

REPORT ON THE WORKING OF THE MOTOR TRANSPORT WORKERS ACT, 1961 FOR THE YEAR 2010

1. Scope, Objective and Main Provisions

The Motor Transport Workers' Act, 1961 which came into force in 1962 March, 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 2010 are presented in **Table-1**. The Table shows that a total of 1,04,845 Motor Transport Undertakings were registered as on 31st December, 2010, of which 14,085 were registered during 2010. Of the total registered motor transport undertakings, Assam has the highest share of 33.38% (35,002), followed by Meghalaya 15.27%, Andhra Pradesh 13.54%.

Table – 1 Number of Registered Motor Transport Undertakings during 2010

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	13595	3219	2622	14,192(13.54)
2. Assam	30867	5982	1847	35,002(33.38)
3. Bihar	9705	932	39	10,598(10.11)
4. Chhattisgarh	3896	75	65	3,906(3.73)
5. Goa	1341	8	-	1,349(1.29)
6. Gujarat	174	1	3	172(0.16)
7. Haryana	59	2	-	61(0.06)
8. Himachal Pradesh	112	-	-	112(0.11)
9. Karnataka	1159	96	36	1,219(1.16)
10. Kerala	5884	709	387	6,206(5.92)
11. Meghalaya	13331	2681	-	16,012(15.27)
12. Orissa	2231	117	8	2,340(2.23)
13. Punjab	164	-	-	164(0.16)
14. Tamil Nadu	2086	140	20	2,206(2.10)
15. Tripura	2385	82	-	2,467(2.35)
16. Uttar Pradesh	4236	31	84	4,183(3.99)
17. Uttarakhand	1072	8	8	1,072(1.02)
18. West Bengal	3427	-	-	3427(3.27)
19. Chandigarh	9	-	-	9(0.01)
20. Puducherry	146	2	-	148(0.14)
Total	95,879	14,085	5,119	1,04,845(100.00)

- = 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 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 2010 is presented in **Table-2**. The Table shows that out of the 1,00,138 registered working undertakings, only 27.13% 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 5,73,112 motor transport workers during 2010, Tamil Nadu accounted for the highest number of workers i.e., 1,31,185 (22.89%) followed by Karnataka 1,23,090 (21.48%), Assam 69,305 (12.09%) and Andhra Pradesh 64,021 (11.17%). These four states taken together accounted for 68 per cent of the total average daily employment in motor transport undertakings. Though the all-India average daily employment per undertaking was 5.72, it varied from state to state. Chandigarh was on the top with an average daily employment per undertaking of 238.00 workers in 9 Motor Transport Undertaking whereas Goa was at the bottom with 1.83 workers employed on an average in 1,349 Motor Transport Undertakings.

TABLE – 2 Number of Motor Transport Undertakings and Workers Employed therein during 2010

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	2222	9839	11970	54182
2. Assam	15921	25187	19081	44118
3. Bihar	150	3256	7231	12885
4. Chhattisgarh	246	788	2252	12750
5. Goa	10	2468	1339	..
6. Gujarat	34	3238	138	1564
7. Haryana	23	2109	38	3484
8. Himachal Pradesh	58	5087	54	2350
9. Karnataka	150	51033	1069	72057
10. Kerala	129	138	6077	11923
11. Meghalaya	4589	9178	11423	22846
12. Orissa	26	328	2314	23232
13. Punjab	40	4316	124	4591
14. Tamil Nadu	1886	121116	320	10069
15. Tripura	1032	4934	1353	2850
16. Uttar Pradesh	291	6965	3892	23500
17. Uttarakhand	178	1191	894	2489
18. West Bengal	60	1284	3367	11948
19. Chandigarh	5	332	4	1810
20. Puducherry	116	1583	32	94
Total	27,166(27.13)	2,54,370	72,972(72.87)	3,18,742

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Table 2 Concl'd.

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	14192	64021(11.17)	4.51
2. Assam	35002	69305(12.09)	1.98
3. Bihar	7381*	16141(2.82)	2.19
4. Chhattisgarh	2498*	13538(2.36)	5.42
5. Goa	1349	2468(0.43)	1.83
6. Gujarat	172	4802(0.84)	27.92
7. Haryana	61	5593 (0.98)	91.69
8. Himachal Pradesh	112	7437 (1.30)	66.40
9. Karnataka	1219	123090 (21.48)	100.98
10. Kerala	6206	12061(2.10)	1.94
11. Meghalaya	16012	32024 (5.59)	2.00
12. Orissa	2340	23560 (4.11)	10.07
13. Punjab	164	8907(1.55)	54.31
14. Tamil Nadu	2206	131185(22.89)	59.47
15. Tripura	2385*	7784(1.36)	3.26
16. Uttar Pradesh	4183	30465(5.32)	7.28
17. Uttarakhand	1072	3680(0.64)	3.43
18. West Bengal	3427	13232(2.31)	3.86
19. Chandigarh	9	2142(0.37)	238.00
20. Puducherry	148	1677(0.29)	11.33
Total	1,00,138	5,73,112(100.00)	5.72

- = Nil

.. = Not available

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.

* In Bihar, Chhattisgarh and Tripura of the total 10,598, 3,906 and 2,467 undertakings registered at the end of 2010 only 7,381, 2,498 and 2,385 respectively 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 2010 has been presented in **Table-3**. It reveals that

bulk of the motor transport undertakings (96.38%) 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 2010

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	2170	8610	35	446	13	350	2	113	2	320
2. Assam	15921	25187	-	-	-	-	-	-	-	-
3. Bihar	149	410	-	-	-	-	-	-	-	-
4. Chhattisgarh	246	788	-	-	-	-	-	-	-	-
5. Goa	8	18	1	10	-	-	-	-	-	-
6. Gujarat	10	69	6	64	10	292	2	129	2	314
7. Haryana	14	87	3	38	2	66	-	-	2	404
8. Himachal Pradesh	14	86	10	114	10	374	5	330	5	618
9. Karnataka	104	452	26	287	7	263	3	189	5	990
10. Kerala	129	138	-	-	-	-	-	-	-	-
11. Meghalaya	4589	9178	-	-	-	-	-	-	-	-
12. Orissa	16	44	4	56	5	175	1	53	-	-
13. Punjab	3	14	6	83	7	195	10	671	8	1252
14. Tamil Nadu	1232	10400	-	-	533	15057	-	-	63	7659
15. Tripura	1032	4934	-	-	-	-	-	-	-	-
16. Uttar Pradesh	284	965	-	-	-	-	-	-	5	500
17. Uttarakhand	133	386	44	515	-	-	-	-	-	-
18. West Bengal	28	30	24	370	-	-	6	334	1	120
19. Chandigarh	3	17	1	12	-	-	-	-	-	-
20. Puducherry	98	492	-	-	15	426	1	65	-	-
Total	26,183	62,305	160	1,995	602	17,198	30	1,884	93	12,177
	(96.38)	(24.49)	(0.59)	(0.79)	(2.22)	(6.76)	(0.11)	(0.74)	(0.34)	(4.79)

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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	-	-	-	-	-	-	2222	9839
2. Assam	-	-	-	-	-	-	15921	25187
3. Bihar	-	-	-	-	1	2846	150	3256
4. Chhattisgarh	-	-	-	-	-	-	246	788
5. Goa	-	-	-	-	1	2440	10	2468
6. Gujarat	3	949	-	-	1	1421	34	3238
7. Haryana	-	-	2	1514	-	-	23	2109
8. Himachal Pradesh	14	3565	-	-	-	-	58	5087
9. Karnataka	1	302	-	-	4	48550	150	51033
10. Kerala	-	-	-	-	-	-	129	138
11. Meghalaya	-	-	-	-	-	-	4589	9178
12. Orissa	-	-	-	-	-	-	26	328
13. Punjab	6	2101	-	-	-	-	40	4316
14. Tamil Nadu	43	13522	-	-	15	74478	1886	121116
15. Tripura	-	-	-	-	-	-	1032	4934
16. Uttar Pradesh	-	-	1	500	1	5000	291	6965
17. Uttarakhand	1	290	-	-	-	-	178	1191
18. West Bengal	1	430	-	-	-	-	60	1284
19. Chandigarh	1	303	-	-	-	-	5	332
20. Puducherry	2	600	-	-	-	-	116	1583
Total	72	22,062	3	2,014	23	1,34,735	27,166	2,54,370
	(0.27)	(8.67)	(0.01)	(0.79)	(0.08)	(52.97)	(100.00)	(100.00)

- = Nil.

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 2010.

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	26,945	99.19	81,498	32.04
50-99	30	0.11	1,884	0.74
100-249	93	0.34	12,177	4.79
250-499	72	0.27	22,062	8.67
500-999	3	0.01	2,014	0.79
1000 & above	23	0.08	1,34,735	52.97
All Groups	27,166	100.00	2,54,370	100.00

The above Table reveals that the number of Motor Transport Undertakings employing less than 50 workers account for 99.19% of the total undertakings submitting returns but only 32.04% of the total employment. On the other hand, the number of undertakings employing 1,000 or more workers constitutes only 0.08% of the total undertakings but they account for 52.97% 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 81.72% of the workers worked for 8 hours a day. So far as the rest intervals are concerned, 76.58% 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 2010

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	-	-	2178	9529	44	310	2222	9839
2. Assam	2569	4487	10230	13211	3122	7489	15921	25187
3. Bihar	-	-	150	3256	-	-	150	3256
4. Chhattisgarh	86	275	111	355	49	158	246	788
5. Goa	2	6	8	2462	-	-	10	2468
6. Gujarat	-	-	34	3238	-	-	34	3238
7. Haryana	-	-	23	2109	-	-	23	2109
8. Himachal Pradesh	4	248	52	4713	2	126	58	5087
9. Karnataka	14	28091	135	22402	1	540	150	51033
10. Kerala	-	-	129	138	-	-	129	138
11. Meghalaya	-	-	4589	9178	-	-	4589	9178
12. Orissa	-	-	26	328	-	-	26	328
13. Punjab	1	58	38	4240	1	18	40	4316
14. Tamil Nadu	46	548	1769	119968	71	600	1886	121116
15. Tripura	197	783	349	1378	486	2773	1032	4934
16. Uttar Pradesh	-	-	291	6965	-	-	291	6965
17. Uttarakhand	-	-	178	1191	-	-	178	1191
18. West Bengal	-	-	60	1284	-	-	60	1284
19. Chandigarh	-	-	5	332	-	-	5	332
20. Puducherry	-	-	116	1583	-	-	116	1583
Total	2,919	34,496	20,741	2,07,860	3,776	12,014	27,166	2,54,370
	(10.74)	(13.56)	(75.36)	(81.72)	(13.90)	(4.72)	(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	-	-	2222	9839	-	-	2222	9839
2. Assam	3472	10084	6829	7889	5620	7214	15921	25187
3. Bihar	-	-	150	3256	-	-	150	3256
4. Chhattisgarh	111	394	123	236	12	158	246	788
5. Goa	-	-	4	2458	6	10	10	2468
6. Gujarat	-	-	34	3238	-	-	34	3238
7. Haryana	-	-	23	2109	-	-	23	2109
8. Himachal Pradesh	-	-	56	5048	2	39	58	5087
9. Karnataka	14	28091	136	22942	-	-	150	51033
10. Kerala	-	-	129	138	-	-	129	138
11. Meghalaya	-	-	4589	9178	-	-	4589	9178
12. Orissa	-	-	26	328	-	-	26	328
13. Punjab	-	-	37	4255	3	61	40	4316
14. Tamil Nadu	-	-	1513	111130	373	9986	1886	121116
15. Tripura	289	698	309	1419	434	2817	1032	4934
16. Uttar Pradesh	-	-	283	6949	8	16	291	6965
17. Uttarakhand	-	-	178	1191	-	-	178	1191
18. West Bengal	-	-	60	1284	-	-	60	1284
19. Chandigarh	-	-	5	332	-	-	5	332
20. Puducherry	-	-	116	1583	-	-	116	1583
Total	3,886	39,267	16,822	1,94,802	6,458	20,301	27,166	2,54,370
	(14.31)	(15.44)	(61.92)	(76.58)	(23.77)	(7.98)	(100.00)	(100.00)

- = 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 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 2010, out of the 2,27,401 workers who were entitled to leave with wages, 1,14,433 (50.32%) were provided leave with wages and an amount of Rs.3,48,89,985 was paid as leave wages. During the year 184 workers, who were discharged, had also been paid leave wages.

The highest number of workers (59,667) who were granted leave was in Tamil Nadu followed by Karnataka (20,199) and Assam (14,981). The highest amount of wages in lieu of leave was paid in Tamil Nadu (Rs.1,92,74,582) followed by Andhra Pradesh (Rs.73,20,000) and Karnataka (Rs.32,23,748).

Table -5 Leave with wages during 2010

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	9839	122	-	-	73,20,000
2. Assam	25187	14981	158	111	13,89,037
3. Bihar	2846	2846	-	-	8,53,800
4. Chhattisgarh	-	-	-	-	-
5. Goa	1790	26	63	51	-
6. Gujarat	1050	10	4	2	17,92,528
7. Haryana	1990	1284	2	2	2,44,080
8. Himachal Pradesh	5087	5087	-	-	-
9. Karnataka	51033	20199	117	9	32,23,748
10. Kerala	-	-	-	-	-
11. Meghalaya	9178	-	-	-	-
12. Orissa	328	328	-	-	-
13. Punjab	1600	1360	12	2	1,00,435
14. Tamil Nadu	108434	59667	-	-	1,92,74,582
15. Tripura	3174	3174	-	-	-
16. Uttar Pradesh	2759	2730	29	2	5,43,400
17. Uttarakhand	1191	704	5	5	1,48,375
18. West Bengal	-	-	-	-	-
19. Chandigarh	332	332	-	-	-
20. Puducherry	1583	1583	-	-	-
Total	2,27,401	1,14,433	390	184	3,48,89,985
		(50.32)			

- = Nil.

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 440 units have provided canteen facilities and 1,426 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 2010

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	185	174	174	248	252	287
2. Assam	75	43	43	50	54	47
3. Bihar	-	-	-	-	-	-
4. Chhattisgarh	5	4	4	5	3	3
5. Goa	-	1	3	-	5	8
6. Gujarat	5	5	2	2	2	2
7. Haryana	-	19	23	-	21	30
8. Himachal Pradesh	21	24	31	58	37	62
9. Karnataka	-	-	-	-	-	-
10. Kerala	30	-	-	8	8	8
11. Meghalaya	-	-	-	-	-	-
12. Orissa	-	8	8	-	19	25
13. Punjab	40	40	40	40	40	40
14. Tamil Nadu	99	105	..	802	857	..
15. Tripura	-	-	-	-	-	-
16. Uttar Pradesh	7	2	2	8	1	8
17. Uttarakhand	12	12	6	6	6	6
18. West Bengal	-	-	-	-	-	-
19. Chandigarh	3	1	1	9	5	5
20. Puducherry	3	2	2	-	116	116
Total	485	440	339	1,236	1,426	647

- = Nil

.. = 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 and Punjab, are more or less in tune with the prescribed norms, it also shows that Bihar, Karnataka, Kerala, Meghalaya, Orissa, Tripura and West Bengal 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 2010

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	308	313	155	171	190
2. Assam	56	51	-	-	-
3. Bihar	-	-	-	-	-
4. Chhattisgarh	9	9	9	3	6
5. Goa	-	4	4	-	-
6. Gujarat	6	6	1	2	6
7. Haryana	-	11	13	16	9
8. Himachal Pradesh	58	13	7	9	9
9. Karnataka	-	-	-	-	-
10. Kerala	-	-	-	-	-
11. Meghalaya	-	-	-	-	-
12. Orissa	-	-	-	-	-
13. Punjab	40	12	12	5	2
14. Tamil Nadu	13	46	53	69	80
15. Tripura	-	-	-	-	-
16. Uttar Pradesh	-	2	-	2	2
17. Uttarakhand	6	6	6	6	8
18. West Bengal	-	-	-	-	-
19. Chandigarh	9	5	-	-	-
20. Puducherry	116	116	-	-	-
Total	621	594	260	283	312

- = Nil.

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 (24,688) whereas, prosecutions launched are maximum in Andhra Pradesh (525) and the amount of fine realized in Chhattisgarh i.e. Rs.2,06,000.

Table –8 Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2010

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	4215	495	525	162	-	-	858	83,500
2. Assam	24688	-	-	-	-	-	-	-
3. Bihar	957	403	-	-	-	-	403	-
4. Chhattisgarh	500	2705	218	709	394	31	1789	2,06,000
5. Goa	1	43	-	-	-	-	43	-
6. Gujarat	34	269	2	-	-	-	271	-
7. Haryana	275	-	-	-	-	-	-	-
8. Himachal Pradesh	17	27	4	3	-	-	28	2,500
9. Karnataka	114	8	1	3	-	-	6	850
10. Kerala	2762	76	112	86	-	-	102	99,400
11. Meghalaya	-	-	-	-	-	-	-	-
12. Orissa	219	308	-	-	-	-	308	-
13. Punjab	18	1	-	-	-	-	1	-
14. Tamil Nadu	2083	1106	92	83	6	-	1109	63,475
15. Tripura	1610	-	-	-	-	-	-	-
16. Uttar Pradesh	106	469	8	60	27	-	390	25,300
17. Uttarakhand	69	134	-	12	-	-	122	1,975
18. West Bengal	367	384	9	-	-	-	393	-
19. Chandigarh	-	-	-	-	-	-	-	-
20. Puducherry	146	-	-	-	-	-	-	-
Total	38,181	6,428	971	1,118	427	31	5,823	4,83,000

- = 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 18 States and 2 Union Territories. The other States / Union Territories have either not submitted the returns or have submitted defective/inconsistent figures. Arunachal Pradesh, Jammu & Kashmir, Jharkhand, Madhya Pradesh, Manipur and A&N Islands (not submitted), Maharashtra and Rajasthan (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.