

REPORT ON THE WORKING OF THE MOTOR TRANSPORT WORKERS ACT, 1961 FOR THE YEAR 2021

1. Scope, Objective and Main Provisions

The Motor Transport Workers Act, 1961, which came into effect in March 1962, is designed to ensure the welfare of motor transport workers and regulate their working conditions. This Act applies to every motor transport undertaking that employs five or more workers across all States and Union Territories in the country. However, State Governments have the authority to extend any or all provisions of this Act to motor transport undertakings with fewer than five workers. In Delhi, motor transport undertakings are governed by the Shops and Commercial Establishments Act.

The key provisions of the Act include:

A. Welfare and Health:

- Canteen
- Rest Room
- Uniform
- Medical Facility
- First Aid Facility, etc.

B. Hours of Work:

- Working hours for adult motor transport workers
- Working hours for adolescents employed as motor transport workers
- Daily rest intervals
- Split duty
- Notice of working hours
- Weekly rest, etc.

C. Employment of Young Persons:

- Prohibition of child employment
- Requirement for adolescents employed as motor transport workers to carry tokens
- Certificate of fitness, etc.

D. Wages and Leave:

- Application of the Payment of Wages Act, 1936 (Act 4 of 1936) to motor transport workers
- Extra wages for overtime
- Annual leave with wages
- Wages during leave period, etc.

2. Administration of the Act

The Act mandates that every employer of a motor transport undertaking covered by the Act must register the undertaking under its provisions. The Act is enforced by State Governments, who are also responsible for ensuring that employers provide all necessary facilities to the Inspectorate Staff for conducting inspections, examinations, or inquiries as deemed appropriate. This is to ensure strict compliance with the Act and the Rules framed under it.

Additionally, the Act authorizes State Governments to appoint qualified medical practitioners as "Certifying Surgeons." These surgeons are responsible for the examination and certification of motor transport workers and for overseeing the medical supervision of adolescent workers.

3. Distribution of Motor Transport Undertakings

Table-1 provides details on the number of registered motor transport undertakings during the year 2021. The table presents an analysis of these undertakings across various states and union territories in India, showing data at the beginning and end of the year, newly registered undertakings, and those removed from the register. It highlights trends, state-wise performance, and overall growth in the transport sector.

As of December 31, 2021, there were 1,82,582 registered motor transport undertakings, with 7,195 registered during the year. Assam had the highest share of registered undertakings at 34.57% (63,111), despite a significant number of removals (3,409). Meghalaya followed with 18.59% (33,946) and Bihar with 8.93% (16,299). Bihar and Meghalaya showed notable growth, with Bihar increasing its number of undertakings from 14,963 to 16,299, while Meghalaya maintained a high number at 33,946. Minimal changes were observed in states like Goa, Gujarat, and Haryana.

States such as Andhra Pradesh, Bihar, and Meghalaya exhibited positive growth trends, while Assam, Karnataka and Kerala experienced net decreases despite new registrations. Stability was observed in states like Himachal Pradesh and Uttarakhand.

Overall, the transport sector saw a net increase of 3,145 registered undertakings, indicating a positive trend in the industry. The total number of undertakings rose from 1,79,437 to 1,82,582, reflecting overall growth and a generally positive trend in the registration of transport undertakings across states, although some states experienced significant fluctuations.

Table – 1**Number of Registered Motor Transport Undertakings during 2021**

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	15,311	561	167	15,705 (8.60)
2 Assam	63,499	3,021	3,409	63,111 (34.57)
3 Bihar	14,963	1,336	-	16,299 (8.93)
4 Goa	1,747	12	-	1,759 (0.96)
5 Gujarat	280	16	-	296 (0.16)
6 Haryana	268	5	-	273 (0.15)
7 Himachal Pradesh	136	-	-	136 (0.07)
8 Jammu & Kashmir	3,219	150	-	3,369 (1.85)
9 Karnataka	979	3	24	958 (0.52)
10 Kerala	7,834	123	410	7,547 (4.13)
11 Madhya Pradesh	4,807	81	-	4,888 (2.68)
12 Meghalaya	33,352	594	-	33,946 (18.59)
13 Odisha	3,249	191	-	3,440 (1.88)
14 Rajasthan	4,144	21	20	4,145 (2.27)
15 Tamil Nadu	3,490	39	20	3,509 (1.92)
16 Telangana	14,644	929	-	15,573 (8.53)
17 Tripura	3,219	11	-	3,230 (1.77)
18 Uttar Pradesh	3,125	96	-	3,221 (1.76)
19 Uttarakhand	929	-	-	929 (0.51)
20 Andaman & Nicobar Islands	1	-	-	1 (0.00)
21 Chandigarh	11	6	-	17 (0.01)
22 Puduchery	230	-	-	230 (0.13)
Total	1,79,437	7,195	4,050	1,82,582 (100.00)

Note-I: - = Nil,

Figures in the brackets indicate state-wise percentage share to the total.

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

According to the Act, a motor transport worker is defined as an individual employed in a motor transport undertaking, either directly or through an agency, whether paid or not, to perform professional duties related to a transport vehicle. This includes tasks such as attending to the arrival, departure, loading, or unloading of such vehicles. It also encompasses roles such as drivers, conductors, cleaners, station staff, line checking staff, booking clerks, cash clerks, depot clerks, time-keepers, watchmen, or attendants. However, the Act excludes individuals employed in a factory as defined by the Factories Act, 1948, and those covered by any law regulating the conditions of service in Shops or Commercial Establishments.

The Act prohibits the employment of individuals under the age of fifteen. Adolescents, defined as those who have completed their fifteenth but not their eighteenth year, are also prohibited from working as motor transport workers unless they possess a certificate of fitness issued by a Certifying Surgeon, which must be kept by the employer. Additionally, the adolescent must carry a token indicating this certification while at work. The certificate of fitness is valid for 12 months and can be renewed thereafter.

State-wise Information on Motor Transport Undertakings and Employment (2021):

Table-2 provides state-wise data on the number of operational motor transport undertakings and the average daily employment within them during 2021. Out of 1,61,079 registered working undertakings, only 8.05%, or 12,973 units, submitted their annual returns. Employment figures for units that did not submit returns were estimated by the relevant agencies using the following sources in order of preference: i) Recent inspection reports, ii) Employment data from the previous year, and iii) Employment figures provided in applications for registration, license grants, or renewals.

The total average daily employment in a state's motor transport industry was calculated by adding the estimated average daily employment from non-reporting units to the employment figures from reporting undertakings. In 2021, the total number of motor transport workers was 1,117,214, with Kerala accounting for the highest number of workers at 244,505 (21.89%), followed by Telangana with 147,349 (13.19%), Assam with 130,746 (11.70%), and Tamil Nadu with 118,217 (10.58%). These four states together represented 57.36% of the total average daily employment in motor transport undertakings.

The all-India average daily employment per undertaking was 6.94, though this figure varied significantly across states. The Andaman & Nicobar Islands had the highest daily employment per undertaking, with 1,264 workers in a single Motor Transport Undertaking, while Uttarakhand and Assam had the lowest, with an average of 1.71 and 2.07 workers employed per undertaking in 929

and 63,111 Motor Transport Undertakings, respectively. Meghalaya had the lowest average daily employment per undertaking, at 1.54 workers.

The total average daily employment in reporting undertakings was 2,48,582, representing 22.25% of the total average daily employment, while the estimated average daily employment in non-reporting undertakings was 868,632, accounting for 77.75%.

Table – 2

Motor Transport Undertakings and Workers Employed therein during 2021

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	-	-	15,705	45,344
2 Assam	7,218	22,358	55,893	1,08,388
3 Bihar@	-	-	9,733^	..
4 Goa@	2	1,866	1,757^	..
5 Gujarat	3	85	293	5541
6 Haryana	11	3,453	262	82,006
7 Himachal Pradesh	57	6,779	79	639
8 Jammu & Kashmir	645	5,684	2,724	5,466
9 Karnataka	60	75,094	898	16,203
10 Kerala	-	-	7,547	2,44,505
11 Madhya Pradesh	736	3,609	4,152	33,644
12 Meghalaya	-	-	33,946	52,240
13 Odisha	77	3,363	3,363	35694
14 Rajasthan	28	136	4,117	44,331
15 Tamil Nadu	2,940	1,12,090	569	6,127
16 Telangana	652	8,637	13,992	1,38,712
17 Tripura	418	923	369	730
18 Uttar Pradesh	75	2,007	3,071	45,000
19 Uttarakhand	27	59	902	1,526
20 Andaman & Nicobar Islands	1	1,264	-	-
21 Chandigarh	3	973	14	415
22 Puduchery	20	202	210	2,121
Total	12,973 (8.05)	2,48,582 (22.25)	1,48,106 (91.95)	8,68,632 (77.75)

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Table - 2

State / Union Territory	Employment Strength			
	Total Number of working Motor Transport Undertakings (col.2+col.4)	Average daily Employment in the Working Motor Transport Undertakings (col.3+col.5)		Average daily employment per Undertakings@ (col.7/col.6)
1	6	7		8
1 Andhra Pradesh	15,705	45,344	(4.06)	2.89
2 Assam	63,111	1,30,746	(11.70)	2.07
3 Bihar@	9,733^	-	-	-
4 Goa@	2	1,866	(0.17)	933.00
5 Gujarat	296	5626	(0.50)	19.01
6 Haryana	273	85,459	(7.65)	313.04
7 Himachal Pradesh	136	7,418	(0.66)	54.54
8 Jammu & Kashmir	3,369	11,150	(1.00)	3.31
9 Karnataka	958	91,297	(8.17)	95.30
10 Kerala	7,547	2,44,505	(21.89)	32.40
11 Madhya Pradesh	4,888	37,253	(3.33)	7.62
12 Meghalaya	33,946	52,240	(4.68)	1.54
13 Odisha	3,440	39,057	(3.50)	11.35
14 Rajasthan	4,145	44,467	(3.98)	10.73
15 Tamil Nadu	3,509	1,18,217	(10.58)	33.69
16 Telangana	14,644	1,47,349	(13.19)	10.06
17 Tripura	787	1,653	(0.15)	2.10
18 Uttar Pradesh	3,146	47,007	(4.21)	14.94
19 Uttarakhand	929	1,585	(0.14)	1.71
20 Andaman & Nicobar Islands	1	1,264	(0.11)	1264.00
21 Chandigarh	17	1,388	(0.12)	81.65
22 Puduchery	230	2,323	(0.21)	10.10
Total	1,61,079	11,17,214	(100.00)	6.94

Notes - I: - = Nil, = Not reported.

Figures under column no.8 have been rounded.

^= The data/figures have not be included in the total as the corresponding data for the estimated average daily employment in the respective undertaking has not been reported.

@- In case of missing data in the column 2-5, the paired entries in the Number of Motor Transport Undertaking and average daily employment in all Motor Transport Undertakings have been adjusted.

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 updating of the Register of Establishments by the States/Union Territories at different times.

5. Distribution of undertakings which submitted returns by Size of Employment

Table-3 presents the state-wise distribution of motor transport undertakings by employment size during 2021, specifically for those submitting returns. The data is categorized by the number of workers employed, offering insights into employment distribution and the prevalence of undertakings of various sizes. It shows that the majority of motor transport undertakings (85.28%) employ fewer than 10 workers, while larger units with 1,000 or more workers make up just 0.25% of the total.

In Assam, a significant portion of undertakings are small, with 7,205 units employing a total of 20,982 workers. There are also a few larger undertakings that contribute significantly to overall employment in the state. Tamil Nadu is notable for its high employment figures, particularly in larger categories, with a total of 112,090 workers employed across all categories, including a substantial number in the 500 to 999 and 1,000 or more worker categories.

States like Haryana and Himachal Pradesh display a varied distribution across different employment categories, reflecting a diverse employment structure. The data indicates that larger undertakings, particularly in states like Karnataka and Tamil Nadu, are central to employment concentration. Karnataka, in particular, stands out with an average daily employment of 75,094, with a significant number of workers in the 1,000 or more category.

Table – 3

Distribution of Motor Transport Undertakings which submitted returns by Employment Strength during 2021

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	*	*	*	*	*	*	*	*	*	*
2.Assam	7,205	20,982	2	30	3	66	-	-	5	500
3.Bihar	*	*	*	*	*	*	*	*	*	*
4.Goa	-	-	-	-	1	32	-	-	-	-
5.Gujarat	-	-	-	-	3	85	-	-	-	-

6.Haryana	2	9	2	40	3	84	1	85	1	195
7. Himachal Pradesh	9	55	11	155	12	400	10	646	-	-
8.Jammu & Kashmir	497	1,454	49	521	79	1,575	19	963	-	-
9. Karnataka	18	103	19	330	-	-	17	1,200	1	115
10.Kerala	*	*	*	*	*	*	*	*	*	*
11.Madhya Pradesh	736	3,609	-	-	-	-	-	-	-	-
12.Meghalaya	*	*	*	*	*	*	*	*	*	*
13.Odisha	44	207	5	71	10	278	4	260	12	1,752
14.Rajasthan	28	136	-	-	-	-	-	-	-	-
15.Tamil Nadu	1,767	9,725	735	9,282	289	7,903	67	6,533	37	4,667
16.Telangana	295	775	264	3,807	93	4,055	-	-	-	-
17.Tripura	418	923	-	-	-	-	-	-	-	-
18.Uttar Pradesh	-	-	-	-	75	2,007	-	-	-	-
19.Uttarakhand	27	59	-	-	-	-	-	-	-	-
20.Andaman & Nicobar Islands	-	-	-	-	-	-	-	-	-	-
21.Chandigarh	1	5	-	-	-	-	-	-	-	-
22.Puducherry	16	94	2	18	1	21	1	69	-	-
Total	11,063	38,136	1,089	14,254	569	16,506	119	9,756	56	7,229
	(85.28)	(15.34)	(8.39)	(5.73)	(4.39)	(6.64)	(0.92)	(3.92)	(0.43)	(2.91)

Notes-I : - = Nil, *= Not available as no Motor Transport Undertaking (MTW) submitted return

A = Number of Motor Transport Undertakings,

B =Average daily Employment.

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

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Table-3 Contd.

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	*	*	*	*	*	*	*	*	*
2.Assam	3	780	-	-	-	-	7,218	22,358	
3.Bihar	*	*	*	*	*	*	*	*	
4.Goa	-	-	-	-	1	1,834	2	1,866	
5.Gujarat	-	-	-	-	-	-	3	85	
6.Haryana	-	-	1	628	1	2,412	11	3,453	
7. Himachal Pradesh	14	4,958	1	565	-	-	57	6,779	
8.Jammu & Kashmir	-	-	-	-	1	1,171	645	5,684	
9. Karnataka	-	-	-	-	5	73,346	60	75,094	
10.Kerala	*	*	*	*	*	*	*	*	
11.Madhya Pradesh	-	-	-	-	-	-	736	3,609	
12.Meghalaya	*	*	*	*	*	*	*	*	
13.Odisha	2	795	-	-	-	-	77	3,363	
14.Rajasthan	-	-	-	-	-	-	28	136	
15.Tamil Nadu	15	4,583	6	4,984	24	64,413	2,940	1,12,090	
16.Telangana	-	-	-	-	-	-	652	8,637	
17.Tripura	-	-	-	-	-	-	418	923	
18.Uttar Pradesh	-	-	-	-	-	-	75	2,007	
19.Uttarakhand							27	59	
20.Andaman & Nicobar Islands	-	-	-	-	1	1,264	1	1,264	
21.Chandigarh	1	453	1	515	-	-	3	973	
22.Puducherry	-	-	-	-	-	-	20	202	
Total	35	11,569	9	6,692	33	1,44,440	12,973	2,48,582	
	(0.27)	(4.65)	(0.07)	(2.69)	(0.25)	(58.11)	(100.00)	(100.00)	

Notes-I: - = Nil, *= Not available as no Motor Transport Undertaking (MTW) submitted return

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 presents the number of motor transport undertakings submitting returns and average daily employment therein by various size groups during 2021.

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	12,721	98.06	68,896	27.72
50 - 99	119	0.92	9,756	3.92
100 - 249	56	0.43	7,229	2.91
250 - 499	35	0.27	11,569	4.65
500 - 999	9	0.07	6,692	2.69
1000 & above	33	0.25	1,44,440	58.11
All Groups	12,973	100.000	2,48,582	100.00

The table highlights that motor transport undertakings employing fewer than 50 workers make up 98.06% of the total undertakings that submitted returns, yet they account for only 27.72% of the total employment. In contrast, undertakings with 1,000 or more workers represent just 0.25% of the total undertaking submitting returns but contribute 58.11% of the total employment.

6. Hours of Work

The Act stipulates that adult workers cannot be employed for more than 8 hours per day and 48 hours per week. However, exceptions are made for workers involved in long-distance motor transport services or during festive and other special occasions, allowing them to work up to 10 hours per day and 54 hours per week. In cases of breakdowns, dislocation of transport services, or traffic interruptions, workers may also be required to work beyond these prescribed limits. Adolescents, however, are restricted to working no more than 6 hours per day, including a half-hour rest interval, and are prohibited from working between 10 p.m. and 6 a.m.

For adults, the work period cannot exceed five hours before a rest interval of at least half an hour is provided. The total spread of work hours, including rest intervals, must not exceed 12 hours in a day for adults and 9 hours for adolescents. Additionally, work hours cannot be split into more than two sessions per day.

The Act mandates that every worker is granted a day of rest within every seven-day work period. If a worker is required to work on a rest day to prevent disruption of motor transport services, they must not work more than ten consecutive days without a rest day. In cases where an employer is exempt from granting a rest day, the worker is entitled to compensatory rest days equal to the number of missed rest days, to be taken within the month or the two months immediately following.

Table-4 details the distribution of motor transport undertakings and their employment based on normal daily working hours and rest intervals. The working hours are divided into three categories:

- Less than 8 hours
- Exactly 8 hours
- More than 8 hours

Rest intervals are categorized as:

- Less than ½ hour
- ½ hour to 1 hour
- More than 1 hour

The table reveals that 74.30% of workers adhered to an 8-hour workday. Additionally, 94.52% of workers took rest intervals ranging from half an hour to one hour, indicating a common practice of work breaks that supports worker welfare.

Table-4

Number of Motor Transport Undertakings submitting returns and Employment therein according to the Normal Daily Hours of Work and Rest Interval during 2021

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	*	*	*	*	*	*	*	*	*
2.Assam	984	1,968	3,492	9,422	2,742	10,968	7,218	22,358	
3.Bihar	*	*	*	*	*	*	*	*	
4.Goa	-	-	2	1,866	-	-	2	1,866	
5.Gujarat	-	-	3	85	-	-	3	85	

6.Haryana	-	-	11	3,453	-	-	11	3,453
7. Himachal Pradesh	1	425	56	6,354	-	-	57	6,779
8.Jammu & Kashmir	-	-	645	5,684	-	-	645	5,684
9. Karnataka	20	500	40	74594	-	-	60	75,094
10.Kerala	*	*	*	*	*	*	*	*
11.Madhya Pradesh	-	-	736	3,609	-	-	736	3,609
12.Meghalaya	*	*	*	*	*	*	*	*
13.Odisha	-	-	77	3,363	-	-	77	3,363
14.Rajasthan	-	-	28	136	-	-	28	136
15.Tamil Nadu	93	867	2,321	62,575	526	48,648	2,940	1,12,090
16.Telangana	-	-	478	8,115	174	522	652	8,637
17.Tripura	-	-	418	923	-	-	418	923
18.Uttar Pradesh	-	-	75	2,007	-	-	75	2,007
19.Uttarakhand	-	-	27	59	-	-	27	59
20.Andaman & Nicobar Islands	-	-	1	1,264	-	-	1	1,264
21.Chandigarh	-	-	3	973	-	-	3	973
22.Puducherry	-	-	20	202	-	-	20	202
Total	1,098	3,760	8,433	1,84,684	3,442	60,138	12,973	2,48,582
	(8.46)	(1.51)	(65.00)	(74.30)	(26.53)	(24.19)	(100.00)	(100.00)

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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	*	*	*	*	*	*	*	*
2.Assam	984	1,768	3,492	9,522	2,742	11,068	7,218	22,358
3.Bihar	*	*	*	*	*	*	*	*
4.Goa	-	-	2	1,866	-	-	2	1,866
5.Gujarat	-	-	3	85	-	-	3	85
6.Haryana	-	-	11	3,453	-	-	11	3,453
7. Himachal Pradesh	-	-	56	6,714	1	65	57	6,779
8.Jammu & Kashmir	-	-	645	5,684	-	-	645	5,684
9. Karnataka	5	525	55	74569	-	-	60	75094
10.Kerala	*	*	*	*	*	*	*	*
11.Madhya Pradesh	-	-	736	3,609	-	-	736	3,609

12.Meghalaya	*	*	*	*	*	*	*	*
13.Odisha	-	-	77	3,363	-	-	77	3,363
14.Rajasthan	-	-	28	136	-	-	28	136
15.Tamil Nadu			2,940	1,12,090			2,940	1,12,090
16.Telangana	-	-	652	8,637	-	-	652	8,637
17.Tripura	-	-	418	923	-	-	418	923
18.Uttar Pradesh			75	2,007			75	2,007
19.Uttarakhand			27	59			27	59
20.Andaman & Nicobar Islands	-	-	1	1,264	-	-	1	1,264
21.Chandigarh	-	-	3	973	-	-	3	973
22.Puducherry	-	-	-	-	20	202	20	202
Total	989	2,293	9,221	2,34,954	2,763	11,335	12,973	2,48,582
	(7.62)	(0.92)	(71.08)	(94.52)	(21.30)	(4.56)	(100.00)	(100.00)

Notes - I: - = Nil,

A = Number of Motor Transport Undertakings submitting returns.

B = Average daily employment.

* = Not available as no Motor Transport Undertaking(MTW) submitted return.

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 employed in motor transport undertakings fall under the purview of the Payment of Wages Act, 1936. Under this Act, an adult worker who works more than eight hours in a day or is required to work on a rest day is entitled to receive wages at twice their ordinary rate for the overtime or work done on the rest day. Similarly, an adolescent worker who works on rest days is also entitled to wages at double their ordinary rate, including basic wage and dearness allowance. According to Section 27 of the Motor Transport Workers Act, any adult motor transport worker who works for 240 days or more within a calendar year is eligible for leave with wages in the subsequent year at a rate of one day for every 20 days of work. For adolescent workers, leave is calculated at a rate of one day for every 14 days of work performed during the previous calendar year. The Act also mandates that if a motor transport worker is not granted the leave to which they are entitled under subsection (3) of Section 27, they should be compensated with wages in lieu of leave at the rate specified in subsection (1) of Section 28.

Workers who begin service after January 1st are entitled to leave with wages at the prescribed rate, provided they work for two-thirds of the remaining days in that calendar year. Even if a worker is discharged or dismissed during the year, they are still entitled to leave with wages at the specified rate, regardless of whether they have worked the full period as outlined above. The leave, as

granted, does not include weekly or public holidays that occur during or at the start or end of the leave period. Leave can be accumulated up to 30 days for adults and 40 days for adolescents. Wages for leave days are based on the average daily full-time wages earned during the month preceding the leave, including dearness allowance and the cash equivalent of concessional food supplies, but excluding overtime and bonus payments. Workers granted more than four days of leave are entitled to receive their wages for the leave period in advance.

Table-5 presents data on the entitlement to leave, leave granted, and wages paid in lieu of leave. The table details the number of workers eligible for annual leave with wages, those granted leave, those discharged or dismissed, and the total amount paid in lieu of leave during the year. The data shows that a substantial percentage of eligible workers were granted annual leave. In 2021, out of 190,533 workers entitled to leave with wages, 135,030 (70.87%) were granted leave, with a total of ₹15, 59, 25,305.40 paid as leave wages. Additionally, of the 4,821 workers who were discharged or dismissed, 3,872 received leave wages.

States such as Karnataka and Haryana show a high percentage of workers granted leave. In Tamil Nadu, despite a large number of workers entitled to leave, the percentage of leave granted was lower (56.7%). Karnataka had the highest number of workers (74,670) granted leave, followed by Tamil Nadu (41,096). Tamil Nadu also led in the amount paid in lieu of leave, with ₹10,79,12,574, followed by Karnataka with ₹4,20,62,770, and Assam with ₹30,03,924.40.

Table – 5
Leave with wages during 2021

State/Union Territory	No. of workers entitled to annual leave with wages during the year	No. of workers who were granted leave during the year	No. of workers who were discharged or dismissed during the year	No. of discharged workers who were paid wages in lieu of leave during the year	Total amount paid to workers as wages in lieu of leave during the year (in Rs.)
1	2	3	4	5	6
1 Andhra Pradesh	*	*	*	*	*
2 Assam	9,802	6,243	-	-	30,03,924.4
3 Bihar	*	*	*	*	*
4 Goa	1,588	1,076	144	135	-
5 Gujarat	30	30	-	-	-
6 Haryana	2,832	2,808	1,870	1,847	10,79,08
7 Himachal Pradesh	6,330	5,099	-	-	-
8 Jammu & Kashmir	4,116	569	-	-	22,20,275

9	Karnataka	75,094	74,670	2,807	1,890	4,20,62,770
10	Kerala	*	*	*	*	*
11	Madhya Pradesh	2,743	1,063	-	-	-
12	Meghalaya	*	*	*	*	*
13	Odisha	3,363	273	-	-	-
14	Rajasthan	136	-	-	-	-
15	Tamil Nadu	72,441	41,096	-	-	10,79,12,574
16	Telangana	8,637	-	-	-	-
17	Tripura	923	408	-	-	6,17,854
18	Uttar Pradesh	-	-	-	-	-
19	Uttarakhand	59	-	-	-	-
20	Andaman & Nicobar Islands	1,264	520	-	-	-
21	Chandigarh	973	973	-	-	-
22	Puduchery	202	202	-	-	-
Total		1,90,533	1,35,030	4,821	3,872	15,59,25,305.4
			(70.87)			

Note – I: - = Nil,

Note- Figure in bracket indicates percentage of workers granted leave to total number of worker entitled to annual leave.

II: *=Not available as no Motor Transport Undertaking Submitted return.

8. Welfare and Health

State Governments have the authority to establish *rules* mandating that employers of motor transport undertakings with 100 or more workers provide and maintain canteens that meet prescribed standards. These Rules may also call for the formation of Managing Committees for the canteens, with worker representation included in their management. Additionally, the Act requires the provision of clean, comfortable, well-lighted, and ventilated restrooms or alternative accommodation at locations where workers are required to stay overnight. The State Governments can set standards for the construction, accommodation, furniture, and equipment of these restrooms or alternative accommodations.

Employers must also provide uniforms, raincoats, or other amenities to drivers, conductors, and line-checking staff to protect them from rain and cold. If employers do not have facilities for washing uniforms, they must pay a washing allowance to staff at the prescribed rate.

It is mandatory for employers to provide and maintain medical facilities at operating centers and halting stations as prescribed by the State Governments. Additionally, a first-aid box with the required contents must be kept in every transport vehicle, with the driver or conductor responsible for its maintenance and training in its use.

Table-6 displays State-wise data on the provision of canteens and restrooms. The key indicators include:

1. Number of undertakings required to provide canteens.
2. Number of units providing canteens.
3. Total number of canteens provided.
4. Number of undertakings required to provide restrooms.
5. Number of units providing restrooms.
6. Total number of restrooms provided.

While not all States/Union Territories have provided complete information on these welfare activities, available data indicates that 402 units offer canteen facilities and 1,492 units provide restrooms. The data suggests that the welfare facilities provided by units in various states are generally satisfactory. Some units even provide these amenities beyond the requirements of the Act. Tamil Nadu leads with the highest number of canteens (227) and restrooms (1,465), demonstrating effective implementation of worker amenities. Himachal Pradesh shows a commendable balance with all required canteens and a surplus of restrooms. In contrast, Kerala has a notable shortfall in the number of canteens provided, with only 2 out of the 20 required.

Table – 6

Canteens and Rest Rooms Facilities provided by Motor Transport Undertakings during 2021

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	29	33	34	25	26	44
2 Assam	108	53	53	95	52	52
3 Bihar	..	..	..	..	..	..
4 Goa	-	3	3	-	4	4
5 Gujarat	-	-	-	-	-	-
6 Haryana	..	6	7	..	8	11
7 Himachal Pradesh	13	13	14	16	16	27
8 Jammu & Kashmir	38	32	32	45	45	45
9 Karnataka	..	9	9	..	10	10
10 Kerala	20	2	2	50	12	12
11 Madhya Pradesh	-	-	-	736	43	52
12 Meghalaya	-	-	-	-	-	-
13 Odisha	..	8	8	..	15	15
14 Rajasthan	8	8	8	8	8	8
15 Tamil Nadu	82	219	227	1,257	1,234	1,465

16	Telangana	5	5	5	5	5	5
17	Tripura	-	-	-	-	-	-
18	Uttar Pradesh	-	-	-	-	-	-
19	Uttarakhand	2	2	5	2	2	2
20	Andaman & Nicobar Islands	1	-	-	1	1	8
21	Chandigarh	17	2	2	17	2	2
22	Puduchery	2	7	7	2	9	9
Total		325	402	416	2,259	1,492	1,771

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

Table-7 provides State-wise data on the provision of dispensaries, doctors, and nurses by various undertakings across states and union territories in India. The key indicators include:

1. Number of undertakings required to provide medical facilities.
2. Number of units providing medical facilities.
3. Total number of dispensaries provided.
4. Total number of doctors provided.
5. Total number of nurses/compounders provided.

Tamil Nadu is notable for having a substantial number of units offering medical facilities (1,013) and a considerable number of nurses (301), although the number of doctors is relatively lower (35). States such as Assam, Bihar, and Madhya Pradesh have a high number of required undertakings but provide limited data on medical facilities. Incomplete or missing data from states like Karnataka, Kerala, and Uttar Pradesh hampers a comprehensive assessment of the healthcare landscape. Overall, the availability and reporting of medical resources vary significantly across states and union territories. Some states show effective provision of medical facilities, while others encounter challenges with compliance and data reporting.

Table-7

Medical Facilities provided by Motor Transport Undertakings during 2021

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	28	16	6	16	16
2	Assam	94	33	-	-	-
3	Bihar	..	..	..	..	..
4	Goa	-	-	3	-	1
5	Gujarat	2	#	#	#	#
6	Haryana	..	2	2	1	2
7	Himachal Pradesh	1	1	1	-	-
8	Jammu & Kashmir	29	27	8	14	18
9	Karnataka	-	-	-	-	-
10	Kerala	8	-	-	-	-
11	Madhya Pradesh	736	153			
12	Meghalaya	-	-	-	-	-
13	Odisha	..	8	8	-	8
14	Rajasthan	8	8	-	-	-
15	Tamil Nadu	1,173	1,013	70	35	301
16	Telangana	5	5	-	-	-
17	Tripura	93	93	-	-	-
18	Uttar Pradesh	-	-	-	-	-
19	Uttarakhand	2	2	1	-	-
20	Andaman & Nicobar Islands	-	-	-	-	-
21	Chandigarh	17	2	-	-	-
22	Puduchery	11	5	-	-	-
	Total	2,207	1,368	99	66	346

Notes: - = Nil, = Not Reported.

= As Reported by state, medical facilities are covered under ESIC.

9. Enforcement

The Inspectorate Staff across States and Union Territories are tasked with ensuring the proper implementation of the Motor Transport Workers Act, 1961, which covers regulations such as working hours, daily rest intervals, spread-over of working hours, and weekly rest periods. These Inspectorates conduct inspections to monitor compliance with the Act.

Table-8 provides data on inspections, prosecutions, convictions, and fines for the year. Assam recorded the highest number of inspections (26,219), while Andhra Pradesh led in convictions with 163 cases, and total fines collected amounted to ₹49,600. Kerala and Andhra Pradesh were significant contributors to the fines, with amounts of ₹18,900 and ₹17,300, respectively. Andhra

Pradesh also has the highest number of pending cases (549), while Odisha has all 384 cases unresolved. Uttar Pradesh reported 53 pending cases following a single conviction. The table highlights considerable variations among states in terms of inspections, prosecutions, and case resolutions.

Table –8
Inspections Made, Prosecutions Launched, Convictions Obtained and Amount of Fine Realized during 2021

State/Union Territory	No. of Registered Motor Transport Undertakings Inspected during the year	Prosecutions						No. of cases pending at the end of the year	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			
1	2	3	4	5	6	7	8	9	
1 Andhra Pradesh	2	712	-	163	-	-	549	17,300	
2 Assam	26,219	-	-	-	-	-	-	-	
3 Bihar	..	..	..	..	..	..	..	..
4 Goa	7	-	-	-	-	-	-	-	
5 Gujarat	39	22	4	-	-	-	26	11,000	
6 Haryana	4	25	-	2	-	-	23	1,500	
7 Himachal Pradesh	22	44	1	-	-	-	45	-	
8 Jammu & Kashmir	1,060	101	12	5	3	-	105	900	
9 Karnataka	2	1	2	1	-	-	2	-	
10 Kerala	23	202	3	30	8	-	167	18,900	
11 Madhya Pradesh	2	-	-	-	-	-	-	-	
12 Meghalaya	269	-	-	-	-	-	-	-	
13 Odisha	144	384	-	-	-	-	384	-	
14 Rajasthan	-	-	-	-	-	-	-	-	
15 Tamil Nadu	1,938	17	19	-	-	33	3	-	
16 Telangana	722	24	-	-	17	7	-	-	
17 Tripura	3,110	-	-	-	-	-	-	-	
18 Uttar Pradesh	-	-	54	1	-	-	53	-	
19 Uttarakhand	10	-	-	-	-	-	-	-	
20 Andaman & Nicobar Islands	-	-	-	-	-	-	-	-	
21 Chandigarh	-	-	-	-	-	-	-	-	
22 Puduchery	47	-	-	-	-	-	-	-	
Total	33,620	1,532	95	202	28	40	1,357	49,600	

Notes: - = Nil, = Not Reported.

10. Limitations

This Act applies throughout India, regulating every motor transport undertaking employing five or more workers in all States and Union Territories. As such, all States and Union Territories are obligated to submit their returns to the Labour Bureau by the designated deadline.

However, several States and Union Territories have not met this requirement, despite receiving multiple reminders. This non-compliance has hindered the timely compilation and analysis of data, resulting in delays in preparing and publishing this report.

The current report is based on data from 18 States and 4 Union Territories. Unfortunately, other States and Union Territories either failed to submit their returns or provided incomplete or zero figures. Specifically, Arunachal Pradesh, Chhattisgarh, Jharkhand, Maharashtra, Manipur, Punjab, West Bengal, and Leh & Ladakh fall into this category.

Furthermore, the report does not include information from Mizoram, Nagaland, Sikkim, Dadra & Nagar Haveli, Daman & Diu, the National Capital Territory of Delhi, and Lakshadweep. This exclusion is due to the Act not being implemented or administered in these regions.
