

REPORT ON THE WORKING OF THE MOTOR TRANSPORT WORKERS ACT, 1961 FOR THE YEAR 2016

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 2016 are presented in **Table-1**. The Table shows that a total of 1,49,409 Motor Transport Undertakings were registered as on 31st December, 2016, of which 10,087 were registered during 2016. Of the total registered motor transport undertakings Assam has the highest share of 38.72% (57,850) followed by Meghalaya 18.50% (27,643) and Bihar 8.75% (13,067).

Table – 1

Number of Registered Motor Transport Undertakings during 2016

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	11144	1334	528	11950 (8.00)
2 Assam	56445	4404	2999	57850 (38.72)
3 Bihar	12917	150	-	13067 (8.75)
4 Goa	1743	3	1	1745 (1.17)
5 Gujarat	197	21	-	218 (0.15)
6 Haryana	97	6	-	103 (0.07)
7 Himachal Pradesh	126	-	-	126 (0.08)
8 Jammu & Kashmir	2337	156	10	2483 (1.66)
9 Karnataka	1192	-	-	1192 (0.80)
10 Kerala	7108	1026	60	8074 (5.40)
11 Madhya Pradesh	4226	311	128	4409 (2.95)
12 Meghalaya	25913	1730	-	27643 (18.50)
13 Odisha	2881	76	38	2919 (1.95)
14 Punjab	164	-	-	164 (0.11)
15 Rajasthan	4251	1	21	4231 (2.83)
16 Tamil Nadu	2964	195	9	3150 (2.11)
17 Telangana	1687	378	41	2024 (1.35)
18 Tripura	2929	69	14	2984 (2.00)
19 Uttar Pradesh	3753	172	203	3722 (2.49)
20 Uttarakhand	920	2	-	922 (0.62)
21 Andaman & Nicobar Islands	1	-	-	1 (0.00)
22 Chandigarh	9	-	-	9 (0.01)
23 Puducherry	370	53	-	423 (0.28)
Total	143374	10087	4052	149409

Note-I: - = Nil, Figures in the brackets indicate state-wise percentage share to the total.

Note-II: 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.

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 2016 is presented in **Table-2**. The Table shows that out of the 1,40,276 registered working undertakings, only 11.23% 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 8,39,054 motor transport workers during 2016, Assam accounted for the highest number of workers i.e., 2,52,814 (30.13%) followed by Tamil Nadu 1,43,838 (17.14%), Karnataka 1,26,802 (15.11%) , Rajasthan 45,361 (5.41%) and Meghalaya 41,505(4.95%). These five states taken together accounted for 73 per cent of the total average daily employment in motor transport undertakings. Though the all-India average daily employment per undertaking was 6, it varied from state to state. Andaman & Nicobar Islands (UT) was on the top with an average daily employment per undertaking of 1,232 workers in 1 Motor Transport Undertaking whereas Bihar, Meghalaya and Uttarakhand were at the bottom with 2 workers employed on an average in 7513, 27643 and 922 respectively after Tripura and Telangana where average daily employment accounts for only 1.

Table – 2

Motor Transport Undertakings and Workers Employed therein during 2016

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	110	5554	11840	33267
2 Assam	10,330	50309	46620	202505
3 Bihar	151	3677	7362	13121
4 Goa	6	44	1739	@
5 Gujarat	12	561	206	4464
6 Haryana	14	2747	89	17444
7 Himachal Pradesh	30	2223	96	5102
8 Jammu & Kashmir	910	6295	1573	1873
9 Karnataka	105	85872	1087	40930
10 Kerala	-	-	8074	29768
11 Madhya Pradesh	522	3389	3887	31442
12 Meghalaya	144	216	27499	41289
13 Odisha	37	780	2882	36089
14 Punjab	22	2125	142	7233
15 Rajasthan	32	76	4199	45285
16 Tamil Nadu	2664	137512	486	6326
17 Telangana	127	677	1519	555
18 Tripura	333	666	350	276
19 Uttar Pradesh	128	528	3594	14396
20 Uttarakhand	63	498	859	1702
21 Andaman & Nicobar Islands	1	1232	-	-
22 Chandigarh	7	579	2	471
23 Puducherry	10	192	413	@
Total	15758 (11.23)	305752 (36.44)	124518 (88.77)	533538 (63.59)

Note: - = Nil, @ = Inconsistent data/ data not reported.

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Table - 2**Concl..**

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	11950	38821 (4.63)	3
2 Assam	56950	252814 (30.13)	4
3 Bihar	7513	16798 (2.00)	2
4 Goa	1745	@ @	@
5 Gujarat	218	5025 (0.60)	23
6 Haryana	103	20191 (2.41)	196
7 Himachal Pradesh	126	7325 (0.87)	58
8 Jammu & Kashmir	2483	8168 (0.97)	3
9 Karnataka	1192	126802 (15.11)	106
10 Kerala	8074	29768 (3.55)	4
11 Madhya Pradesh	4409	34831 (4.15)	8
12 Meghalaya	27643	41505 (4.95)	2
13 Odisha	2919	36869 (4.39)	13
14 Punjab	164	9358 (1.12)	57
15 Rajasthan	4231	45361 (5.41)	11
16 Tamil Nadu	3150	143838 (17.14)	46
17 Telangana	1646	1232 (0.15)	1
18 Tripura	683	942 (0.11)	1
19 Uttar Pradesh	3722	14924 (1.78)	4
20 Uttarakhand	922	2200 (0.26)	2
21 Andaman & Nicobar Islands	1	1232 (0.15)	1232
22 Chandigarh	9	1050 (0.12)	117
23 Puducherry	423	@ @	@
Total	140276	839054 (100.00)	6

Notes - I: - = Nil , @ = Inconsistent data/ data not reported. Figures under column no.8 have been rounded.

Notes - II: 1) Figures in brackets in col.7 indicate state-wise percentage share to the total average daily employment in all Motor Transport Undertakings.

2) 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.

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 2016 has been presented in **Table-3**. It reveals that bulk of the motor transport undertakings (64.38%) 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 2016

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	83	2190	19	2538	8	826	-	-	-	-
2. Assam	6317	20226	3309	20580	585	7906	39	119	40	835
3. Bihar	-	-	149	779	-	-	-	-	-	-
4. Goa	3	4	2	3	1	37	-	-	-	-
5. Gujarat	3	11	2	33	2	49	4	329	1	139
6. Haryana	4	19	3	38	2	54	-	-	-	-
7. Himachal Pradesh	8	48	7	138	7	232	4	310	-	-
8. Jammu & Kashmir	721	4574	129	608	47	341	11	228	2	544
9. Karnataka	51	302	22	303	10	495	3	185	8	1218
10. Kerala	-	-	-	-	-	-	-	-	-	-
11. Madhya Pradesh	489	3095	19	111	7	129	7	54	-	-
12. Meghalaya	144	216	-	-	-	-	-	-	-	-
13. Odisha	25	100	6	310	4	270	2	100	-	-
14. Punjab	3	20	2	23	7	212	2	121	6	1012
15. Rajasthan	1	5	5	16	26	55	-	-	-	-
16. Tamil Nadu	1683	13267	602	9030	238	7140	77	5775	24	4816
17. Telangana	127	677	-	-	-	-	-	-	-	-
18. Tripura	333	666	-	-	-	-	-	-	-	-
19. Uttar Pradesh	108	432	20	96	-	-	-	-	-	-
20. Uttarakhand	33	161	17	163	11	169	-	-	-	-
21. Andaman & Nicobar Islands	-	-	-	-	-	-	-	-	-	-
22. Chandigarh	2	14	3	36	-	-	-	-	1	186
23. Puducherry	7	84	1	18	1	21	1	69	-	-
Total	10145	46111	4317	34823	956	17936	150	7290	82	8750
	(64.38)	(15.08)	(27.40)	(11.39)	(6.07)	(5.87)	(0.95)	(2.38)	(0.52)	(2.86)

Note: - = Nil

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Table-3 Concl.

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 Transport Undertakings/Workers (i.e., Total)	
	A	B	A	B	A	B	A	B
1	12	13	14	15	16	17	18	19
1. Andhra Pradesh	-	-	-	-	-	-	110	5554
2. Assam	39	119	1	524	-	-	10330	50309
3. Bihar	-	-	-	-	2	2898	151	3677
4. Goa	-	-	-	-	-	-	6	44
5. Gujarat	-	-	-	-	-	-	12	561
6. Haryana	2	534	3	2102	-	-	14	2747
7. Himachal Pradesh	4	1495	-	-	-	-	30	2223
8. Jammu & Kashmir	-	-	-	-	-	-	910	6295
9. Karnataka	2	710	1	587	8	82072	105	85872
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	-	-	-	-	522	3389
12. Meghalaya	-	-	-	-	-	-	144	216
13. Odisha	-	-	-	-	-	-	37	780
14. Punjab	2	737	-	-	-	-	22	2125
15. Rajasthan	-	-	-	-	-	-	32	76
16. Tamil Nadu	16	4674	5	3820	19	88990	2664	137512
17. Telangana	-	-	-	-	-	-	127	677
18. Tripura	-	-	-	-	-	-	333	666
19. Uttar Pradesh	-	-	-	-	-	-	128	528
20 .Uttarakhand	2	5	-	-	-	-	63	498
21. Andaman & Ncobar Islands	-	-	-	-	1	1232	1	1232
22. Chandigarh	1	343	-	-	-	-	7	579
23. Puducherry	-	-	-	-	-	-	10	192
Total	68	8617	10	7033	30	175192	15758	305752
	(0.43)	(2.82)	(0.06)	(2.30)	(0.19)	(57.30)	(100.00)	(100.00)

Notes-I : - = Nil, A = Number of Motor Transport Undertakings,
B =Average daily Employment.

Notes - II: 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 2016.

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

Employment Size-Groups	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	15418	97.84	98870	32.34
50 - 99	150	0.95	7290	2.38
100 - 249	82	0.52	8750	2.86
250 - 499	68	0.43	8617	2.82
500 - 999	10	0.06	7033	2.30
1000 & above	30	0.19	175192	57.30
All Groups	15758	100	305752	100

The above Table reveals that the number of Motor Transport Undertakings employing less than 50 workers account for 97.84% of the total undertakings submitting returns but only 32.34% 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 57.30% 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 92.93% of the workers worked for 8 hours a day. So far as the rest intervals are concerned 92.03% 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 2016

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	13	1043	88	4160	9	351	110	5554
2. Assam	1299	4323	6249	33080	2782	12906	10330	50309
3. Bihar	-	-	151	3677	-	-	151	3677
4. Goa	5	7	1	37	-	-	6	44
5. Gujarat	-	-	12	561	-	-	12	561
6. Haryana	-	-	14	2747	-	-	14	2747
7. Himachal Pradesh	1	430	27	1628	2	165	30	2223
8. Jammu & Kashmir	-	-	910	6295	-	-	910	6295
9. Karnataka	11	112	93	85470	1	290	105	85872
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	522	3389	-	-	522	3389
12. Meghalaya	-	-	144	216	-	-	144	216
13. Odisha	-	-	37	780	-	-	37	780
14. Punjab	-	-	22	2125	-	-	22	2125
15. Rajasthan	-	-	32	76	-	-	32	76
16. Tamil Nadu	111	719	2517	135529	36	1264	2664	137512
17. Telangana	-	-	127	677	-	-	127	677
18. Tripura	-	-	333	666	-	-	333	666
19. Uttar Pradesh	-	-	128	528	-	-	128	528
20. Uttarakhand	-	-	63	498	-	-	63	498
21. Andaman & Nicobar Islands	-	-	1	1232	-	-	1	1232
22. Chandigarh	-	-	7	579	-	-	7	579
23. Puducherry	-	-	10	192	-	-	10	192
Total	1440	6634	11488	284142	2830	14976	15758	305752
	(9.14)	(2.17)	(72.90)	(92.93)	(17.96)	(4.90)	(100.00)	(100.00)

Note:

- = Nil

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Table - 4 conclud.

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	13	1043	88	4160	9	351	110	5554
2. Assam	922	4211	6148	31605	3260	14493	10330	50309
3. Bihar	-	-	151	3677	-	-	151	3677
4. Goa	-	-	2	39	4	5	6	44
5 Gujarat	-	-	11	557	1	4	12	561
6. Haryana	-	-	14	2747	-	-	14	2747
7. Himachal Pradesh	-	-	25	2035	5	188	30	2223
8. Jammu & Kashmir	-	-	910	6295	-	-	910	6295
9. Karnataka	-	-	101	82052	4	3820	105	85872
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	522	3389	-	-	522	3389
12. Meghalaya	-	-	-	-	144	216	144	216
13. Odisha	-	-	37	780	-	-	37	780
14. Punjab	-	-	21	2100	1	25	22	2125
15. Rajasthan	-	-	32	76	-	-	32	76
16. Tamil Nadu	-	-	2664	137512	-	-	2664	137512
17. Telangana	-	-	127	677	-	-	127	677
18. Tripura	-	-	333	666	-	-	333	666
19. Uttar Pradesh	-	-	128	528	-	-	128	528
20 .Uttarakhand	-	-	63	498	-	-	63	498
21. Andaman & Nicobar Islands	-	-	1	1232	-	-	1	1232
22. Chandigarh	-	-	7	579	-	-	7	579
23. Puducherry	-	-	10	192	-	-	10	192
Total	935	5254	11395	281396	3428	19102	15758	305752
	(5.93)	(1.72)	(72.31)	(92.03)	(21.75)	(6.25)	(100.00)	(100.00)

Notes - I: - = Nil, A = Number of Motor Transport Undertakings submitting returns.
B = Average daily Employment.

Note - II: 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 previous 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 2016, out of the 2,24,687 workers who were entitled to leave with wages 1,50,199 (66.85%) were provided leave with wages and an amount of Rs.10,54,90,576 was paid as leave wages. During the year 265 workers, who were discharged, had also been paid leave wages.

The highest number of workers (1,08,741) who were granted leave was in Tamil Nadu followed by Assam (20,944). The highest amount of wages in lieu of leave was paid in Tamil Nadu (Rs.8,78,63,726) followed by Haryana (Rs.93,08,045) and Assam (Rs.31,26,101).

Table – 5
Leave with wages during 2016

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	1425	1425	-	-	-
2	Assam	37065	20944	-	-	3126101
3	Bihar	3677	-	-	-	-
4	Goa	249	247	-	-	-
5	Gujarat	561	561	-	-	-
6	Haryana	1999	1170	112	112	9308045
7	Himachal Pradesh	2223	2223	-	-	-
8	Jammu & Kashmir	6551	6039	-	-	1408500
9	Karnataka	4289	4289	125	125	3103392
10	Kerala	-	-	-	-	-
11	Madhya Pradesh	2555	996	-	-	-
12	Meghalaya	41505	-	-	-	-
13	Odisha	780	780	-	-	-
14	Punjab	844	62	-	-	-
15	Rajasthan	-	-	-	-	-
16	Tamil Nadu	116865	108741	22	22	87863726
17	Telangana	677	677	-	-	-
18	Tripura	866	403	-	-	544411
19	Uttar Pradesh	..	..	..	..	..
20	Uttarakhand	498	418	6	6	124401
21	Andaman & Nicobar Islands	1232	398	-	-	-
22	Chandigarh	579	579	-	-	-
23	Puducherry	247	247	-	-	12000
Total		224687	150199	265	265	105490576
			(66.85)			

Notes – I: - = Nil, .. = Not Reported.

Note-II: Figure in bracket indicates percentage of workers granted leave to total number of worker 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 centers 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 294 units have provided canteen facilities and 1,343 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 2016

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	90	79	79	138	131	162
2 Assam	61	31	30	48	38	37
3 Bihar	-	-	-	-	-	-
4 Goa	-	-	-	-	1	3
5 Gujarat	1	1	1	9	-	-
6 Haryana	7	10	18	7	11	22
7 Himachal Pradesh	11	11	13	30	30	30
8 Jammu & Kashmir	20	17	17	14	13	13
9 Karnataka	19	10	10	8	8	18
10 Kerala	-	-	-	-	-	-
11 Madhya Pradesh	9	12	9	12	9	9
12 Meghalaya	-	-	-	-	-	-
13 Odisha	13	13	13	37	37	44
14 Punjab	22	22	7	22	22	22
15 Rajasthan	8	8	8	8	8	8
16 Tamil Nadu	63	63	202	983	983	1078
17 Telangana	1	1	1	1	1	1
18 Tripura	-	-	-	18	18	18
19 Uttar Pradesh	..	..	..	..	..	..
20 Uttarakhand	12	6	6	6	6	6
21 Andaman & Nicobar Islands	1	-	-	1	8	8
22 Chandigarh	3	2	2	9	7	7
23 Puducherry	2	8	8	3	12	13
Total	343	294	424	1354	1343	1499

Notes: - = 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 Haryana, Himachal Pradesh, Jammu and Kashmir, Punjab, Tamil Nadu and Uttarakhand are more or less in tune with the prescribed norms, it also shows that Bihar, Kerala, Meghalaya, Odisha, Tripura and A& N Islands 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 2016

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	36	28	8	18	36
2 Assam	37	17	-	-	-
3 Bihar	-	-	-	-	-
4 Goa	1	1	4	3	5
5 Gujarat	2	2	2	2	2
6 Haryana	7	6	8	7	11
7 Himachal Pradesh	30	2	2	2	3
8 Jammu & Kashmir	19	13	8	4	17
9 Karnataka	1	1	2	2	8
10 Kerala	-	-	-	-	-
11 Madhya Pradesh	10	9	10	10	10
12 Meghalaya	-	-	-	-	-
13 Odisha	-	-	-	-	-
14 Punjab	22	6	3	3	1
15 Rajasthan	8	8	-	-	-
16 Tamil Nadu	408	406	108	112	462
17 Telangana	1	1	-	-	-
18 Tripura	11	-	-	-	-
19 Uttar Pradesh	..	..	..	..	..
20 Uttarakhand	6	6	6	6	8
21 Andaman & Nicobar Islands	-	-	-	-	-
22 Chandigarh	7	7	-	-	-
23 Puducherry	10	10	-	-	-
Total	616	523	161	169	563

Notes: - = Nil, .. = Not Reported.

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 (57,850) whereas, conviction obtained are maximum in Tamil Nadu (203) and the highest amount of fine realized in Kerala i.e. Rs. 1,28,650.

Table –8
Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2016

State/Union Territory	No. of Inspections made	Prosecutions						
		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	Total amount realized towards fines (Rs.)
1	2	3	4	5	6	7	8	9
1 Andhra Pradesh	517	295	-	88	-	-	207	32800
2 Assam	57850	-	-	-	-	-	-	-
3 Bihar	108	419	-	-	-	-	419	-
4 Goa	-	-	-	-	-	-	-	-
5 Gujarat	16	249	-	-	-	-	249	-
6 Haryana	83	-	-	-	-	-	-	-
7 Himachal Pradesh	126	30	7	2	-	-	35	2000
8 Jammu & Kashmir	1179	105	16	4	2	-	115	1700
9 Karnataka	-	-	-	-	-	-	-	-
10 Kerala	3102	329	181	96	2	-	412	128650
11 Madhya Pradesh	..	..	..	..	..	..	..	..
12 Meghalaya	317	-	-	-	-	-	-	-
13 Odisha	87	327	34	3	-	-	358	200
14 Punjab	164	-	-	-	-	-	-	-
15 Rajasthan	18	-	-	-	-	-	-	-
16 Tamil Nadu	3150	562	-	203	9	-	350	103000
17 Telangana	608	-	20	-	-	-	20	-
18 Tripura	2920	-	-	-	-	-	-	-
19 Uttar Pradesh	3722	92	5	46	2	-	49	12000
20 Uttarakhand	35	2	-	-	-	-	2	-
21 Andaman & Nicobar Islands	-	-	-	-	-	-	-	-
22 Chandigarh	-	-	-	-	-	-	-	-
23 Puducherry	159	-	-	-	-	-	-	-
Total	74161	2410	263	442	15	-	2216	280350

Notes: - = Nil, .. = Not Reported.

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 this report.

The present report is based on the information received from 20 States and 3 Union Territories. The other States / Union Territories have either not submitted the returns or have submitted defective/inconsistent figures. Chhattisgarh, Maharashtra and West Bengal (not submitted) Jharkhand (submitted but defective) were among them. Similarly, the review does not include information pertaining to Mizoram, Nagaland, Sikkim, Dadra & Nagar Haveli, Daman & Diu, Lakshadweep and NCT Delhi as the Act has not been implemented or administered in these States / Union Territories. The States of Arunachal Pradesh and Manipur submitted NIL (-) data for all the prescribed tables under the Act.