

**REPORT ON THE WORKING OF THE MOTOR TRANSPORT
WORKERS ACT, 1961 FOR THE YEAR 2012**

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 2012 are presented in **Table-1**. The Table shows that a total of 81,141 Motor Transport Undertakings were registered as on 31st December, 2012, of which 10,741 were registered during 2012. Of the total registered motor transport undertakings, Assam has the highest share of 51.30% (41,625), followed by Bihar 14.27% and Kerala 8.66%.

Table – 1 Number of Registered Motor Transport Undertakings during 2012

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. Assam	41,125	8,518	8,018	41,625(51.30)
2. Bihar	11,137	444	-	11,581(14.27)
3. Chhattisgarh	3,906	85	102	3,889(4.79)
4. Goa	1,352	393	10	1,735(2.14)
5. Gujarat	181	14	-	195(0.24)
6. Haryana	74	4	-	78(0.10)
7. Himachal Pradesh	112	4	-	116(0.14)
8. Jammu and Kashmir	1,905	191	-	2,096(2.58)
9. Karnataka	1,183	53	3	1,233(1.52)
10. Kerala	6,487	829	288	7,028(8.66)
11. Mizoram @	-	-	-	-
12. Punjab	164	-	-	164(0.20)
13. Rajasthan	5,210	16	496	4,730(5.83)
14. Tripura	2,480	108	-	2,588(3.19)
15. Uttarakhand	1,040	18	52	1,006(1.24)
16. West Bengal	2,686	28	-	2,714(3.35)
17. Chandigarh	9	-	-	9(0.01)
18. Pudducherry	318	36	-	354(0.44)
Total	79,369	10,741	8,969	81,141

- = Nil, @ = The Act is yet to enforce in Mizoram

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 also 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 2012 is presented in **Table-2**. The Table shows that out of the 76,225 registered working undertakings, only 24.18% 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 4,28,625 motor transport workers during 2012, Karnataka accounted for the highest number of workers i.e., 1,80,380 (42.08%) followed by Assam 94,425 (22.03%) and Rajasthan 44,109 (10.29%). These three states taken together accounted for 74 per cent of the total average daily employment in motor transport undertakings. Though the all-India average daily employment per undertaking was 5.62, it varied from state to state. Chandigarh(UT) was on the top with an average daily employment per undertaking of 208.67 workers in 9 Motor Transport Undertaking whereas Goa was at the bottom with 1.08 workers employed on an average in 1,867 Motor Transport Undertakings.

Table – 2 Number of Motor Transport Undertakings and Workers Employed therein during 2012

State / Union Territory	Employment Strength			
	Number of Motor Transport Undertakings submitting returns	Average daily employment in the Undertakings submitting returns	Number of Motor Transport Undertakings not submitting returns	Estimated average daily employment in the Undertakings not submitting returns
1	2	3	4	5
1. Assam	15,514	37,212	24,217	57,213
2. Bihar	152	3,618	7,344	13,185
3. Chhattisgarh	492	3,241	4,460	10,444
4. Goa	7	1,867	1,728	-
5. Gujarat	47	1,525	148	-
6. Haryana	19	1,943	59	8,060
7. Himachal Pradesh	38	3,156	78	4,339
8. Jammu and Kashmir	540	3,159	1,556	9,102
9. Karnataka	104	97,137	1,129	83,243
10. Kerala	-	-	7,028	17,232
11. Mizoram @	-	-	-	-
12. Punjab	29	2,540	135	6,596
13. Rajasthan	31	501	4,699	43,608
14. Tripura	1,106	5,030	1,482	2,860
15. Uttarakhand	164	1,195	842	2,339
16. West Bengal	38	151	2,676	2,676
17. Chandigarh	6	1,325	3	553
18. Pudducherry	148	2,013	206	1,562
Total	18,435(24.18)	1,65,613	57,790(75.82)	2,63,012

- = Nil, @ = The Act is yet to enforce in Mizoram

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Table 2 Concl'd.

State / Union Territory	Employment Strength		
	Total Number of working Motor Transport Undertakings (col.2+col.4)	Average daily Employment in the Registered Motor Transport Undertakings (col.3+col.5)	Average daily employment per Undertakings (col.7 ÷ col.6)
1	6	7	8
1. Assam	39,731	94,425(22.03)	2.38
2. Bihar	7,496	16,803(3.92)	2.24
3. Chhattisgarh	4,952	13,685(3.19)	2.76
4. Goa	1,735	1,867(0.44)	1.08
5. Gujarat	195	1,525(0.36)	7.82
6. Haryana	78	10,003(2.33)	128.24
7. Himachal Pradesh	116	7,495(1.75)	64.61
8. Jammu and Kashmir	2,096	12,261(2.86)	5.85
9. Karnataka	1,233	1,80,380(42.08)	146.29
10. Kerala	7,028	17,232(4.02)	2.45
11. Mizoram @	-	-	-
12. Punjab	164	9,136(2.13)	55.71
13. Rajasthan	4,730	44,109(10.29)	9.33
14. Tripura	2,588	7,890(1.84)	3.05
15. Uttarakhand	1,006	3,534(0.82)	3.51
16. West Bengal	2,714	2,827(0.66)	1.04
17. Chandigarh	9	1,878(0.44)	208.67
18. Pudducherry	354	3,575(0.84)	10.10
Total	76,225	4,28,625	5.62

- = Nil

@ = The Act is yet to enforce in Mizoram

Notes 1. Figures in the brackets in total 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.

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 2012 has been presented in **Table-3**. It reveals that bulk of the motor transport undertakings (95.62%) employ less than 10 workers whereas bigger units employing 1,000 or more workers constitutes only 0.19 percent.

Table – 3 Distribution of Registered Motor Transport Undertakings which submitted returns by Employment Strength during 2012

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. Assam	15,514	37,212	-	-	-	-	-	-	-	-	-
2. Bihar	151	188	-	-	-	-	-	-	-	-	-
3. Chhattisgarh	12	1,296	79	324	79	324	89	389	74	292	
4. Goa	7	1,867	-	-	-	-	-	-	-	-	
5. Gujarat	16	95	13	190	11	370	5	350	1	217	
6. Haryana	7	38	6	76	2	50	1	61	1	142	
7. Himachal Pradesh	11	77	2	31	8	286	6	394	7	1,255	
8. Jammu and Kashmir	498	2,608	42	551	-	-	-	-	-	-	
9. Karnataka	-	-	82	1,335	-	-	16	1,072	2	321	
10. Kerala	-	-	-	-	-	-	-	-	-	-	
11. Mizoram @	-	-	-	-	-	-	-	-	-	-	
12. Punjab	2	12	4	50	6	155	7	429	7	1,039	
13. Rajasthan	27	92	-	-	2	85	1	88	1	236	
14. Tripura	1,106	5,030	-	-	-	-	-	-	-	-	
15. Uttarakhand	139	623	24	282	-	-	-	-	-	-	
16. West Bengal	38	151	-	-	-	-	-	-	-	-	
17. Chandigarh	3	17	1	10	-	-	-	-	-	-	
18. Pudducherry	96	480	34	347	8	160	6	312	2	206	
Total	17,627	49,786	287	3,196	116	1,430	131	3,095	95	3,708	
	(95.62)	(30.06)	(1.56)	(1.93)	(0.63)	(0.86)	(0.71)	(1.86)	(0.52)	(2.24)	

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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. Assam	-	-	-	-	-	-	15,514	37,212
2. Bihar	-	-	-	-	1	3,430	152	3,618
3. Chhattisgarh	69	259	60	194	30	163	492	3,241
4. Goa	-	-	-	-	-	-	7	1,867
5. Gujarat	1	303	-	-	-	-	47	1,525
6. Haryana	-	-	2	1,576	-	-	19	1,943
7. Himachal Pradesh	4	1,113	-	-	-	-	38	3,156
8. Jammu and Kashmir	-	-	-	-	-	-	540	3,159
9. Karnataka	-	-	-	-	4	94,409	104	97,137
10. Kerala	-	-	-	-	-	-	-	-
11. Mizoram @	-	-	-	-	-	-	-	-
12. Punjab	3	855	-	-	-	-	29	2,540
13. Rajasthan	-	-	-	-	-	-	31	501
14. Tripura	-	-	-	-	-	-	1,106	5,030
15. Uttarakhand	1	290	-	-	-	-	164	1,195
16. West Bengal	-	-	-	-	-	-	38	151
17. Chandigarh	1	308	1	990	-	-	6	1,325
18. Pudducherry	2	508	-	-	-	-	148	2,013
Total	81	3,636	63	2,760	35	98,002	18,435	1,65,613
	(0.44)	(2.20)	(0.34)	(1.67)	(0.19)	(59.18)	(100.00)	(100.00)

- = Nil. @ = The Act is yet to enforce in Mizoram

A = Number of Motor Transport Undertakings.

B = Average daily Employment.

Note:-Figures in brackets indicate size-wise percentage share to the total.

Table 3A given below presents the number of motor transport undertakings submitting returns and average daily employment therein by various size groups during 2012.

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

Employment Size	Number of Motor Transport Undertakings Submitting Returns		Average Daily Number of Workers Employed	
	Number	Percentage to Total	Number	Percentage to Total
1	2	3	4	5
Below 50	18,030	97.80	54,412	32.85
50-99	131	0.71	3,095	1.86
100-249	95	0.52	3,708	2.24
250-499	81	0.44	3,636	2.20
500-999	63	0.34	2,760	1.67
1000 & above	35	0.19	98,002	59.18
All Groups	18,435	100.00	1,65,613	100.00

The above Table reveals that the number of Motor Transport Undertakings employing less than 50 workers account for 97.80% of the total undertakings submitting returns but only 32.85% of the total employment. On the other hand, the number of undertakings employing 1,000 or more workers constitutes only 0.19% of the total undertakings but they account for 59.18% 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 in a day and 54 hours in a week. 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 is 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 65.71% of the workers worked for 8 hours a day. So far as the rest intervals are concerned, 83.00% workers enjoyed rest interval ranging from half-an-hour to one hour.

Table-4 Number of Registered Motor Transport Undertakings submitting returns and Employment therein according to the Normal Daily Hours of Work and Rest Interval during 2012

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. Assam	8,172	2,909	6,340	28,513	1,002	5,790	15,514	37,212
2. Bihar	-	-	152	3,618	-	-	152	3,618
3. Chhattisgarh	18	43	456	3,155	18	43	492	3,241
4. Goa	-	-	7	1,867	-	-	7	1,867
5. Gujarat	-	-	47	1,525	-	-	47	1,525
6. Haryana	-	-	19	1,943	-	-	19	1,943
7. Himachal Pradesh	6	248	30	2,782	2	126	38	3,156
8. Jammu and Kashmir	-	-	540	3,159	-	-	540	3,159
9. Karnataka	-	-	102	53,196	2	43,941	104	97,137
10. Kerala	-	-	-	-	-	-	-	-
11. Mizoram @	-	-	-	-	-	-	-	-
12. Punjab	1	56	28	2,484	-	-	29	2,540
13. Rajasthan	-	-	31	501	-	-	31	501
14. Tripura	215	810	396	1,405	495	2,815	1,106	5,030
15. Uttarakhand	-	-	164	1,195	-	-	164	1,195
16. West Bengal	-	-	38	151	-	-	38	151
17. Chandigarh	-	-	6	1,325	-	-	6	1,325
18. Pudducherry	-	-	148	2,013	-	-	148	2,013
Total	8,412	4,066	8,504	1,08,832	1,519	52,715	18,435	1,65,613
	(45.63)	(2.46)	(46.13)	(65.71)	(8.24)	(31.83)	(100.00)	(100.00)

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Table 4-concl. d.

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
1	10	11	12	13	14	15	16	17
1. Assam	2,632	5,413	7,657	21,262	5,225	10,537	15,514	37,212
2. Bihar	-	-	152	3,618	-	-	152	3,618
3. Chhattisgarh	18	43	456	3,000	18	198	492	3,241
4. Goa	3	1,858	-	-	4	9	7	1,867
5. Gujarat	-	-	47	1,525	-	-	47	1,525
6. Haryana	-	-	19	1,943	-	-	19	1,943
7. Himachal Pradesh	-	-	38	3,156	-	-	38	3,156
8. Jammu and Kashmir	-	-	534	3,139	6	20	540	3,159
9. Karnataka	12	3,196	90	93,100	2	841	104	97,137
10. Kerala	-	-	-	-	-	-	-	-
11. Mizoram @	-	-	-	-	-	-	-	-
12. Punjab	27	2,496	2	44	-	-	29	2,540
13. Rajasthan	-	-	31	501	-	-	31	501
14. Tripura	306	728	352	1,480	448	2,822	1,106	5,030
15. Uttarakhand	-	-	164	1,195	-	-	164	1,195
16. West Bengal	-	-	38	151	-	-	38	151
17. Chandigarh	-	-	6	1,325	-	-	6	1,325
18. Pudducherry	-	-	148	2,013	-	-	148	2,013
Total	2,998	13,734	9,734	1,37,452	5,703	14,427	18,435	1,65,613
	(16.26)	(8.29)	(52.80)	(83.00)	(30.94)	(8.71)	(100.00)	(100.00)

- = Nil, @ = The Act is yet to enforce in Mizoram

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 where he is required to work on any day of rest, he is entitled to the 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 2012, out of the 1,55,031 workers who were entitled to leave with wages, 1,06,047 (68.40%) were provided leave with wages and an amount of Rs.10,31,91,710 was paid as leave wages. During the year 334 workers, who were discharged, had also been paid leave wages.

The highest number of workers (75,091) who were granted leave was in Karnataka followed by Assam (15,514) and Tripura (3,235). The highest amount of wages in lieu of leave was paid in Assam (Rs.8,91,49,100) followed by Gujarat (Rs.1,10,47,584) and Jammu & Kashmir (Rs.13,95,000).

Table -5 Leave with wages during 2012

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. Assam	24,343	15,514	89	56	8,91,49,100
2. Bihar	-	-	-	-	-
3. Chhattisgarh	13,685	-	-	-	-
4. Goa	1,771	1,494	42	37	-
5. Gujarat	1,525	642	-	-	1,10,47,584
6. Haryana	760	307	7	7	34,425
7. Himachal Pradesh	3,156	3,156	-	-	-
8. Jammu and Kashmir	3,159	1,595	-	-	13,95,000
9. Karnataka	97,137	75,091	2,705	228	10,98,551
10. Kerala	-	-	-	-	-
11. Mizoram @	-	-	-	-	-
12. Punjab	1,226	518	5	-	3,28,370
13. Rajasthan	501	499	4	-	-
14. Tripura	3,235	3,235	-	-	-
15. Uttarakhand	1,195	658	6	6	1,38,680
16. West Bengal	-	-	-	-	-
17. Chandigarh	1,325	1,325	-	-	-
18. Pudducherry	2,013	2,013	-	-	-
Total	1,55,031	1,06,047	2,858	334	10,31,91,710
		(68.40)			

- = Nil.

@ = The Act is yet to enforce in Mizoram

Note:- Figure in bracket indicates percentage 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 204 units have provided canteen facilities and 408 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. There are units which are also providing these facilities though they are not bounded by the Act to provide such facilities.

Table-6 Canteens and Rest Rooms Facilities provided by Motor Transport Undertakings during 2012

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. Assam	86	48	48	54	57	58
2. Bihar	-	-	-	-	-	-
3. Chhattisgarh	43	10	10	12	12	12
4. Goa	-	1	3	-	5	14
5. Gujarat	3	3	3	3	3	7
6. Haryana	-	16	19	-	19	22
7. Himachal Pradesh	11	15	16	38	38	49
8. Jammu and Kashmir	20	15	18	13	28	13
9. Karnataka	-	70	7	-	7	7
10. Kerala	-	-	-	12	12	12
11. Mizoram @	-	-	-	-	-	-
12. Punjab	-	-	-	-	-	-
13. Rajasthan	8	8	8	8	8	8
14. Tripura	-	-	-	-	-	-
15. Uttarakhand	12	12	6	6	6	6
16. West Bengal	..	..	..	..	..	..
17. Chandigarh	3	2	2	9	6	6
18. Pudducherry	4	4	4	-	207	207
Total	190	204	144	155	408	421

- = Nil, @ = The Act is yet to enforce in Mizoram, .. = Not reported

Table - 7 presents the State-wise information regarding the number of undertakings providing dispensaries, doctors and nurses. While the table shows that the medical facilities provided to motor transport workers is quite satisfactory as the number of units providing these facilities, except in the States of Himachal Pradesh, Jammu and Kashmir, and Uttarakhand, are more or less in tune with the prescribed norms, it also shows that Bihar, Chhattisgarh, Karnataka, Punjab and Tripura are the only States which has not provided any medical facilities to the motor transport workers.

Table-7 Medical Facilities provided by Motor Transport Undertakings during 2012

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. Assam	57	58	-	-	-
2. Bihar	-	-	-	-	-
3. Chhattisgarh	-	-	-	-	-
4. Goa	-	4	4	-	-
5. Gujarat	3	3	3	3	7
6. Haryana	-	12	12	22	27
7. Himachal Pradesh	38	5	-	4	5
8. Jammu and Kashmir	30	26	8	4	16
9. Karnataka	-	-	-	-	-
10. Kerala	12	-	-	-	-
11. Mizoram @	-	-	-	-	-
12. Punjab	-	-	-	-	-
13. Rajasthan	8	8	-	-	-
14. Tripura	-	-	-	-	-
15. Uttarakhand	6	6	6	6	8
16. West Bengal	..	..	..	..	..
17. Chandigarh	9	6	-	-	-
18. Pudducherry	176	176	-	-	-
Total	339	304	33	39	63

- = Nil, .. = Not Reported @ = The Act is yet to enforce in Mizoram

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 (27,299) whereas, prosecutions launched are maximum in Kerala (170) and the highest amount of fine realized in Kerala i.e. Rs.1,42,059.

Table –8 Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2012

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 withdrawn	No. of cases pending at the end of the year	
1	2	3	4	5	6	7	8	9
1. Assam	27,299	-	-	-	-	-	-	-
2. Bihar	738	403	16	-	-	-	419	-
3. Chhattisgarh	2,739	1,012	34	19	-	11	1,016	27,500
4. Goa	-	-	-	-	-	-	-	-
5. Gujarat	4	273	-	-	-	-	273	-
6. Haryana	500	-	4	4	-	-	-	2,000
7. Himachal Pradesh	79	26	4	3	-	-	27	2,700
8. Jammu and Kashmir	1,981	54	48	6	7	-	89	4,000
9. Karnataka	135	2	-	1	-	-	1	606
10. Kerala	4,006	129	170	90	-	-	209	1,42,059
11. Mizoram @	-	-	-	-	-	-	-	-
12. Punjab	3	1	-	-	-	-	1	-
13. Rajasthan	59	10	-	-	-	-	10	-
14. Tripura	1,860	-	-	-	-	-	-	-
15. Uttarakhand	7	111	1	8	-	-	104	1,500
16. West Bengal	725	392	117	7	-	-	502	3,300
17. Chandigarh	9	-	-	-	-	-	-	-
18. Pudducherry	253	-	-	-	-	-	-	-
Total	40,397	2,413	394	138	7	11	2,651	1,83,665

- = Nil

@ = The Act is yet to enforce in Mizoram

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 16 States and 2 Union Territories. The other States / Union Territories have either not submitted the returns or have submitted defective/inconsistent figures. Andhra Pradesh, Arunachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Manipur, Odisha, Tamil Nadu, Uttar Pradesh and Andaman & Nicobar Islands (not submitted), Meghalaya (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.