners	Rain Coat with cap	1	Once in every five years
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Note:— "Inspectors shall include "Ticket Inspectors". "Travelling Ticket Inspectors" and "Road Inspectors" and also "Controllers", "Assistant Traffic Inspectors" and "Checkers as Traffic incharge" if required to go with the vehicle.

SCHEDULE-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 every day.

Each first-aid box or cupboard shall contain the following equipments:

- (i) 12 small sterilized dressings;
- (ii) 6 medium size sterilized dressings;
- (iii) 6 large size sterilized dressings;
- (iv) 6 large size sterilized burn dressings;
- (v) 6 (1/2 oz.) packets sterilized cotton wool;
- (vi) 1 (2 oz.) bottle containing a two per cent alcohol solution of iodine.
- (vii) 1 (2 oz.) bottle containing sal-volatile having the dose and mode of administration indicated on the label;
- (viii) 1 roll of adhesive plaster;
- (ix) A snake bite lancet;
- (x) 1 (1 oz.) bottle of potassium permanganate crystals;
- (xi) 1 pair of scissors;
- (xii) 1 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 every Day.

Each first aid box or cupboard shall contain the following equipment.

- (i) 24 small sterilized dressings;
- (ii) 12 medium size sterilized dressings;
- (iii) 12 large size sterilized dressings;

- (iv) 12 large size sterilized burn dressings;
- (v) 12 (1/2 oz.) packets sterilized cotton wool;
- (vi) 1 snake-bite lancet;
- (vii) 1 pair scissors;
- (viii) 2 (1 oz.) bottles of potassium permanganate crystals;
- (ix) 1 (4 oz.) bottle containing a two per cent alcoholic solution of iodine;
- (x) 1 (4 oz.) bottle of sal-volatile having the dose and mode of administration indicated on the label;
- (xi) 1 copy of the approved first-aid leaflet;
- (xii) 12 roller bandages 4 inches wide;
- (xiii) 12 roller bandages 2 inches wide;
- (xiv) 2 rolls of adhesive plaster;
- (xv) 6 triangular bandages;
- (xvi) A supply of suitable splints;
- (xvii) 2 packets of safety pins;
- (xviii) 1 tourniquet.

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SCHEDULE-III

[See Rule 26]

- (i) 6 small sterilized dressings;
- (ii) 3 medium size sterilized dressings;
- (iii) 3 large size sterilized dressings;
- (iv) 3 large size sterilized burn dressings;
- (v) 1 (1 oz.) bottle containing a two per cent alcoholic solution of iodine;
- (vi) 1 (1 oz.) bottle containing sal-volatile having the dose and mode of administration indicated on the label;
- (vii) A snake-bite lancet;
- (viii) 1 (1 oz.) bottle of potassium permanganate crystals;
- (ix) 1 pair scissors;
- (x) 1 copy of approved first aid leaflet.

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ANNEXURE

The Schedule

Maximum number of motor transport workers to be employed during the year	Fees Rs.
5	10
25	25
50	50
100	100
250	250
500	500
750	750
1,000	1,000
¹ [1,500]	1,500

²[For every 100 motor transport workers or fraction thereof beyond 1,500 an additional Fee of Rs. 200 shall be charged in addition to Rs. 3,500].

1. Subs. by G.O.Ms. No. 445, (Lab-II), dt. 31-12-1985.

2. Added by *Ibid*.