



सत्यमेव जयते

**Report on the Working of the Motor  
Transport Workers Act, 1961 for the  
Year 2008**

Government of India  
Ministry of Labour & Employment  
Labour Bureau  
Chandigarh/Shimla

## **Report on the Working of the Motor Transport Workers Act, 1961 for the Year 2008**

### **1. Scope, Objective and Main Provisions**

The Motor Transport Workers' Act, 1961 which came into force in March, 1962 is intended to take care of the welfare of the motor transport workers and to regulate the conditions of their work. It applies to every motor transport undertaking employing five or more workers in all the States / Union Territories in the country. The State Governments are, however, empowered to apply all or any of the provisions of this Act to any motor transport undertaking employing less than five workers. In Delhi, the Motor Transport Undertakings are covered under the Shops and Commercial Establishments Act.

The main provisions of the Act, *inter-alia*, relate to (i) welfare and health; (ii) hours of work; (iii) employment of young persons; and (iv) wages, over-time payment and leave.

### **2. Administration of the Act**

The Act, which makes it obligatory for every employer of a motor transport undertaking, to which the Act is applicable, to have the undertaking registered under the Act, is administered by the State Governments.

It also makes obligatory for the employers to provide every reasonable facility to the Inspectorate Staff for making any inspection, examination or inquiry, as it deemed fit, so as to ensure the scrupulous implementation of the provisions of the Act, or the Rules, made there-under.

Besides, the Act also provides for appointment of qualified medical practitioners as "Certifying Surgeons" by the State Governments for the examination and certification of motor transport workers and to exercise medical supervision on the employment of adolescents.

### **3. Distribution of Motor Transport Undertakings**

The details of the number of registered motor transport undertakings during the year 2008 are presented in **Table-1**. The Table shows that a total of 90,243 Motor Transport Undertakings were registered as on 31<sup>st</sup> December, 2008, of which 15,067 were registered during 2008. Of the total registered motor transport undertakings, Assam has the highest share of 30.22 per cent (27,268), followed by in Andhra Pradesh 14.63 per cent, Meghalaya 13.19 per cent, Bihar 9.93 per cent, Kerala 6.62 per cent, Rajasthan 5.90 per cent and in Uttar Pradesh 4.77 per cent.

**Table – 1**

## Number of Registered Motor Transport Undertakings during 2008

State / Union Territory	Number of undertakings			
	On Register at the beginning of the year	Newly Registered during the year	Removed from the Register during the year	On Register at the end of the year
1	2	3	4	5
1. Andhra Pradesh	13549	1716	2067	13,198(14.63)
2. Arunachal Pradesh	-	-	-	-
3. Assam	23817	6356	2905	27,268(30.22)
4. Bihar	7380	1626	49	8,957(9.93)
5. Chhattisgarh	<b>2364</b>	64	169	2,259(2.50)
6. Gujarat	<b>173</b>	3	4	172(0.19)
7. Haryana	56	3	-	59(0.07)
8. Himachal Pradesh	89	1	-	90(0.10)
9. Jammu and Kashmir	1264	482	3	1,743(1.93)
10. Karnataka	<b>1204</b>	29	42	1,191(1.32)
11. Kerala	6024	1041	1088	5,977(6.62)
12. Meghalaya	8783	3123	-	11,906(13.19)
13. Orissa	2002	192	52	2,142(2.37)
14. Punjab	164	-	-	164(0.18)
15. Rajasthan	5334	50	57	5,327(5.90)
16. Tamil Nadu	2030	45	28	2,047(2.27)
17. Tripura	<b>2000</b>	220	-	2,220(2.46)
18. Uttar Pradesh	4407	96	200	4,303(4.77)
19. Uttarakhand	1108	20	35	1,093(1.21)
20. Chandigarh	9	-	-	9(0.01)
21. Puducherry	<b>118</b>	-	-	118(0.13)
<b>Total</b>	<b>81,875</b>	<b>15,067</b>	<b>6,699</b>	<b>90,243(100.00)</b>

- = Nil

Note: 1. Figures of Registered Transport Undertakings may not tally over the years because of difference in updation of the Register of Establishments by the States/Union Territories at different times.

2. Figures in the brackets indicate state-wise percentage share to the total.

#### 4. Employment

As per the Act, a 'Motor Transport Worker' is one who is employed in a motor transport undertaking, directly or through any agency, whether for wages or not, to work in a professional capacity on a transport vehicle or to attend to duties in connection with the arrival, departure, loading or unloading of such transport vehicle and includes a driver, conductor, cleaner, station staff, line checking staff, booking clerk, cash clerk, depot clerk, time-keeper, watchman or attendant. It does not include (a) any such person who is employed in a factory as defined in the Factories Act, 1948 and (b) any such person to whom the provisions of any law for the time being in force regulating the conditions of service of persons employed in Shops or Commercial Establishments apply.

The Act prohibits the employment of a person who has not completed his fifteenth year. Adolescents (i.e., those who have completed their fifteenth year but have not completed their eighteenth year) are not allowed to work as motor transport workers unless a certificate of fitness is granted by a Certifying Surgeon and the same is kept in the custody of the employer. The concerned adolescent is also required to carry a token to this effect while at work. The certificate of fitness so granted is valid only for a period of 12 months and can be renewed again.

State-wise information on the number of registered motor transport undertakings and average daily employment therein during 2008 is presented in **Table-2**. The Table shows that out of the 88,617 registered working undertakings, only 26.37 per cent units submitted their annual returns. The employment figures for the units not submitting returns have however been estimated by the concerned agencies from the following sources in order of their preference:

- i) recent inspection report,
- ii) previous year's employment data and
- iii) employment figures indicated in the application for registration or grant or renewal of license.

The total average daily employment in the motor transport industry in a state has been derived by adding up the estimated average daily employment in the units not submitting returns with the employment figures of undertakings submitting returns. Of the total number of 5, 75,392 motor transport workers during 2008, Karnataka accounted for the highest number of workers i.e., 1,29,027 (22.42 per cent) followed by Tamil Nadu 1,18,243 (20.55 per cent), Assam 67,401 (11.71 per cent) and Andhra Pradesh 60,679 (10.55 per cent). These four states taken together accounted for 65 per cent of the total average daily employment in motor transport undertakings. Though the all-India average daily employment per undertaking was 6.49, it varied from state to state. Haryana was on the top with an average employment per undertaking of 134.07 workers in 59 Motor Transport Undertaking whereas Bihar was at the bottom with 1.76 workers employed on an average in 7331 Motor Transport Undertakings.

**TABLE – 2**

Number of Motor Transport Undertakings and Workers Employed therein during 2008

State /Union Territory	Employment Strength			
	Number of Motor Transport Undertakings submitted returns	Average daily employment in the Undertakings submitted returns	Number of Motor Transport Undertakings not submitted returns	Estimated average daily employment in the Undertakings not submitted returns
1	2	3	4	5
1. Andhra Pradesh	1659	4010	11539	56669
2. Arunachal Pradesh	-	-	-	-
3. Assam	11437	26578	15831	40823
4. Bihar	254	478	7077	12439
5. Chhattisgarh	159	1267	2100	10380
6. Gujarat	28	985	144	1633
7. Haryana	24	3218	35	4692
8. Himachal Pradesh	68	5489	22	502
9. Jammu and Kashmir	320	7285	1423	6082
10. Karnataka	115	60379	1076	68648
11. Kerala	262	626	5715	16110
12. Meghalaya	4055	8110	7851	15702
13. Orissa	22	288	2120	20482
14. Punjab	40	4516	124	4301
15. Rajasthan	22	475	5305	45542
16. Tamil Nadu	1839	106999	208	11244
17. Tripura	1625	4875	595	1785
18. Uttar Pradesh	1115	9567	3188	7245
19. Uttarakhand	226	1207	867	2327
20. Chandigarh	6	440	3	..
21. Puducherry	94	1868	24	126
<b>Total</b>	<b>23,370(26.37)</b>	<b>2,48,660</b>	<b>65,247(73.63)</b>	<b>3,26,732</b>

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Table 2 Concl.

State / Union Territory	Employment Strength		
	Total Number of Motor Transport Undertakings (col.2+col.4)	Average daily Employment in the Registered Motor Transport Undertakings (col.3+col.5)	Average employment size of Motor Transport Undertakings (col.7 ÷ col.6)
1	6	7	8
1. Andhra Pradesh	13198	60679(10.55)	4.60
2. Arunachal Pradesh	-	-	-
3. Assam	27268	67401(11.71)	2.47
4. Bihar	7331*	12917(2.25)	1.76
5. Chhattisgarh	2259	11647(2.02)	5.16
6. Gujarat	172	2618(0.46)	15.22
7. Haryana	59	7910(1.37)	134.07
8. Himachal Pradesh	90	5991(1.04)	66.57
9. Jammu and Kashmir	1743	13367(2.32)	7.67
10. Karnataka	1191	129027(22.42)	108.34
11. Kerala	5977	16736(2.91)	2.80
12. Meghalaya	11906	23812(4.14)	2.00
13. Orissa	2142	20770(3.61)	9.70
14. Punjab	164	8817(1.53)	53.76
15. Rajasthan	5327	46017(8.00)	8.64
16. Tamil Nadu	2047	118243(20.55)	57.76
17. Tripura	2220	6660(1.16)	3.00
18. Uttar Pradesh	4303	16812(2.92)	3.91
19. Uttarakhand	1093	3534(0.61)	3.23
20. Chandigarh	9	440(0.08)	48.89
21. Puducherry	118	1994(0.35)	16.90
<b>Total</b>	<b>88,617(100.00)</b>	<b>5,75,392(100.00)</b>	<b>6.49</b>

- = Nil

.. = Not available

Notes 1. Figures in the brackets in total row indicate percentage share of Motor Transport Undertakings submitting and not submitting returns to the total number of Motor Transport Undertakings.

2. Figures in brackets in col.7 indicate state-wise percentage share to the total average daily employment in all Motor Transport Undertakings.

\* Of the total 8957 undertakings registered at the end of 2008, 7331 were working.

## 5. Distribution of undertakings which submitted returns by Size of Employment

Data on state-wise distribution of motor transport undertakings (submitting returns) by employment size during the year 2008 has been presented in **Table-3**. It reveals that bulk of the motor transport undertakings (60.18 per cent ) employ less than 10 workers whereas bigger units employing 1,000 or more workers constitutes only 0.08 per cent.

**Table – 3**  
Distribution of Registered Motor Transport Undertakings which submitted Returns by Employment Strength during 2008

State/Union Territory	Employment Strength									
	Less than 10 workers		10 or more but less than 20 workers		20 or more but less than 50 workers		50 or more but less than 100 workers		100 or more but less than 250 workers	
	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11
1. Andhra Pradesh	1524	3258	41	263	94	489	-	-	-	-
2. Arunachal Pradesh	-	-	-	-	-	-	-	-	-	-
3. Assam	3516	14216	200	818	-	-	-	-	716	168
4. Bihar	254	478	-	-	-	-	-	-	-	-
5. Chhattisgarh	110	541	38	248	10	297	-	-	1	181
6. Gujarat	12	72	8	120	3	90	3	222	1	160
7. Haryana	11	62	4	48	3	86	-	-	3	466
8. Himachal Pradesh	30	138	9	112	4	147	9	562	4	658
9. Jammu and Kashmir	141	332	129	340	43	149	-	-	2	1780
10. Karnataka	65	340	26	355	13	171	4	273	3	331
11. Kerala	262	626	-	-	-	-	-	-	-	-
12. Meghalaya	4055	8110	-	-	-	-	-	-	-	-
13. Orissa	14	38	4	53	1	35	3	162	-	-
14. Punjab	3	21	9	131	8	209	9	634	3	428
15. Rajasthan	15	12	3	28	1	25	1	40	2	370
16. Tamil Nadu	1238	7854	415	5280	127	3796	27	1696	13	1894
17. Tripura	1625	4875	-	-	-	-	-	-	-	-
18. Uttar Pradesh	947	9454	58	83	110	30	-	-	-	-
19. Uttarakhand	181	392	22	262	22	263	-	-	-	-
20. Chandigarh	3	21	2	20	-	-	-	-	-	-
21. Puducherry	59	456	23	271	7	191	1	60	2	290
<b>Total</b>	<b>14,065</b>	<b>51,296</b>	<b>991</b>	<b>8,432</b>	<b>446</b>	<b>5,978</b>	<b>57</b>	<b>3,649</b>	<b>750</b>	<b>6,726</b>
	<b>(60.18)</b>	<b>(20.63)</b>	<b>(4.24)</b>	<b>(3.39)</b>	<b>(1.91)</b>	<b>(2.40)</b>	<b>(0.24)</b>	<b>(1.47)</b>	<b>(3.21)</b>	<b>(2.71)</b>

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Table-3 conclud.

State/Union Territory	Employment Strength							
	250 or more but less than 500 workers		500 or more but less than 1000 workers		1000 or more workers		All workers (i.e., Total)	
	A	B	A	B	A	B	A	B
1	12	13	14	15	16	17	18	19
1. Andhra Pradesh	-	-	-	-	-	-	1659	4010
2. Arunachal Pradesh	-	-	-	-	-	-	-	-
3. Assam	7005	11376	-	-	-	-	11437	26578
4. Bihar	-	-	-	-	-	-	254	478
5. Chhattisgarh	-	-	-	-	-	-	159	1267
6. Gujarat	1	321	-	-	-	-	28	985
7. Haryana	-	-	3	2556	-	-	24	3218
8. Himachal Pradesh	12	3872	-	-	-	-	68	5489
9. Jammu and Kashmir	-	-	-	-	5	4684	320	7285
10. Karnataka	-	-	-	-	4	58909	115	60379
11. Kerala	-	-	-	-	-	-	262	626
12. Meghalaya	-	-	-	-	-	-	4055	8110
13. Orissa	-	-	-	-	-	-	22	288
14. Punjab	7	2506	1	587	-	-	40	4516
15. Rajasthan	-	-	-	-	-	-	22	475
16. Tamil Nadu	7	2491	2	1361	10	82627	1839	106999
17. Tripura	-	-	-	-	-	-	1625	4875
18. Uttar Pradesh	-	-	-	-	-	-	1115	9567
19. Uttarakhand	1	290	-	-	-	-	226	1207
20. Chandigarh	1	399	-	-	-	-	6	440
21. Puducherry	2	600	-	-	-	-	94	1868
<b>Total</b>	<b>7,036</b>	<b>21,855</b>	<b>6</b>	<b>4,504</b>	<b>19</b>	<b>1,46,220</b>	<b>23,370</b>	<b>2,48,660</b>
	<b>(30.11)</b>	<b>(8.79)</b>	<b>(0.03)</b>	<b>(1.81)</b>	<b>(0.08)</b>	<b>(58.80)</b>	<b>(100.00)</b>	<b>(100.00)</b>

- = Nil.

A = Number of Motor Transport Undertakings.

B = Average daily Employment.

Note:-Figures in brackets indicate size-wise percentage share of Number of Motor Transport Undertakings and Average daily employment.



Table 3A given below presents the number of motor transport undertakings submitting returns and average daily employment therein by various size groups during 2008.

**Table 3A:**  
Average Daily Employment in Motor Transport Undertakings by Employment Size-Groups

Employment Size	Number of Motor Transport Undertakings Submitted Returns		Average Daily Number of Workers Employed	
	Number	Percentage to Total	Number	Percentage Employment to Total
1	2	3	4	5
Below 50	15,502	66.33	65,706	26.42
50-99	57	0.24	3,649	1.47
100-249	750	3.21	6,726	2.71
250-499	7,036	30.11	21,855	8.79
500-999	6	0.03	4,504	1.81
1000 & above	19	0.08	1,46,220	58.80
<b>All Groups</b>	<b>23,370</b>	<b>100.00</b>	<b>2,48,660</b>	<b>100.00</b>

The above Table reveals that the number of Motor Transport Undertakings employing less than 50 workers account for 66.33 per cent of the total undertakings submitting returns but only 26.42 per cent of the total employment. On the other hand, the number of undertakings employing 1,000 or more workers constitutes only 0.08 per cent of the total undertakings but they account for 58.80 per cent of the total employment.

## 6. Hours of work

The Act forbids the employment of any adult worker for more than 8 hours per day and 48 hours per week. However, workers engaged in the running of any motor transport service on long distance routes or on festive and other occasions, have been permitted to work for more than 8 hours in a day and 48 hours in any week but not exceeding 10 hours and 54 hours respectively. Workers can also be allowed to work beyond the prescribed limits of work in the event of breakdown or dislocation of transport service or interruption of traffic etc. Adolescents are not permitted to be employed or required to work (a) for more than 6 hours a day including rest interval of half-an-hour, and (b) between 10 p.m. and 6 a.m. In case of adults, the period of work should not exceed five hours before a rest interval of at least half-an-hour has been given. The spread-over of the hours of work inclusive of interval of rest, is not to exceed 12 hours on any day in the case of adult workers and 9 hours in the case of adolescent workers. The hours of work of workers cannot be split into more than two spells on any day.

It is obligatory for the grant of a day of rest to every worker in every period of seven days of work under this Act. If a worker is required to attend duty on any day of rest in order to prevent any dislocation of a motor transport service, in such cases it is to be ensured that he does not work consecutively for more than ten days without a day of rest. If an employer is granted exemption under the Act and is not able to grant any of the prescribed days of rest to workers, the worker is entitled to avail compensatory days of rest equal to the number of days of rest lost by him within the month in which the days of rest are due to him or within two months immediately following that month.

**Table-4** shows the number of motor transport undertakings and employment therein according to normal daily hours of work and rest interval enjoyed by the workers. It can be seen from this

Table that 73.47 per cent of the workers worked for 8 hours a day. So far as the rest intervals are concerned, 86.12 per cent workers enjoyed rest interval ranging from half-an-hour to one hour.

**Table-4**  
Number of Registered Motor Transport Undertakings submitted returns and Employment therein according to the Normal Daily Hours of Work and Rest Interval during 2008

State/Union Territory	Normal daily hours of work							
	Less than 8 hours		8 hours		More than 8 hours		Total	
	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9
1. Andhra Pradesh	141	1157	1457	2548	61	305	1659	4010
2. Arunachal Pradesh	-	-	-	-	-	-	-	-
3. Assam	1228	5106	8238	13221	1971	8251	11437	26578
4. Bihar	-	-	254	478	-	-	254	478
5. Chhattisgarh	-	-	159	1267	-	-	159	1267
6. Gujarat	-	-	28	985	-	-	28	985
7. Haryana	-	-	24	3218	-	-	24	3218
8. Himachal Pradesh	8	152	57	5201	3	136	68	5489
9. Jammu and Kashmir	-	-	274	5711	46	1574	320	7285
10. Karnataka	23	43433	92	16946	-	-	115	60379
11. Kerala	-	-	262	626	-	-	262	626
12. Meghalaya	-	-	4055	8110	-	-	4055	8110
13. Orissa	-	-	22	288	-	-	22	288
14. Punjab	1	50	38	4446	1	20	40	4516
15. Rajasthan	-	-	22	475	-	-	22	475
16. Tamil Nadu	165	1229	1671	105686	3	84	1839	106999
17. Tripura	500	1500	575	1725	550	1650	1625	4875
18. Uttar Pradesh	314	1224	733	8255	68	88	1115	9567
19. Uttarakhand	-	-	226	1207	-	-	226	1207
20. Chandigarh	-	-	6	440	-	-	6	440
21. Puducherry	-	-	94	1868	-	-	94	1868
<b>Total</b>	<b>2,380</b>	<b>53,851</b>	<b>18,287</b>	<b>1,82,701</b>	<b>2,703</b>	<b>12,108</b>	<b>23,370</b>	<b>2,48,660</b>
	<b>(10.18)</b>	<b>(21.66)</b>	<b>(78.25)</b>	<b>(73.47)</b>	<b>(11.57)</b>	<b>(4.87)</b>	<b>(100.00)</b>	<b>(100.00)</b>

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Table 4-conclld.

State/Union Territory	Rest Intervals							
	Less than ½ hour		½ hour to 1 hour		More than 1 hours		Total	
	A	B	A	B	A	B	A	B
I	10	11	12	13	14	15	16	17
1. Andhra Pradesh	-	-	-	-	1659	4010	1659	4010
2. Arunachal Pradesh	-	-	-	-	-	-	-	-
3. Assam	2682	9194	4970	9539	3785	7845	11437	26578
4. Bihar	-	-	254	478	-	-	254	478
5. Chhattisgarh	-	-	159	1267	-	-	159	1267
6. Gujarat	9	556	18	388	1	41	28	985
7. Haryana	-	-	24	3218	-	-	24	3218
8. Himachal Pradesh	3	23	56	5372	9	94	68	5489
9. Jammu and Kashmir	-	-	274	5711	46	1574	320	7285
10. Karnataka	47	542	67	59826	1	11	115	60379
11. Kerala	-	-	262	626	-	-	262	626
12. Meghalaya	-	-	4055	8110	-	-	4055	8110
13. Orissa	-	-	22	288	-	-	22	288
14. Punjab	-	-	38	4473	2	43	40	4516
15. Rajasthan	-	-	22	475	-	-	22	475
16. Tamil Nadu	-	-	1787	106561	52	438	1839	106999
17. Tripura	-	-	1075	3225	550	1650	1625	4875
18. Uttar Pradesh	315	1213	725	1087	75	7267	1115	9567
19. Uttarakhand	-	-	226	1207	-	-	226	1207
20. Chandigarh	-	-	6	440	-	-	6	440
21. Puducherry	-	-	94	1868	-	-	94	1868
<b>Total</b>	<b>3,056</b>	<b>11,528</b>	<b>14,134</b>	<b>2,14,159</b>	<b>6,180</b>	<b>22,973</b>	<b>23,370</b>	<b>2,48,660</b>
	<b>(13.08)</b>	<b>(14.64)</b>	<b>(60.48)</b>	<b>(86.12)</b>	<b>(26.44)</b>	<b>(9.24)</b>	<b>(100.00)</b>	<b>(100.00)</b>

- = Nil.

A = Number of Motor Transport Undertakings submitting returns.

B = Average daily Employment.

Note:- Figures in brackets indicate percentage share of ranges of Normal daily hours of work and rest intervals to their totals in respect of Number of Motor Transport Undertakings submitting returns and Average daily employment.

## 7. Wages, Overtime Payment and Leave

All workers engaged in motor transport undertakings are covered under the Payment of Wages Act, 1936. Where an adult worker works for more than eight hours on any day or on any day of rest, he is entitled to wages at the rate of twice his ordinary rate of wages in respect of the overtime work or the work done on the day of rest as the case may be. Similarly, an adolescent required to work on rest days is also entitled to wages at the rate of twice his ordinary rate of wages (basic wage plus dearness allowance).

Under Section 27 of the Motor Transport Workers Act, every adult motor transport worker who works for a period of 240 days or more during a calendar year is entitled to leave with wages during the subsequent years at the rate of one day for every 20 days of work performed. In the case of adolescent worker, leave is to be calculated at the rate of one day for every 14 days of work performed by him during the pervious calendar year. The Act also provides that if a motor transport worker is not granted leave to which he was entitled under sub-section (3) of Section 27 of the Act, he should be paid wages in lieu thereof at the rate prescribed in sub-section (1) of Section 28 of the Act. A worker whose service commences otherwise than on the first day of January, is entitled to leave with wages at the prescribed rate, provided he works for two third of the total number of days in the remainder of the calendar year. If a worker is discharged or dismissed from service during the course of the year, he is entitled to leave with wages at the prescribed rate even if he has not worked for the entire period as specified above. The leave admissible as above will exclude weekly holidays or closed holidays falling during or at either end of the period of leave. It can be accumulated to the extent of 30 days in the case of an adult and 40 days in the case of an adolescent. Wages for the days of leave are to be paid on the basis of average daily full-time wages for the days the workers worked during the month immediately preceding the leave including dearness allowance and cash equivalent of concessional supply of food-grains but excluding over-time earnings and bonus. A worker who is granted leave for more than four days is entitled to receive, in advance, the wages payable for the period of his leave. The data relating to the entitlement of leave, leave granted and the amount paid to workers as wages in lieu of leave etc. are presented in **Table-5**. During the year 2008, out of the 2,61,518 workers who were entitled to leave with wages, 1,66,891 (63.82 per cent) were provided leave with wages and an amount of Rs.8,68,74,015 was paid as leave wages. During the year 57 workers, who were discharged, had also been paid leave wages.

The highest number of 71,288 workers was granted leave in Tamil Nadu followed by Karnataka 60,379 and Assam 11,118. The highest amount of wages in lieu of leave was paid in Karnataka (Rs.5,66,92,792) followed by Tamil Nadu (Rs.2,33,09,671) and Gujarat (Rs.36,17,007).

**Table -5**  
Leave with wages during 2008

State/Union Territory	No. of workers entitled to annual leave with wages during the year	No. of workers who were granted leave during the year	No. of workers who were discharged or dismissed during the year	No. of discharged workers who were paid wages in lieu of leave during the year	Total amount paid to workers as wages in lieu of leave during the year (in Rs.)
1	2	3	4	5	6
1. Andhra Pradesh	4010	-	-	-	-
2. Arunachal Pradesh	-	-	-	-	-
3. Assam	30089	11118	82	33	8,12,069
4. Bihar	478	-	-	-	11,11,350
5. Chhattisgarh	1553	-	-	-	-
6. Gujarat	690	689	-	-	36,17,007
7. Haryana	3218	995	2	2	37,315
8. Himachal Pradesh	5489	5489	-	-	-
9. Jammu and Kashmir	4803	4718	-	-	4,79,000
10. Karnataka	60379	60379	14923	-	5,66,92,792
11. Kerala	3	3	3	-	6,109
12. Meghalaya	23812	-	-	-	-
13. Orissa	288	288	-	-	-
14. Punjab	2193	650	6	1	7,812
15. Rajasthan	4377	423	-	-	-
16. Tamil Nadu	106999	71288	-	-	2,33,09,671
17. Tripura	3875	3875	-	-	-
18. Uttar Pradesh	5747	3977	14	13	6,44,165
19. Uttarakhand	1207	717	8	8	1,56,725
20. Chandigarh	440	414	-	-	-
21. Puducherry	1868	1868	-	-	-
<b>Total</b>	<b>2,61,518</b>	<b>1,66,891</b> <b>(63.82)</b>	<b>15,038</b>	<b>57</b>	<b>8,68,74,015</b>

- = Nil.

Note:- Figure in bracket indicates percentage of number of workers granted leave to total number of workers entitled to annual leave.

#### **8. Welfare and Health**

The State Governments are empowered to frame Rules requiring the employers of motor transport undertakings employing 100 or more workers to provide and maintain canteens of the prescribed standards. Such Rules may provide for the constitution of Managing Committees for the canteens and the representation of the workers in the management of the canteens. The Act provides for clean, comfortable, well-lighted and ventilated rest rooms or such other alternative

accommodation at every place wherein the workers are required to halt at night. The State Governments may prescribe the standard of construction, accommodation, furniture and other equipment for restrooms or the alternative accommodation to be provided. The employers are also required to provide uniforms, raincoats or other such amenities to the drivers, conductors and line-checking staff for their protection from rain and cold. The employers, who do not have arrangements for the washing of uniforms at their cost, have to pay washing allowance to such staff at the prescribed rate.

It is obligatory for the employers to provide and maintain such medical facilities as may be readily available for the workers at such operating centres and the halting stations as may be prescribed by the concerned State Governments. In addition, a first-aid box equipped with the prescribed contents is required to be maintained by the employer in every transport vehicle so that first-aid facilities are readily available during all working hours. The first-aid box shall be kept under the charge of the driver or the conductor of the vehicle who shall be provided facilities for training in the use thereof. **Table 6** presents the State-wise information regarding the number of undertakings providing canteens and rest rooms. All the States/Union Territories covered under the Act have not supplied the information in respect of these welfare activities. However, the available information shows that 323 units have provided canteen facilities and 1,133 units have provided rest rooms. From the table it is evident that the welfare facilities provided by the units located in different states are quite satisfactory as most of the undertakings except in the states of Assam (canteen facilities), Himachal and Uttar Pradesh (rest room facilities) are providing better facilities than the prescribe norms. More over there are units which are also providing these facilities though they are not bonded by the Act to provide such facilities.

**Table-6**

Canteens and Rest Rooms Facilities provided by Motor Transport Undertakings during 2008

State /Union Territory	Canteens			Rest Rooms		
	No. of Undertakings required to provide Canteens	No. of Units providing Canteens	No. of Canteen provided	No. of Undertakings required to provide Rest Rooms	No. of Units providing Rest Rooms	No. of Rest Rooms Provided
1	2	3	4	5	6	7
1. Andhra Pradesh	70	70	70	87	87	85
2. Arunachal Pradesh	-	-	-	-	-	-
3. Assam	69	38	38	50	54	27
4. Bihar	-	-	-	-	-	-
5. Chhattisgarh	-	1	1	-	3	3
6. Gujarat	1	1	4	1	1	4
7. Haryana	-	20	22	-	23	31
8. Himachal Pradesh	16	19	24	68	40	64
9. Jammu and Kashmir	..	..	..	..	..	..
10. Karnataka	-	-	-	-	-	-
11. Kerala	-	-	-	8	8	8
12. Meghalaya	-	-	-	-	-	-
13. Orissa	..	4	4	..	15	28
14. Punjab	40	40	40	40	40	40
15. Rajasthan	5	5	5	5	5	5
16. Tamil Nadu	..	97	104	..	730	846
17. Tripura	-	-	-	-	-	-
18. Uttar Pradesh	7	8	6	7	4	8
19. Uttarakhand	12	12	6	6	6	6
20. Chandigarh	-	6	1	-	6	6
21. Puducherry	2	2	2	111	111	111
<b>Total</b>	<b>222</b>	<b>323</b>	<b>327</b>	<b>383</b>	<b>1,133</b>	<b>1,272</b>

- = Nil

.. = Not Available

**Table 7** presents the State-wise information regarding the number of undertakings providing dispensaries, doctors and nurses. It shows that the medical facilities proved to motor transport workers is quite satisfactory as the number of units providing these facilities, except in the states of Himachal Pradesh and Punjab, are more or less in tune with the prescribed norms.

**Table-7**  
Medical Facilities provided by Motor Transport Undertakings during 2008

State /Union Territory	Medical Facilities				
	No. of Undertakings required to provide Medical facilities	No. of Units providing Medical facilities	No. of Dispensaries provided	No. of Doctors provided	No. of Nurses/Compounders provided
1	2	3	4	5	6
1. Andhra Pradesh	53	34	37	57	93
2. Arunachal Pradesh	-	-	-	-	-
3. Assam	56	51	-	-	-
4. Bihar	-	-	-	-	-
5. Chhattisgarh	-	38	1	2	2
6. Gujarat	-	2	2	2	8
7. Haryana	-	12	12	16	8
8. Himachal Pradesh	68	19	2	4	3
9. Jammu and Kashmir	-	-	-	-	-
10. Karnataka	-	-	-	-	-
11. Kerala	-	-	-	-	-
12. Meghalaya	-	-	-	-	-
13. Orissa	-	-	-	-	-
14. Punjab	40	2	2	2	2
15. Rajasthan	5	5	-	-	-
16. Tamil Nadu	..	49	57	77	88
17. Tripura	-	-	-	-	-
18. Uttar Pradesh	-	11	3	6	2
19. Uttarakhand	6	6	6	6	8
20. Chandigarh	-	6	-	-	-
21. Puducherry	111	111	-	-	-
<b>Total</b>	<b>339</b>	<b>351</b>	<b>122</b>	<b>172</b>	<b>214</b>

- = Nil.

.. = Not available

### 9. Enforcement

The Inspectorate Staff in the States / Union Territories are required to ensure proper implementation of the provisions of the Motor Transport Workers Act, 1961 relating to hours of work, daily interval for rest, spread over of working hours, weekly rest, etc. The Inspectorates in various States / Union Territories carry out inspections of the undertakings to check infringement of the provisions of the Motor Transport Workers Act, 1961.

**Table-8** presents information relating to number of inspections made, prosecutions launched, convictions obtained and fines realized during the year under reference. The number of

inspections carried out are highest in Assam (22,930) whereas, prosecutions launched (251) and also the amount of fine realised were maximum in Tamil Nadu (Rs.1,04,170).

**Table –8**  
Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2008

State/Union Territory	No. of Inspections made	Prosecutions						Total amount realized towards fines (Rs.)
		No. of cases pending at the commencement of the year	No. of fresh cases filed during the year	No. of cases in which conviction obtained	No. of cases acquitted	No. of cases with drawn	No. of cases pending at the end of the year	
1	2	3	4	5	6	7	8	9
1. Andhra Pradesh	4540	742	54	301	-	-	495	59,950
2. Arunachal Pradesh	-	-	-	-	-	-	-	-
3. Assam	22930	-	62	-	-	-	62	-
4. Bihar	2794	377	5	-	-	-	382	-
5. Chhattisgarh	362	2967	110	6	-	-	3071	2,250
6. Gujarat	15	88	176	1	2	-	261	400
7. Haryana	809	-	4	-	-	-	4	-
8. Himachal Pradesh	45	19	5	1	-	-	23	500
9. Jammu and Kashmir	-	-	-	-	-	-	-	-
10. Karnataka	60	8	19	9	-	1	17	6,150
11. Kerala	5977	14	92	28	-	-	78	35,000
12. Meghalaya	-	-	-	-	-	-	-	-
13. Orissa	263	306	11	3	3	-	311	500
14. Punjab	3	1	-	-	-	-	1	-
15. Rajasthan	92	107	-	-	1	-	106	-
16. Tamil Nadu	4195	1065	251	241	-	-	1075	1,04,170
17. Tripura	1260	-	-	-	-	-	-	-
18. Uttar Pradesh	491	697	10	252	13	-	442	46,912
19. Uttarakhand	-	-	-	-	-	-	-	-
20. Chandigarh	-	-	-	-	-	-	-	-
21. Puducherry	129	-	-	-	-	-	-	-
<b>Total</b>	<b>43,965</b>	<b>6,391</b>	<b>799</b>	<b>842</b>	<b>19</b>	<b>1</b>	<b>6,328</b>	<b>2,55,832</b>

- = Nil.

#### 10. Limitations

This Act extends to the whole of India and applies to every motor transport undertaking employing five or more workers in all the States / Union Territories in the country. As such all the States / Union Territories in the country are under obligation to submit the returns by stipulated date to the Labour Bureau. However, there are number of States/Union Territories which have not submitted the returns by stipulated time despite repeated reminders thereby resulting into delay in bringing out the report.

The present report is based on the information received from 19 states and 2 union territories. The other States / Union Territories have either not submitted the returns or have submitted defective/inconsistent figures. Maharashtra, Manipur, A&N Islands(not submitted), Goa, Jharkhand, Madhya Pradesh and West Bengal (submitted but defective) were among them. Similarly, the review does not include information pertaining to Mizoram, Nagaland, Sikkim, Dadra & Nagar Haveli, Daman & Diu and Lakshadweep as the Act has not been implemented in these States / Union Territories. In Delhi Motor Transport Undertakings are covered under the Shops and Commercial Establishments Act and hence not included in this review.