

**REPORT ON THE WORKING OF THE MOTOR TRANSPORT
WORKERS ACT, 1961 FOR THE YEAR 2013**

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 2013 are presented in **Table-1**. The Table shows that a total of 1,29,935 Motor Transport Undertakings were registered as on 31st December, 2013, of which 18,858 were registered during 2013. Of the total registered motor transport undertakings, Assam has the highest share of 42.13% (54,736), followed by Meghalaya 16.95% (22,022), Bihar 9.26% (12,033), and Andhra Pradesh 8.37% (10,879).

Table – 1 Number of Registered Motor Transport Undertakings during 2013

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	11,394	409	924	10,879	(8.37)
2. Assam	41,625	14,287	1,176	54,736	(42.13)
3. Bihar	11,581	460	8	12,033	(9.26)
4. Goa	1,735	7	-	1,742	(1.34)
5. Gujarat	195	5	-	200	(0.15)
6. Haryana	78	2	-	80	(0.06)
7. Himachal Pradesh	116	7	-	123	(0.09)
8. Jammu & Kashmir	2,096	53	124	2,025	(1.56)
9. Karnataka	1,233	17	14	1,236	(0.95)
10. Kerala	7,028	1,338	576	7,790	(6.00)
11. Madhya Pradesh	4,238	106	19	4,325	(3.33)
12. Maharashtra	1,128	14	-	1,142	(0.88)
13. Meghalaya	20,080	1,942	-	22,022	(16.95)
14. Mizoram @	-	-	-	-	(0.00)
15. Punjab	164	-	-	164	(0.13)
16. Rajasthan	4,730	10	85	4,655	(3.58)
17. Tripura	2,588	122	-	2,710	(2.09)
18. Uttarakhand	1,006	27	74	959	(0.74)
19. West Bengal	2,714	52	16	2,750	(2.12)
20. A & N Island	1	-	-	1	0.00
21. Chandigarh	9	-	-	9	(0.01)
22. Pudducherry	354	-	-	354	(0.27)
Total	1,14,093	18,858	3,016	1,29,935	

- = 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 2013 is presented in **Table-2**. The Table shows that out of the 1,18,760 registered working undertakings, only 21.71% 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 5,55,999 motor transport workers during 2013, Assam accounted for the highest number of workers i.e., 1,07,719 (19.37%) followed by Karnataka 1,05,085 (18.90%), Maharashtra 77,534 (13.94%), Andhra Pradesh 53,754 (9.67%) and Rajasthan 43,866 (7.89%). These five states taken together accounted for 70 per cent of the total average daily employment in motor transport undertakings. Though the all-India average daily employment per undertaking was 4.68, it varied from state to state. A & N Island (UT) was on the top with an average daily employment per undertaking of 1,252 workers in 1 Motor Transport Undertaking whereas Goa was at the bottom with 0.05 workers employed on an average in 1,742 Motor Transport Undertakings.

Table – 2 Number of Motor Transport Undertakings and Workers Employed therein during 2013

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. Andhra Pradesh	629	3,244	10,250	50,510
2. Assam	19,863	49,351	29,184	58,368
3. Bihar	154	3,658	7,340	13,096
4. Goa	26	84	1,716	-
5. Gujarat	36	5,498	164	-
6. Haryana	26	2,915	54	8,570
7. Himachal Pradesh	46	3,418	77	4,285
8. Jammu and Kashmir	650	3,387	1,375	1,485
9. Karnataka	188	93,070	1,048	12,015
10. Kerala	-	-	7,790	19,549
11. Madhya Pradesh	98	1,000	4,227	32,000
12. Maharashtra	142	41,547	123	35,987
13. Meghalaya	-	-	22,022	33,033
14. Mizoram @	-	-	-	-
15. Punjab	28	2,490	136	6,641
16. Rajasthan	18	587	4,637	43,279
17. Tripura	1,150	5,050	1,490	2,875
18. Uttarakhand	159	1,267	800	2,294
19. West Bengal	2,500	8,345	250	20
20. A & N Island	1	1,252	-	-
21. Chandigarh	6	297	3	1,736
22. Pudducherry	65	1,646	289	2,150
Total	25,785	2,28,106	92,975	3,27,893
	(21.71)	(41.03)	(78.29)	(58.97)

- = 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. Andhra Pradesh	10,879	53,754 (9.67)	4.94
2. Assam	49,047	1,07,719 (19.37)	2.20
3. Bihar	7,494	16,754 (3.01)	2.24
4. Goa	1,742	84 (0.02)	0.05
5. Gujarat	200	5498 (0.99)	27.49
6. Haryana	80	11485 (2.07)	143.56
7. Himachal Pradesh	123	7703 (1.39)	62.63
8. Jammu and Kashmir	2,025	4,872 (0.88)	2.41
9. Karnataka	1,236	1,05,085 (18.90)	85.02
10. Kerala	7,790	19,549 (3.52)	2.51
11. Madhya Pradesh	4,325	33,000 (5.94)	7.63
12. Maharashtra	265	77,534 (13.94)	292.58
13. Meghalaya	22,022	33,033 (5.94)	1.50
14. Mizoram @	-	-	-
15. Punjab	164	9131 (1.64)	55.68
16. Rajasthan	4,655	43,866 (7.89)	9.42
17. Tripura	2640	7925 (1.43)	3.00
18. Uttarakhand	959	3,561 (0.64)	3.71
19. West Bengal	2750	8365 (1.50)	3.04
20. A & N Island	1	1252 (0.23)	1252.00
21. Chandigarh	9	2033 (0.37)	225.89
22. Pudducherry	354	3796 (0.68)	10.72
Total	1,18,760	5,55,999	4.68

- = 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 2013 has been presented in **Table-3**. It reveals that bulk of the motor transport undertakings (81.99%) employ less than 10 workers whereas bigger units employing 1,000 or more workers constitutes only 0.24 percent.

Table – 3 Distribution of Registered Motor Transport Undertakings which submitted returns by Employment Strength during 2013

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	569	1956	20	231	34	690	6	367	-	-
2. Assam	18,332	24,898	1,065	11,276	409	9,408	53	3,171	3	347
3. Bihar	-	-	153	765	-	-	-	-	-	-
4. Goa	22	3	-	-	2	23	-	-	1	25
5. Gujarat	13	65	10	139	7	231	2	108	1	147
6. Haryana	7	34	9	107	4	136	-	-	2	287
7. Himachal Pradesh	9	63	6	85	11	357	9	674	6	847
8. Jammu and Kashmir	445	2327	173	566	9	249	10	154	-	-
9. Karnataka	58	209	63	729	38	858	21	2079	3	479
10. Kerala	-	-	-	-	-	-	-	-	-	-
11. Madhya Pradesh	75	500	20	230	1	20	1	70	1	180
12. Maharashtra	27	132	32	655	31	764	25	1337	10	1247
13. Meghalaya	..	..	..	..	..	..	..	..	..	..
14. Mizoram @	-	-	-	-	-	-	-	-	-	-
15. Punjab	2	12	4	50	6	155	7	429	6	989
16. Rajasthan	12	90	2	24	-	-	1	88	3	385
17. Tripura	1150	5050	-	-	-	-	-	-	-	-
18. Uttarakhand	114	359	23	275	20	253	1	90	-	-
19. West Bengal	261	8	240	15	816	42	385	70	360	238
20. A & N Island	-	-	-	-	-	-	-	-	-	-
21. Chandigarh	3	18	2	22	-	-	-	-	-	-
22. Pudducherry	41	308	10	187	8	321	3	200	1	122
Total	21,140	36,032	1,832	15,356	1,396	13,507	524	8,837	397	5,293
	(81.99)	(15.80)	(7.10)	(6.73)	(5.41)	(5.92)	(2.03)	(3.87)	(1.54)	(2.32)

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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	-	-	-	-	-	-	629	3244
2. Assam	1	251	-	-	-	-	19,863	49,351
3. Bihar	-	-	-	-	1	2,893	154	3,658
4. Goa	-	-	-	-	1	33	26	84
5. Gujarat	1	220	1	965	1	3623	36	5498
6. Haryana	1	460	3	1,891	-	-	26	2,915
7. Himachal Pradesh	5	1392	-	-	-	-	46	3,418
8. Jammu and Kashmir	-	-	-	-	13	91	650	3,387
9. Karnataka	-	-	-	-	5	88,716	188	93,070
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	-	-	-	-	98	1000
12. Maharashtra	7	2654	3	1723	7	33035	142	41547
13. Meghalaya	..	..	..	..	..	..	..	..
14. Mizoram @	-	-	-	-	-	-	-	-
15. Punjab	3	855	-	-	-	-	28	2,490
16. Rajasthan	-	-	-	-	-	-	18	587
17. Tripura	-	-	-	-	-	-	1150	5050
18. Uttarakhand	1	290	-	-	-	-	159	1,267
19. West Bengal	265	412	140	825	33	6735	2500	8345
20. A & N Island	-	-	-	-	1	1252	1	1252
21. Chandigarh	1	257	-	-	-	-	6	297
22. Pudducherry	2	508	-	-	-	-	65	1,646
Total	287	7299	147	5404	62	136378	25785	228106
	(1.11)	(3.20)	(0.57)	(2.37)	(0.24)	(59.79)	(100.00)	(100.00)

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

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 2013.

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	24,368	94.50	64,895	28.45
50-99	524	2.03	8,837	3.87
100-249	397	1.54	5,293	2.32
250-499	287	1.11	7,299	3.20
500-999	147	0.57	5,404	2.37
1000 & above	62	0.24	1,36,378	59.79
All Groups	25,785	100.00	2,28,106	100.00

The above Table reveals that the number of Motor Transport Undertakings employing less than 50 workers account for 94.50% of the total undertakings submitting returns but only 28.45% of the total employment. On the other hand, the number of undertakings employing 1,000 or more workers constitutes only 0.24% of the total undertakings but they account for 59.79% 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 91.81% of the workers worked for 8 hours a day. So far as the rest intervals are concerned, 88.51% 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 2013

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	76	242	454	2,607	99	395	629	3,244
2. Assam	9,439	6,626	9,163	33,947	1,261	8,778	19,863	49,351
3. Bihar	-	-	154	3,658	-	-	154	3,658
4. Goa	5	6	21	78	-	-	26	84
5. Gujarat	-	-	36	5498	-	-	36	5498
6. Haryana	-	-	26	2,915	-	-	26	2,915
7. Himachal Pradesh	6	256	38	3,036	2	126	46	3,418
8. Jammu and Kashmir	-	-	650	3,387	-	-	650	3,387
9. Karnataka	21	847	167	92,223	-	-	188	93,070
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	98	1000	-	-	98	1000
12. Maharashtra	7	279	120	40187	15	1081	142	41547
13. Meghalaya	..	..	..	..	..	..	..	..
14. Mizoram @	-	-	-	-	-	-	-	-
15. Punjab	1	56	27	2,434	-	-	28	2,490
16. Rajasthan	-	-	18	587	-	-	18	587
17. Tripura	-	-	1,150	5,050	-	-	1,150	5,050
18. Uttarakhand	-	-	159	1,267	-	-	159	1,267
19. West Bengal	-	-	2500	8345	-	-	2500	8345
20. A & N Island	-	-	1	1252	-	-	1	1252
21. Chandigarh	-	-	6	297	-	-	6	297
22. Pudducherry	-	-	65	1,646	-	-	65	1,646
Total	9,555	8,312	14,853	2,09,414	1,377	10,380	25,785	2,28,106
	(37.06)	(3.64)	(57.60)	(91.81)	(5.34)	(4.55)	(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. Andhra Pradesh	-	-	629	3244	-	-	629	3244
2. Assam	4,303	8,586	9,179	26,402	6,381	14,363	19,863	49,351
3. Bihar	-	-	154	3,658	-	-	154	3,658
4. Goa	-	-	15	50	11	34	26	84
5. Gujarat	-	-	36	5498	-	-	36	5498
6. Haryana	-	-	26	2,915	-	-	26	2,915
7. Himachal Pradesh	-	-	46	3,418	-	-	46	3,418
8. Jammu and Kashmir	-	-	650	3,387	-	-	650	3,387
9. Karnataka	10	1,125	160	90,985	18	960	188	93,070
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	98	1000	-	-	98	1000
12. Maharashtra	-	-	119	40407	23	1140	142	41547
13. Meghalaya	..	..	..	..	..	..	..	..
14. Mizoram @	-	-	-	-	-	-	-	-
15. Punjab	-	-	28	2490	-	-	28	2,490
16. Rajasthan	-	-	18	587	-	-	18	587
17. Tripura	-	-	1,150	5,050	-	-	1,150	5,050
18. Uttarakhand	-	-	159	1267	-	-	159	1267
19. West Bengal	-	-	2500	8345	-	-	2500	8345
20. A & N Island	-	-	1	1252	-	-	1	1252
21. Chandigarh	-	-	6	297	-	-	6	297
22. Pudducherry	-	-	65	1,646	-	-	65	1,646
Total	4,313	9,711	15,039	2,01,898	6,433	16,497	25,785	2,28,106
	(16.73)	(4.26)	(58.32)	(88.51)	(24.95)	(7.23)	(100.00)	(100.00)

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

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 2013, out of the 6,45,809 workers who were entitled to leave with wages, 1,78,579 (27.65%) were provided leave with wages and an amount of Rs.14,18,55,545 was paid as leave wages. During the year 955 workers, who were discharged, had also been paid leave wages.

The highest number of workers (74,965) who were granted leave was in Karnataka followed by Assam (45646) and Maharashtra (38,645). The highest amount of wages in lieu of leave was paid in Karnataka (Rs.11,87,40,501) followed by Maharashtra (Rs.1,28,31,997) and Gujarat (Rs.66,64,743).

Table -5 Leave with wages during 2013

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	2,315	-	-	-	-
2. Assam	46,703	45,646	30	30	15,61,352
3. Bihar	-	-	-	-	-
4. Goa	2,129	1,779	20	19	-
5. Gujarat	5,498	643	-	-	66,64,743
6. Haryana	2,710	739	12	6	1,38,566
7. Himachal Pradesh	3,418	3,418	-	-	-
8. Jammu and Kashmir	5,034	4,756	-	-	14,21,000
9. Karnataka	93,070	74,965	5,007	340	11,87,40,501
10. Kerala	-	-	-	-	-
11. Madhya Pradesh	1000	1000	-	-	-
12. Maharashtra	39,512	38,645	1,109	552	1,28,31,997
13. Meghalaya	..	..	..	..	..
14. Mizoram @	-	-	-	-	-
15. Punjab	1,131	509	2	-	2,98,480
16. Rajasthan	587	206	-	-	-
17. Tripura	3240	3240	-	-	-
18. Uttarakhand	1,267	584	8	8	1,98,906
19. West Bengal	435000	..	..	..	..
20. A & N Island	1252	506	-	-	-
21. Chandigarh	297	297	-	-	-
22. Pudducherry	1,646	1,646	-	-	-
Total	6,45,809	1,78,579	6,188	955	14,18,55,545
					(27.65)

- = Nil., .. = Not Reported

@ = 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 438 units have provided canteen facilities and 1445 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 2013

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	197	185	185	277	270	277
2. Assam	4	4	20	813	703	703
3. Bihar	-	-	-	-	-	-
4. Goa	-	3	5	-	9	16
5. Gujarat	4	4	6	4	4	10
6. Haryana	..	22	25	..	26	36
7. Himachal Pradesh	12	19	21	46	46	52
8. Jammu and Kashmir	19	16	16	15	27	15
9. Karnataka	-	3	21	-	2	8
10. Kerala	-	30	30	-	92	92
11. Madhya Pradesh	8	11	11	8	8	8
12. Maharashtra	26	90	90	139	95	95
13. Meghalaya	..	..	..	..	..	..
14. Mizoram @	-	-	-	-	-	-
15. Punjab	28	28	28	28	28	28
16. Rajasthan	8	8	8	8	8	8
17. Tripura	-	-	-	-	-	-
18. Uttarakhand	12	12	6	6	6	6
19. West Bengal	..	..	..	..	..	..
20. A & N Island	1	-	-	1	1	8
21. Chandigarh	3	1	1	9	6	6
22. Pudducherry	-	2	2	-	114	34
Total	322	438	475	1354	1445	1402

- = 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 Assam, Himachal Pradesh, Jammu and Kashmir, and Punjab, are more or less in tune with the prescribed norms, it also shows that Bihar, Karnataka, Kerala, Meghalaya Tripura and A& N Island 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 2013

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	222	221	162	171	184
2. Assam	30	1	1	-	-
3. Bihar	-	-	-	-	-
4. Goa	-	8	11	9	5
5. Gujarat	3	3	1	1	-
6. Haryana	..	18	19	19	21
7. Himachal Pradesh	46	5	-	4	5
8. Jammu and Kashmir	31	27	7	4	16
9. Karnataka	-	-	-	-	-
10. Kerala	-	-	-	-	-
11. Madhya Pradesh	9	8	9	9	10
12. Maharashtra	9	84	84	61	16
13. Meghalaya	..	..	..	..	..
14. Mizoram @	-	-	-	-	-
15. Punjab	28	8	5	5	5
16. Rajasthan	8	8	-	-	-
17. Tripura	-	-	-	-	-
18. Uttarakhand	6	6	6	6	8
19. West Bengal	..	..	..	..	..
20. A & N Island	-	-	-	-	-
21. Chandigarh	9	6	-	-	-
22. Pudducherry	-	114	-	-	-
Total	401	517	305	289	270

- = 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 (38,255) whereas, prosecutions launched are maximum in Kerala (183) and the highest amount of fine realized in Kerala i.e. Rs.1,04,400.

Table –8 Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2013

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. Andhra Pradesh	1671	705	40	57	-	-	688	8800
2. Assam	38,255	-	-	-	-	-	-	-
3. Bihar	743	419	-	-	-	-	419	-
4. Goa	2	-	-	-	-	-	-	-
5. Gujarat	-	273	-	-	-	-	273	-
6. Haryana	83	-	-	-	-	-	-	-
7. Himachal Pradesh	107	27	2	5	-	-	24	5000
8. Jammu and Kashmir	1,797	86	11	7	5	-	85	3,350
9. Karnataka	48	1	-	-	-	-	1	-
10. Kerala	3,922	209	183	90	2	2	298	1,04,400
11. Madhya Pradesh	544	3348	34	21	-	-	3361	11,350
12. Maharashtra	92	-	-	-	-	-	-	-
13. Meghalaya	-	-	-	-	-	-	-	-
14. Mizoram @	-	-	-	-	-	-	-	-
15. Punjab	2	1	1	-	1	-	1	-
16. Rajasthan	57	10	3	-	-	8	5	-
17. Tripura	1,927	-	-	-	-	-	-	-
18. Uttarakhand	-	104	-	9	-	-	95	1,800
19. West Bengal	2716	502	34	11	-	-	525	5,800
20. A & N Island	-	-	-	-	-	-	-	-
21. Chandigarh	-	-	-	-	-	-	-	-
22. Puducherry	221	-	-	-	-	-	-	-
Total	52,187	5,685	308	200	8	10	5,775	1,40,500

- = 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 19 States and 3 Union Territories. The other States / Union Territories have either not submitted the returns or have submitted defective/inconsistent figures. Arunachal Pradesh, Chhattisgarh, Jharkhand, Manipur, Odisha, Tamil Nadu, and Uttar Pradesh (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.