

**REPORT ON THE WORKING OF THE MOTOR TRANSPORT
WORKERS ACT, 1961 FOR THE YEAR 2017**

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 2017 are presented in **Table-1**. The Table shows that a total of 1,69,866 Motor Transport Undertakings were registered as on 31st December, 2017, of which 9,056 were registered during 2017. Of the total registered motor transport undertakings Assam has the highest share of 35.38% (60,102) followed by Meghalaya 17.40% (29,556) and Jharkhand 15.78% (26,809).

Table – 1**Number of Registered Motor Transport Undertakings during 2017**

State / Union Territory	Number of undertakings				On Register at the end of the year	
	On Register at the beginning of the year	Newly Registered during the year	Removed from the Register during the year			
1	2	3	4	5		
1 Assam	57850	4405	2153	60102	(35.38)	
2 Bihar	13067	567	-	13634	(8.03)	
3 Goa	1745	2	-	1747	(1.03)	
4 Gujarat	218	7	-	225	(0.13)	
5 Haryana	103	25	-	128	(0.08)	
6 Himachal Pradesh	126	-	-	126	(0.07)	
7 Jammu & Kashmir	2483	272	3	2752	(1.62)	
8 Jharkhand	26790	19	-	26809	(15.78)	
9 Karnataka	1192	13	30	1175	(0.69)	
10 Kerala	8074	266	23	8317	(4.90)	
11 Madhya Pradesh	4437	326	134	4629	(2.73)	
12 Meghalaya	27643	1913	-	29556	(17.40)	
13 Odisha	2919	82	27	2974	(1.75)	
14 Punjab	164	-	-	164	(0.10)	
15 Rajasthan	4231	1	19	4213	(2.48)	
16 Tamil Nadu	3150	125	-	3275	(1.93)	
17 Telangana	2024	747	99	2672	(1.57)	
18 Tripura	2984	68	28	3024	(1.78)	
19 Uttar Pradesh	3722	218	524	3416	(2.01)	
20 Uttarakhand	922	-	4	918	(0.54)	
21 Andaman & Nicobar Islands	1	-	-	1	(0.00)	
22 Chandigarh	9	-	-	9	(0.01)	
Total	163854	9056	3044	169866	(100.00)	

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 2017 is presented in **Table-2**. The Table shows that out of the 1,61,861 registered working undertakings, only 33.37% 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 9,12,505 motor transport workers during 2017, Assam accounted for the highest number of workers i.e., 3,29,592 (36.12%) followed by Tamil Nadu 1,45,280 (15.92%), Karnataka 1,03,794 (11.37%) , Rajasthan 46,111 (5.05%) and Meghalaya 44,335(4.86%). These five states taken together accounted for 73.32 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 1,266 workers in 1 Motor Transport Undertaking whereas Bihar, Meghalaya, Tripura and Uttarakhand were at the bottom with 2 workers employed on an average in 7530, 29,556, 3006 and 918 Motor Transport Undertaking respectively after Telangana and Goa where average daily employment accounts for only 0.

Table – 2

Motor Transport Undertakings and Workers Employed therein during 2017

State / Union Territory	Employment Strength			
	Number of Motor Transport Undertakings submitting returns	Average daily employment in the Undertakings submitting returns	Number of Motor Transport Undertakings not submitting returns	Estimated average daily employment in the Undertakings not submitting returns
1	2	3	4	5
1 Assam	47770	59264	11381	270328
2 Bihar	159	3685	7371	13130
3 Goa	6	282	1741	@
4 Gujarat	7	271	218	8856
5 Haryana	11	1856	117	19656
6 Himachal Pradesh	27	4121	99	3204
7 Jammu & Kashmir	986	7051	1581	3853
8 Jharkhand	147	1891	26662	30317
9 Karnataka	115	84648	1060	19146
10 Kerala	-	-	8317	32518
11 Madhya Pradesh	644	6095	3985	33211
12 Meghalaya	405	608	29151	43727
13 Odisha	40	805	2934	36816
14 Punjab	18	2098	146	7087
15 Rajasthan	25	64	4188	46047
16 Tamil Nadu	2914	140657	361	4623
17 Telangana	127	450	1798	430
18 Tripura	408	905	2598	5295
19 Uttar Pradesh	142	616	3274	14452
20 Uttarakhand	47	420	871	1723
21 Andaman & Nicobar Islands	1	1266	-	-
22 Chandigarh	6	606	3	427
Total	54005	317659	107856	594846
	(33.37)	(34.81)	(66.63)	(65.19)

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 Assam	59151	329592 (36.12)	6
2 Bihar	7530	16815 (1.84)	2
3 Goa	1747	282 (0.03)	0
4 Gujarat	225	9127 (1.00)	41
5 Haryana	128	21512 (2.36)	168
6 Himachal Pradesh	126	7325 (0.80)	58
7 Jammu & Kashmir	2567	10904 (1.19)	4
8 Jharkhand	26809	32208 (3.53)	1
9 Karnataka	1175	103794 (11.37)	88
10 Kerala	8317	32518 (3.56)	4
11 Madhya Pradesh	4629	39306 (4.31)	8
12 Meghalaya	29556	44335 (4.86)	2
13 Odisha	2974	37621 (4.12)	13
14 Punjab	164	9185 (1.01)	56
15 Rajasthan	4213	46111 (5.05)	11
16 Tamil Nadu	3275	145280 (15.92)	44
17 Telangana	1925	880 (0.10)	0
18 Tripura	3006	6200 (0.68)	2
19 Uttar Pradesh	3416	15068 (1.65)	4
20 Uttarakhand	918	2143 (0.23)	2
21 Andaman & Nicobar Islands	1	1266 (0.14)	1266
22 Chandigarh	9	1033 (0.11)	115
Total	161861	912505 (100.00)	6

Notes - I: - = Nil, Figures under column no.8 have been rounded off.

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 2017 has been presented in **Table-3**. It reveals that bulk of the motor transport undertakings (47.45%) employ less than 10 workers whereas bigger units employing 1,000 or more workers constitutes only 0.21 percent.

Table – 3

Distribution of Registered Motor Transport Undertakings which submitted returns by Employment Strength during 2017

State/Union Territory	Employment Strength									
	Less than 10 workers		10 or more but less than 20 workers		20 or more but less than 50 workers		50 or more but less than 100 workers		100 or more but less than 250 workers	
	A	B	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9	10	11
1. Assam	21226	22175	20135	21578	6209	7906	119	6127	43	835
2. Bihar	-	-	158	787	-	-	-	-	-	-
3. Goa	1	8	1	8	1	9	1	6	1	6
4. Gujarat	1	4	3	50	1	32	1	76	1	109
5. Haryana	3	15	3	48	1	20	-	-	1	221
6. Himachal Pradesh	5	31	8	107	3	127	1	53	1	240
7. Jammu & Kashmir	839	5737	122	861	15	243	10	210	-	-
8. Jharkhand	-	-	-	-	-	-	-	-	-	-
9. Karnataka	-	-	12	258	9	458	-	-	7	921
10. Kerala	-	-	-	-	-	-	-	-	-	-
11. Madhya Pradesh	607	4856	21	399	8	280	8	560	-	-
12. Meghalaya	405	608	-	-	-	-	-	-	-	-
13. Odisha	27	115	7	315	4	273	2	102	-	-
14. Punjab	2	12	2	24	2	74	3	205	7	1174
15. Rajasthan	1	8	2	12	22	44	-	-	-	-
16. Tamil Nadu	1760	13171	636	9816	342	7726	88	6734	29	4942
17. Telangana	127	450	-	-	-	-	-	-	-	-
18. Tripura	408	905	-	-	-	-	-	-	-	-
19. Uttar Pradesh	118	472	24	144	-	-	-	-	-	-
20. Uttarakhand	22	131	12	134	11	150	-	-	-	-
21. Andaman & Nicobar Islands	-	-	-	-	-	-	-	-	-	-
22. Chandigarh	2	14	2	26	-	-	-	-	1	186
Total	25554	48712	21148	34567	6628	17342	233	14073	91	8634
	(47.45)	(15.43)	(39.27)	(10.95)	(12.31)	(5.49)	(0.43)	(4.46)	(0.17)	(2.73)

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. Assam	37	119	1	524	-	-	47770	59264
2. Bihar	-	-	-	-	1	2898	159	3685
3. Goa	-	-	-	-	1	245	6	282
4. Gujarat	-	-	-	-	-	-	7	271
5. Haryana	1	303	2	1249	-	-	11	1856
6. Himachal Pradesh	4	1309	5	2254	-	-	27	4121
7. Jammu & Kashmir	-	-	-	-	-	-	986	7051
8. Jharkhand	-	-	-	-	-	-	-	-
9. Karnataka	1	274	-	-	86	82737	115	84648
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	-	-	-	-	644	6095
12. Meghalaya	-	-	-	-	-	-	405	608
13. Odisha	-	-	-	-	-	-	40	805
14. Punjab	2	609	-	-	-	-	18	2098
15. Rajasthan	-	-	-	-	-	-	25	64
16. Tamil Nadu	28	4963	7	3736	24	89569	2914	140657
17. Telangana	-	-	-	-	-	-	127	450
18. Tripura	-	-	-	-	-	-	408	905
19. Uttar Pradesh	-	-	-	-	-	-	142	616
20. Uttarakhand	2	5	-	-	-	-	47	420
21. Andaman & Nicobar Islands	-	-	-	-	1	1266	1	1266
22. Chandigarh	1	380	-	-	-	-	6	606
Total	76	7962	15	7763	113	176715	53858	315768
	(0.14)	(2.52)	(0.03)	(2.46)	(0.21)	(55.96)	(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 2017.

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	53330	99.02	100621	31.87
50 – 99	233	0.43	14073	4.46
100 - 249	91	0.17	8634	2.73
250 - 499	76	0.14	7962	2.52
500 - 999	15	0.03	7763	2.46
1000 & above	113	0.21	176715	55.96
All Groups	53858	100	315768	100

The above Table reveals that the number of Motor Transport Undertakings employing less than 50 workers account for 99.02% of the total undertakings submitting returns but only 31.87% of the total employment. On the other hand, the number of undertakings employing 1,000 or more workers constitutes only 0.21% of the total undertakings but they account for 55.96% 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 91.86% of the workers worked for 8 hours a day. So far as the rest intervals are concerned 92.91% 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 2017

State/Union Territory	Normal daily hours of work							
	Less than 8 hours		8 hours		More than 8 hours		Total	
	A	B	A	B	A	B	A	B
1	2	3	4	5	6	7	8	9
1. Assam	2726	9779	12224	36401	32820	13084	47770	59264
2. Bihar	-	-	159	3685	-	-	159	3685
3. Goa	-	-	6	282	-	-	6	282
4. Gujarat	-	-	7	271	-	-	7	271
5. Haryana	3	37	8	1819	-	-	11	1856
6. Himachal Pradesh	3	606	23	3503	1	12	27	4121
7. Jammu & Kashmir	-	-	986	7051	-	-	986	7051
8. Jharkhand	-	-	147	1891	-	-	147	1891
9. Karnataka	12	18	102	84340	1	290	115	84648
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	644	6095	-	-	644	6095
12. Meghalaya	-	-	405	608	-	-	405	608
13. Odisha	-	-	40	805	-	-	40	805
14. Punjab	-	-	18	2098	-	-	18	2098
15. Rajasthan	-	-	25	64	-	-	25	64
16. Tamil Nadu	118	596	2754	138629	42	1432	2914	140657
17. Telangana	-	-	127	450	-	-	127	450
18. Tripura	-	-	408	905	-	-	408	905
19. Uttar Pradesh	-	-	142	616	-	-	142	616
20. Uttarakhand	-	-	47	420	-	-	47	420
21. Andaman & Nicobar Islands	-	-	1	1266	-	-	1	1266
22. Chandigarh	-	-	6	606	-	-	6	606
Total	2862	11036	18132	289914	32864	14818	54005	317659
	(5.30)	(3.47)	(33.85)	(91.86)	(60.85)	(4.66)	(-100.00)	(-99.99)

Note:

- = Nil

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Table - 4 concld.

State/Union Territory	Rest Intervals							
	Less than ½ hour		½ hour to 1 hour		More than 1 hours		Total	
	A	B	A	B	A	B	A	B
1	10	11	12	13	14	15	16	17
1. Assam	11922	5806	26408	38065	9440	15393	47770	59264
2. Bihar	-	-	159	3685	-	-	159	3685
3. Goa	-	-	2	281	4	1	6	282
4. Gujarat	-	-	6	267	1	4	7	271
5. Haryana	-	-	11	1856	-	-	11	1856
6. Himachal Pradesh	-	-	27	4121	-	-	27	4121
7. Jammu & Kashmir	-	-	-	-	-	-	-	-
8. Jharkhand	-	-	-	-	-	-	-	-
9. Karnataka	-	-	115	84648	-	-	115	84648
10. Kerala	-	-	-	-	-	-	-	-
11. Madhya Pradesh	-	-	644	6095	-	-	644	6095
12. Meghalaya	-	-	-	-	405	608	405	608
13. Odisha	-	-	40	805	-	-	40	805
14. Punjab	-	-	18	2098	-	-	18	2098
15. Rajasthan	-	-	25	64	-	-	25	64
16. Tamil Nadu	-	-	2914	140657	-	-	2914	140657
17. Telangana	-	-	127	450	-	-	127	450
18. Tripura	-	-	408	905	-	-	408	905
19. Uttar Pradesh	-	-	142	616	-	-	142	616
20. Uttarakhand	-	-	47	420	-	-	47	420
21. Andaman & Nicobar Islands	-	-	-	-	-	-	-	-
22. Chandigarh	-	-	6	606	-	-	6	606
Total	11922	5806	31099	285639	9850	16006	52871	307451
	(22.55)	(1.89)	(58.82)	(92.91)	(18.63)	(5.21)	(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.

8. 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 2017, out of the 3,21,854 workers who were entitled to leave with wages 1,99,428 (61.96%) were provided leave with wages and an amount of Rs.13,36,60,703 was paid as leave wages. During the year 1585 workers, who were discharged, had also been paid leave wages.

The highest number of workers (1,19,876) who were granted leave was in Tamil Nadu followed by Karnataka (43,819). The highest amount of wages in lieu of leave was paid in Tamil Nadu (Rs.9,54,43,561) followed by Karnataka (Rs.1,45,20,000) and Himachal Pradesh (Rs.92,11,717).

Table – 5
Leave with wages during 2017

State/Union Territory	No. of workers entitled to annual leave with wages during the year	No. of workers who were granted leave during the year	No. of workers who were discharged or dismissed during the year	No. of discharged workers who were paid wages in lieu of leave during the year	Total amount paid to workers as wages in lieu of leave during the year (in Rs.)
1	2	3	4	5	6
1 Assam	37065	20944	-	-	2945706
2 Bihar	3685	-	-	-	-
3 Goa	1758	1439	-	-	-
4 Gujarat	271	162	-	-	-
5 Haryana	1187	1164	141	141	9150870
6 Himachal Pradesh	4121	2989	50	50	9211717
7 Jammu & Kashmir	5086	4646	-	-	1759500
8 Jharkhand	-	-	-	-	-
9 Karnataka	84320	43819	5422	1374	14520000
10 Kerala	-	-	-	-	-
11 Madhya Pradesh	2682	1014	-	-	-
12 Meghalaya	44334	-	-	-	-
13 Odisha	805	805	-	-	-
14 Punjab	1268	136	-	-	-
15 Rajasthan	-	-	-	-	-
16 Tamil Nadu	131625	119876	16	16	95443561
17 Telangana	450	450	-	-	-
18 Tripura	905	500	-	-	538725
19 Uttar Pradesh	..	..	..	..	..
20 Uttarakhand	420	375	4	4	90624
21 Andaman & Nicobar Islands	1266	503	-	-	-
22 Chandigarh	606	606	-	-	-
Total	321854	199428	5633	1585	133660703
		(61.96)			

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 226 units have provided canteen facilities and 1,207 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 2017

State /Union Territory	Canteens			Rest Rooms		
	No. of Undertakings required to provide Canteens	No. of Units providing Canteens	No. of Canteen provided	No. of Undertakings required to provide Rest Rooms	No. of Units providing Rest Rooms	No. of Rest Rooms Provided
1	2	3	4	5	6	7
1 Assam	61	31	30	48	38	37
2 Bihar	-	-	-	-	-	-
3 Goa	-	2	2	-	1	6
4 Gujarat	-	-	-	-	-	-
5 Haryana	11	9	11	11	10	13
6 Himachal Pradesh	10	11	13	20	19	20
7 Jammu & Kashmir	20	17	17	14	13	14
8 Jharkhand	-	-	-	-	-	-
9 Karnataka	115	22	18	115	20	13
10 Kerala	-	-	-	-	-	-
11 Madhya Pradesh	9	12	9	12	9	9
12 Meghalaya	-	-	-	-	-	-
13 Odisha	40	15	15	40	40	45
14 Punjab	18	18	7	18	16	16
15 Rajasthan	8	8	8	8	8	8
16 Tamil Nadu	66	66	212	1012	1012	1083
17 Telangana	1	1	1	1	1	1
18 Tripura	-	-	-	-	-	-
19 Uttar Pradesh	..	..	..	..	..	..
20 Uttarakhand	12	12	6	6	6	6
21 Andaman & Nicobar Islands	1	-	-	1	8	8
22 Chandigarh	3	2	2	6	6	6
Total	375	226	351	1312	1207	1285

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, Gujarat, Kerala, Meghalaya, Odisha, Tripura, Jharkhand, A&N Islands and Chandigarh 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 2017

State /Union Territory	Medical Facilities				
	No. of Undertakings required to provide Medical facilities	No. of Units providing Medical facilities	No. of Dispensaries provided	No. of Doctors provided	No. of Nurses/Compounders provided
1	2	3	4	5	6
1 Assam	37	17	-	-	-
2 Bihar	-	-	-	-	-
3 Goa	-	1	4	2	4
4 Gujarat	-	-	-	-	-
5 Haryana	11	6	6	6	8
6 Himachal Pradesh	27	1	1	1	-
7 Jammu & Kashmir	21	16	8	5	16
8 Jharkhand	-	-	-	-	-
9 Karnataka	115	22	8	4	8
10 Kerala	-	-	-	-	-
11 Madhya Pradesh	10	9	10	10	11
12 Meghalaya	-	-	-	-	-
13 Odisha	13	-	-	-	-
14 Punjab	18	1	1	-	-
15 Rajasthan	8	8	-	-	-
16 Tamil Nadu	432	428	123	132	483
17 Telangana	1	1	-	-	-
18 Tripura	-	-	-	-	-
19 Uttar Pradesh	..	..	..	..	..
20 Uttarakhand	6	6	6	6	8
21 Andaman & Nicobar Islands	-	-	-	-	-
22 Chandigarh	6	-	-	-	-
Total	705	516	167	166	538

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 (13,819) whereas, conviction obtained are maximum in Tamil Nadu (318) and the highest amount of fine realized in Kerala i.e. Rs. 3,03,500.

Table –8
Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2017

State/Union Territory	No. of Inspections made	Prosecutions						Total amount realized towards fines (Rs.)
		No. of cases pending at the commencement of the year	No. of fresh cases filed during the year	No. of cases in which conviction obtained	No. of cases acquitted	No. of cases withdrawn	No. of cases pending at the end of the year	
1	2	3	4	5	6	7	8	9
1 Assam	13819	-	-	-	-	-	-	-
2 Bihar	13634	419	-	-	-	-	419	-
3 Goa	-	-	-	-	-	-	-	-
4 Gujarat	11	249	-	-	-	-	249	-
5 Haryana	14	-	2	-	-	-	2	-
6 Himachal Pradesh	119	35	7	2	-	-	40	2000
7 Jammu & Kashmir	1440	115	11	3	-	-	123	1050
8 Jharkhand	-	-	-	-	-	-	-	-
9 Karnataka	-	-	-	-	-	-	-	-
10 Kerala	8317	412	286	116	8	3	571	303500
11 Madhya Pradesh	43	-	-	-	-	-	-	-
12 Meghalaya	142	-	-	-	-	-	-	-
13 Odisha	151	358	5	3	-	-	360	1400
14 Punjab	164	-	-	-	-	-	-	-
15 Rajasthan	4	-	-	-	-	-	-	-
16 Tamil Nadu	3275	350	-	318	-	-	32	143500
17 Telangana	626	20	5	-	-	-	25	-
18 Tripura	3024	-	-	-	-	-	-	-
19 Uttar Pradesh	38	49	7	42	12	2	-	11400
20 Uttarakhand	37	2	-	2	-	-	-	400
21 Andaman & Nicobar Islands	-	-	-	-	-	-	-	-
22 Chandigarh	-	-	-	-	-	-	-	-
Total	44858	2009	323	486	20	5	1821	463250

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 2 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) 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.