

ANDAMAN AND NICOBAR ISLANDS MOTOR  
TRANSPORT WORKERS RULES, 1977

Faint vertical text or markings along the left edge of the page.

Vertical text and markings along the right edge of the page, including some illegible characters and symbols.

A faint horizontal line or marking near the bottom center of the page.

अण्डमान तथा  
ANDAMAN AND



निकोबार राजपत्र  
NICOBAR GAZETTE

असाधारण

EXTRAORDINARY

प्राधिकार से प्रकाशित

Published By Authority

सं० ९९, पोर्ट ब्लेयर, सोमवार, मई १६, १९७७/वैशाख २६, १८९९.  
No. 99, Port Blair, Monday, May 16, 1977/Vaisakha 26, 1899.

ANDAMAN AND NICOBAR ADMINISTRATION  
CHIEF COMMISSIONER'S SECRETARIAT

NOTIFICATION

Port Blair, dated the 16th May, 1977/Vaisakha, 26, 1899.

No 100/77/F. No. 32-26/74-77-TR.--In exercise of the powers conferred by Section 40 of the Motor Transport workers Act, 1961 (27 of 1961), read with the notification No. S. O 2488 dated 13-10-1961, of the Government of India, Ministry of Home Affairs, New Delhi, Published in Part II Section 3 Sub-Section II of the Gazette of India dated the 21st October, 1961, the Chief Commissioner, A&N Islands, makes the following Rules, the same having been previously published in the A&N Gazette Extraordinary No. 144 dated 28th September, 1976 under the A&N Administration's notification No 161/76/F. No 32-26/74-TR of the same date as required by Sub-Section (1) of the said Section, namely: -

**RULES**

**CHAPTER—I**

**Preliminary**

**1. Short title extent and Commencement:**

(1) These Rules may be called the Andaman and Nicobar Islands Motor Transport Workers Rules, 1977.

(2) They shall extend to the whole of the Union Territory of the Andaman and Nicobar Islands.

(3) These Rules except Rules 16 to 22 (inclusive) and Rule 24 shall come into force at once and Rules 16 to 22 (inclusive) and Rule 24 shall come into force on such date as the Chief Commissioner, Andaman and Nicobar Islands, may, by notification in the A&N Gazette, appoint,

**2. Definition:**

(1) In these rules unless the context otherwise requires,

(a) "Act" means the Motor Transport Workers Act, 1961 (Central Act 27 of 1961)

(b) The Chief Commissioner means the Chief Commissioner, A&N Islands.

(c) "Chief Inspector" means a person appointed under Sub-Section (1) of Section 4 of the Act to be the Chief Inspector for the Union Territory of Andaman and Nicobar Islands

(d) "Form" means a Form appended to these Rules;

(e) "Inspector" means an Inspector appointed under section 4 and includes the Chief Inspector, when exercising the powers of an Inspector, under Sub section (2) of Section 4 of the Act;

- (f) "Section" means a section of Act;
- (g) "Undertaking" means a motor transport Undertaking;
- (h) "Unit" means a branch office of the undertaking and includes the place or the premises where a Motor Transport vehicle belonging to the undertaking halts;
- (i) "Year" means the Calendar Year; and
- (j) All other words and expressions used but not defined in these Rules shall have the meanings respectively assigned to them in the Act.

a. Interruptions during running time:

Any interruption of less than ten minutes shall be counted towards running time

#### CHAPTER II

#### 4. Application for registration:

(1) Every employer of an undertaking existing on the date on which these Rules except Rules 16 to 24 (inclusive) and Rule 24 come into force shall, within sixty days from that date, submit an application under sub-section (2) of section 3 in Form No. 1 in duplicate, to the Chief Inspector for the registration of his undertaking and grant of a certificate of registration.

Provided that in the case of a new undertaking established on or after the date of such commencement, such application shall be made not less than thirty days before the date on which the employer proposes to operate the undertaking

(2) Every application under sub-rule (1) shall be accompanied by a Treasury receipt showing that the appropriate fee for the certificate of Registration has been paid in the local Treasury.

(3) The fee to be paid for the grant of certificate of registration under the Act in this Union Territory shall be as specified in table below:—

Maximum number of motor transport workers to be employed on any day during the year.	Fees
(1)	(2)
Not more than 10	Rs. 10
More than 10 but not more than 5	Rs. 25
More than 25 but not more than 50	Rs. 50
More than 50 but not more than 100	Rs. 100
More than 100 but not more than 250	Rs. 250
More than 250 but not more than 500	Rs. 500
More than 500 but not more than 750	Rs. 750
More than 750 but not more than 1000	Rs. 1000
More than 1000	Rs. 1500

*Explanation (1)*—For the purposes of the above sub-rule the number of motor transport workers to be employed during the year specified in column (1) of the table of fees referred to above shall be the maximum total number of workers employed in all the units of the undertaking within the territorial limits of the Union Territory of Andaman and Nicobar Islands irrespective of whether the headquarters office of the undertaking is situated within or outside this Union Territory.

*Explanation (2)*—A worker shall be deemed to be employed within this Union Territory, if his headquarters is within this Union Territory.

(4) The registration certificate issued to an undertaking by the Chief Inspector shall be exhibited in a conspicuous place in the head office of the undertaking within a week from the date of its receipt from the Chief Inspector. Copies of the Certificate issued by the Chief Inspector shall also be exhibited in a conspicuous place in the offices of all its units, referred to in the application submitted in Form No. 1, within the period specified above.

5. Grant of certificate of registration:

(1) A certificate of registration for an undertaking shall be issued to the employer of such undertaking by the Chief Inspector in form No. II and in the case of undertakings having units outside their headquarters copies of the said certificate shall also be sent by him simultaneously to the Inspectors concerned having jurisdiction over each of the units specified in the certificate of registration.

(2) An application for the issue of a certificate of registration may be rejected if it does not satisfy any of the provisions of the Act or of these rules governing its issue.

6. Validity of certificate of registration:

Every certificate of registration granted under Rule 5 or renewed under Rule 8 shall remain in force upto 31st December of the year for which the certificate is granted or renewed.

7. Amendment of certificate of registration:

(1). The certificate of registration issued under rule 5 or renewed under Rule 8 may be amended by the Chief Inspector;

(2). The application for the amendment of a certificate of registration shall be accompanied by;

(i) a statement indicating the nature of the amendment required and reason therefore

(ii) a statement showing the change in particulars already furnished on the application for registration under rule 4 which necessitates the amendment;

(iii) a Treasury receipt showing that the appropriate fee for the amendment of the certificate of registration has been duly paid in the local treasury; and

(iv) the certificate of registration originally issued.

(3). The fee for the amendment of the certificate of registration shall be rupees five in addition to the amount if any by which the fee that would have been payable if the certificate of registration had been originally issued in the amended form exceeds the fee originally paid for the certificate of registration.

8. Renewal of certificate of registration:

(1) The employer of every undertaking who has obtained a certificate of registration under rules 5 shall submit an application in form No. 1 in duplicate to the Chief Inspector for the renewal of the registration certificate. An application for renewal shall be made not less than 90 days before the date on which the certificate of registration expires, together with the original treasury receipt for payment of the prescribed fee for such renewal.

(2). The fees payable for renewal of certificate of registration shall be the same as specified in the table under sub-rule (3) of rule 4, for the grant thereof.

Provided that if the application for renewal is not sent within the time specified in sub-rule (1) but after the date of expiry of the certificate of registration, an additional fee of twenty five percent of the fee ordinarily payable for the certificate of registration shall be payable for such renewal.

Provided further that in cases where the Chief Inspector is satisfied that delay in submission of the application is due to unavoidable circumstances beyond the control of the employer, he may reduce or remit, as he thinks fit, the payment of such additional fee.

(3). If the application has been made in accordance with this rule the undertaking shall be deemed to be duly registered until such date as the Chief Inspector may pass orders on the application for renewal of the registration.

## 9. Transfer of certificate of registration:

(1). An employer holding a certificate of registration may at any time before the expiry of its validity apply in Form No. III for permission to transfer the certificate to another person.

(2). Every application under sub-rule (1) shall be made together with certificate of registration in original and a treasury receipt showing that a fee of rupees five has been duly paid in the local treasury, to the Chief Inspector, who shall, if he approves of the transfer, enter upon the certificate of registration under his signature all endorsement to the effect that the certificate of registration has been transferred to the person named.

## 10. Procedure on death or insolvency of employer:

If an employer holding a certificate of registration dies or becomes insolvent, his legal representative if he desires to carry on the business of the undertaking shall within two months from the date of death or insolvency of the holder of the certificate of registration, make an application for the transfer of the certificate of registration to his name in Form No. III, together with the certificate of registration in original and a treasury receipt showing that a fee of rupees five has been duly paid in the local treasury, to the Chief Inspector who shall, if he approves of the transfer enter in the certificate of registration under his signature an endorsement to the effect that the certificate of registration has been transferred to the applicant.

## 11. Issue of duplicate certificate of registration:

(1). Where a certificate of registration is lost defaced or destroyed, holder of the certificate of registration shall forthwith report the matter to the Chief Inspector and apply in Form No. 1 to the authority for the issue of a duplicate certificate. Every such application shall be accompanied by a treasury receipt showing that a fee of rupees five has been duly paid in the local treasury for the issue of a duplicate certificate of registration.

(2). On receipt of an application referred to sub-rule (1), the Chief Inspector shall furnish to the applicant a duplicate copy of the certificate of registration duly stamped 'Duplicate' in red ink.

## 12. Payment and refund of fees:

(1). All fees payable under these rules shall be paid into the local treasury under the Head of account 065 other Administrative service—C other Service-Receipts from the Central Govt. for administration of Central, Acts & Regulations other Departments Fees realised under the Motor Transport Workers Act.

(2). If an application for the grant, renewal, amendment or issue of a duplicate of a certificate of registration is rejected, the fee paid shall be refunded to the applicant.

## 13. Marking of the Registration number on the vehicle:

The registration number of the undertaking shall be marked on the left hand side of every vehicle in letters and figures 7.6 C.M. high and 1.3 C. M. thick.

## CHAPTER III

### *Inspecting-Staff*

## 14. Qualification of an Inspector:

(a) No person shall be appointed as Chief Inspector for the purposes of the Act, unless he holds or has held, under the Andaman and Nicobar Administration, the Office of the Labour Commissioner.

### 15. Power of Inspectors

In addition to the powers conferred on him by other provision of these Rules an Inspector shall, for carrying out the purposes of the Act, have powers to do all or any of the following acts, namely—

(1) to photograph any motor transport worker, to inspect or sketch, as the case may be, any motor transport vehicle building room, appliance apparatus, register or documents which is under the use or occupation of any undertaking, or any thing provided for the purpose of securing health and welfare of the Motor Transport Workers;

(ii) to prosecute, conduct or defend before any court any complaint or other proceeding arising under the Act or these rules or in the course of discharge of his duties as an Inspector; and

(iii) to require any employer to supply or send any return or information relating to the provisions of the Act or of these rules.

## CHAPTER IV

### Welfare and Health

#### 16. Canteens

(1) The employer of every undertaking shall provide in or near every place wherein not less than one hundred transport workers ordinarily call on duty during every day, an adequate canteen.

(2) Provided however that the undertakings which are situated within reasonable distances from one another may with the approval of the Chief Inspector, combine and provide joint canteens, and share their expenses. For these purpose, the Undertakings concerned shall submit to the Chief Inspector particulars regarding the locations of the joint canteens the unit or units of undertaking served, the distances between each of the undertakings from the place where the canteen is proposed to be located, the number of workers employed in each of the undertakings the manner in which the canteen is to be managed and such other particulars as may be called for by the Chief Inspector.

(3) The employer/employers shall submit for the prior approval of the Chief Inspector plans and site plans in duplicate of the building/ buildings to be constructed or adapted for use of a canteen/joint-canteen/canteens.

(4) The canteen/joint canteen/canteens building shall be situated not less than 15.2 metres from any latrine, urinal or any other source of dust smoke or obnoxious fumes.

Provided, the Chief Inspector may, on reasons to be recorded in writing, relax the provision of this sub-rule subject to such conditions as he may deem fit and may require the employer to take such measures to secure the essential purposes of this rule.

(5) The canteen/joint canteen/canteens building shall be constructed or adapted in accordance with the plans approved by the Chief Inspector and shall accommodate at least a dining hall, kitchen store room and pantry and also washing places, separately for workers and for utensils.

(6) In every canteen/joint canteen/canteens, the floor and all inside walls up to a height of 1.2 metres from the floor shall be made of smooth impervious material; the remaining portion of the inside walls shall be made smooth by cement plaster or in any other manner approved by the Chief Inspector.

(7) The doors and windows of a canteen/joint canteen/canteens buildings shall be of fly proof construction and shall allow adequate ventilation.

(8) The canteen/joint canteen/canteens shall be sufficiently lighted at all times when any person has access to it.

(9) (a) In every canteen/joint canteen/canteens:

(i) all inside walls of rooms and all ceilings, passages and stair cases shall be lime-washed, colour washed or painted as the case may be. Lime-washing or colour-washing shall be carried out once in every year and painting shall be carried out once in every three years.

- (ii) all wood work and all internal structural iron or steel work shall be varnished or painted once in every three years

Provided that inside walls of the kitchen shall be lime-washed once in every four months.

(b) Records of dates on which lime-washing, colour washing, varnishing or painting as the case may be is carried out, shall be maintained in a register in Form No. IV.

(10) The precincts of the canteen/joint canteen/canteens shall be maintained in a clean and sanitary condition, waste water shall be carried away in sanitable covered drains and shall not be allowed to accumulate so as to cause a nuisance. Suitable arrangement shall be made for the collection and disposal of garbage.

#### 17. Canteen Hall

(1) The dining hall shall accommodate at least thirty per cent of the motor transport workers likely to call in duty during every day;

Provided that in any particular undertaking or in any particular class of the undertakings, the Chief Commissioner may, by notification in the Official Gazette, alter the percentage of workers to be accommodated.

(2) The floor area of the dining hall excluding the area occupied by service counter and any furniture, except tables and chairs shall not be less than 0.9 per square per dinner to be accommodated under sub-rules (1)

(3) Sufficient tables, chairs or benches shall be available for the number of dinners to be accommodated under sub-rules (1)

(4) (i) Wash basins with adequate water supply shall be provided in the dining hall for the use of the workers.

(ii) Soaps and towels shall be provided at the washing places in the dining hall.

#### 18. Equipment

(1) There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen.

(2) The equipment referred to in sub-rules (1) shall be maintained in a clean and hygienic condition. A service counter, if provided shall have a top of smooth and impervious material suitable facilities including an adequate supply of hot water shall be provided for the cleaning of utensils and other equipments.

#### 19. Prices to be charged.

(1) Food, drink and other items served in the canteen/joint canteen/canteens shall be sold on a non profit basis and the prices charged shall be subject to the approval of the canteen managing committee constituted under rule 21. In the event of the committee not approving the price list or where the committee are equally divided on the issue, the price list should be sent to the Chief Inspector for approval.

(2) The charges per portion food stuffs beverages and and any other items served in the canteen/joint canteen/canteens shall be conspicuously displayed in the canteen/joint canteen/canteens.

#### 20. Accounts

(1) Proper accounts pertaining to the canteen/canteens/joint canteens shall be maintained. All books of accounts registers or any other documents used in connection with the running of a canteen/joint canteen/canteens shall be produced before the Inspector on demand

(2) The accounts pertaining to the canteen/joint canteen/canteens shall be audited once in every twelve months by registered Accountants & Auditors or Auditors of Co-operative Department of Andaman and Nicobar Islands. The balance sheet prepared by the said auditors shall be submitted to the canteen managing committee not later than two months of the closing of the audited accounts.

Provided that the accounts pertaining to the canteen/joint canteen/canteens in any public sector undertaking having its own Accounts Department may be audited in

that Department or by Auditor of Co-operative Department of Andaman and Nicobar Islands.

## 21. Canteen Managing Committee

(1) The employer and in the case of a joint canteen the employers of the undertaking concerned shall constitute a canteen managing committee which shall be consulted from time to time as to :—

- (a) the quality and quantity of food, drink and other items served in the canteen.
- (b) the arrangement of menus.
- (c) times of meals in the canteen and
- (d) any other matter as may be directed by the committee.

(2) The Canteen Managing Committee shall consist of equal number of persons nominated by the employer, or the employers concerned in the case of a joint canteen and elected by the motor transport workers of the undertakings concerned in the case of a joint canteen as the case may be. The number of elected workers shall be in the proportion of one for every five hundred workers employed in the undertaking or undertakings as the case may be :

Provided that in no case shall there be more than five or less than two more transport workers in the committee and in cases where the workers refuse to elect their representatives, the employer or employers concerned shall nominate the workers representatives.

(3) The employer/employers shall appoint, from among the persons nominated by him/them a chairman of the Canteen Managing Committee.

(4) The employer/employers shall determine and supervise the procedure for election to the Canteen Managing Committee.

(5) The Chairman and members of Canteen Managing Committee shall hold office for period of two years from the date on which it is constituted.

Provided that such member shall, notwithstanding the expiration of their term, continue to hold office until the constitution of the next Canteen Managing Committee.

## 22. Rest room.

The employer of every undertaking shall provide rest room at each of the places where six or more motor transport workers are to halt for the night.

(1) The rest-room shall conform to the following standards and the employer of every undertaking shall submit for the approval of the Chief Inspector, plan and site plan in duplicate of the building to be constructed or adapted, namely :

(a) the building shall be soundly constructed or adapted and all the walls and room shall be of suitable heat resisting materials and shall be water proof. The floor and walls to a height of 0.9 metre shall be so laid or finished as to provide a smooth, hard and impervious surface ;

(b) the height of every room in the building shall be not than 3.7 metres from the floor level to the lowest part of the roof and there shall be at least 5.6 square metres of floor area for every motor transport workers required to halt at night.

The Chief Inspector may, for reasons to be recorded in writing, relax the provisions of this sub-rule, subject to such conditions as he may deem fit and may require the employer to take such measures as to secure the essential purposes of this sub-rule.

(c) effective and suitable provision shall be made in every room for securing and maintaining adequate ventilation by the circulation of fresh air and there also be provided and maintained sufficient and suitable natural or artificial lighting.

(d) every rest-room shall be adequately furnished with chairs and cots and

(e) every rest-room building and precincts thereof shall be kept in a clean and tidy condition.

Provided that where the Chief Inspector is satisfied that in respect of any particular place, the provision of rest-room to the above standards is not reasonably practicable he may by order in writing approve any suitable alternative accommodation subject to such conditions as he may specify.

(B) Suitable alternative accommodation, as may be approved by the Chief Inspector shall be provided at the places where less than six motor transport workers are required to halt at night.

### (C) Uniforms.

Every employer of an undertaking shall provide free of cost for the drivers, conductors, and line checking staff cleaners, mazdoors, sweepers and chowkidars uniforms and rain coats as specified in the table below: and it will be obligatory on their part to wear Uniforms while on duty.

TABLE

S. No.	Category of Staff	Particulars of article	Quantity and period of Supply
1.	Drivers	(i) Cotton bush shirts (ii) " full pants (iii) Woolen barrel cap (iv) Badge (v) Semiclosed Chappal (Pathani type)	2 every year 2 " 1 " 1 5 years 1 pair for every year
2.	Conductors	(i) (ii) (iv) and (v) as above (iii) Woodeen side cap	1 every year
3.	Traffic Inspector Ticket examiner, and other line checking staff	(i) Cotton bush shirt (ii) " full pants (iii) Peak cap with badge of the unit/ dept. (gabardine) (iv) Shoulder badge (v) Rain coats	4 every year 4 " 1 with 2 covers 1 pair for every 3 years 1 "
4.	Motor Mechanic/ Electrician Asst. Mechanic	(i) Cotton full pant (ii) " bush shirts (iii) Semiclosed Chappals (Pathani type)	2 every year 2 " 1 pair every year
5.	Cleaners	Items (i) (ii), (iii), as above	
6.	Mazdoors	Item (i), (ii), (iii), as above	
7.	Sweepers	do-	
8.	Chowkidar	(i) Buttoned up coat (ii) Full pant cotton (iii) Leather chappal (iv) Leather shoe (v) Side cap cotton	4 in every 2 years do- 1 pair every year 1 pair in every 2 years 4 in every 2 years

(C) Unless the employer has made at his own cost adequate arrangement for the washing of uniforms provided by him under sub-rule (1) there shall be paid to the drivers, conductors and line-checking staff, cleaners, mazdoors, sweeper and chowkidars an allowance for washing of such uniforms at the rate of Rupees two per month and such amount shall be paid in arrears on the day on which the wages or salary of drivers, conductors and line-checking staff are paid.

## 24. Medical Facilities

(1) At every place or halting station wherein not less than 250 motor transport workers ordinarily call on duty during every day or halt for the day as the case may be, a dispensary shall be provided and maintained with such equipment and drugs as the Chief Commissioner may direct.

Provided, however, that motor transport undertaking may with the approval of the Chief Inspector combine and provide joint dispensaries and share their expenses. For this purpose, the motor transport undertakings concerned shall submit to the Chief Inspector particulars regarding the location of joint dispensaries, the names and addresses of the transport undertakings served, the number of workers employed in each undertakings and such particulars as may be called for by the Chief Inspector.

(2) The dispensary shall be in charge of a qualified medical practitioner, assisted by such staff as the Chief Commissioner may direct. Such Medical practitioner shall make himself available in the dispensary during such hours as the Chief Commissioner may, by notification in the official Gazette, specify.

(3) The dispensary shall have a floor area of atleast 232 square meters and smooth, hard and impervious walls and floor and shall be adequately ventilated and lighted by both natural and artificial means. An adequate supply of wholesome drinking water shall be provided.

(4) At every place and halting station, where less than 250 motor transport workers call on duty during every day or halt for the day as the case may be first aid boxes or cup-boards of the standard specified in the Table below shall be provided. Every first aid box or cup-board shall be distinctly marked with a red cross on white back ground and shall be kept stock and in good order. Such first aid boxes or cup-boards shall be readily accessible during all working hours and shall be in charge of an employee of the undertaking who is trained in first aid.

## THE TABLE

(A) For places and halting stations wherein 10 and not exceeding 50 motor transport workers ordinarily call on duty during every day.

Each first aid box or cup-board shall contain in it the following equipment:

- (i) Twelve small sterilized dressings.
- (ii) Six medium size sterilized dressings.
- (iii) Six large size sterilized dressings.
- (iv) Six large size sterilized burn dressings.
- (v) Six (15 grms) packets of sterilized cotton wool.
- (vi) One (60 ml) bottle containing a two per cent alcoholic solution of iodine.
- (vii) One (60 ml) bottle containing salvolatine having the dose and mode of administration indicated on the label.
- (viii) One roll of adhesive plaster.
- (ix) One snake bite lancet.
- (x) One (30 ml) bottle of potassium permagnate crystals.
- (xi) One pair scissors.
- (xii) One copy of the approved first aid leaflet.

(B) For places and halting stations wherein more than 50 motor transport workers ordinarily call on duty during every day.

- (i) Twenty four small sterilized dressings.
- (ii) Twelve medium size sterilized dressings.
- (iii) Twelve large size sterilized dressings.
- (iv) Twelve large size sterilized burn dressings.
- (v) Twelve (15 grms) packets of sterilized cotton wool.
- (vi) One snake bite lancet.
- (vii) One pair scissors.
- (viii) Two (30 grms) bottle of potassium permagnate crystals.
- (ix) One (120 ml) bottle containing a two per cent alcoholic solution of iodine.
- (x) One (120 ml) bottle having the dose and mode of administration indicated on the label.

- (xi) One copy of the approved first aid leaflet.
- (xii) twelve roller bandages 4 inches wide.
- (xiii) twelve roller bandages 2 inches wide.
- (xiv) two rolls of adhesive plaster.
- (xv) six triangular bandages.
- (xvi) two packets of safety pins.
- (xvii) supply of suitable splints
- (xviii) one tourniquet.

Provided that in respect of stage carriages plying within a municipal town or stage carriages plying both within a municipal town and outside it also but returning to municipal town each day after completion of the scheduled trips for the day it shall be sufficient if the aid boxes are made available at the terminal points & at places where the motor transport workers halt.

*Explanation*—A motor transport worker shall be deemed to have halted at a place if he is required to break off for the day after the completion of his spell of duty at any place other than the place where he signed on.

## 25. First Aid Facilities

The contents of every first aid box which shall be provided in every motor transport vehicle shall be as specified in the table below and every such first aid box shall be distinctly marked with a red cross on the white background and shall be kept stocked and in good order.

- (i) A copy of the first aid leaflet.
- (ii) twenty four sterilized hand or foot dressings.
- (iii) twelve sterilized hand or foot dressing.
- (iv) twelve sterilized, large or body dressings
- (v) one extra large, two large and three small sterilized burn dressings.
- (vi) two (15gms) packets of sterilized cotton wool.
- (vii) a bottle of 2 per cent tincture of iodine.
- (viii) a bottle of salvolatile.
- (ix) an empty kettle fitted with cork and camel hair brush for eye drops and
- (x) 60 ml medicine glass.

## CHAPTER V

### Hours and Limitations of Employment

#### 26. Extra Hours Of Work

(1) The Chief Inspector may, on written application for an employer, subject to such conditions and for such period as he may think fit, permit motor transport workers who are engaged in the running of any motor transport service

- (i) on any route of 50 kilo meters or (ii) on such festive or other occasions as may be notified by the Chief Inspector in the Official Gazette to work for more than 8 hours on a day or 48 hours in a week, but in no case more than 10 hours in a day or 54 hours in a week as the case may be.

(2) The authority competent to accord approval for the employer requiring or allowing any such motor transport worker as it is referred to in the first proviso to section 13 to work for more than the hours of work specified in that section shall be the Chief Inspector.

(3) In any case referred to in the second proviso to section 13 an employer shall not require or allow any motor transport worker to work for more than sixteen hours in any day seventy-two hours in any week nor shall any such motor transport worker to be required or allowed to work for more than the hours of work specified in section 13, unless he had at least eight consecutive hours of rest between the termination of duty and commencement of the next duty.

27. Notice Of Hours Of Work.

(1) The notice of hours of work shall be in Form No. V.

(2) It shall be:

- (a) Written in English, Hindi and if necessary in a language understood by a majority motor transport workers;
- (b) displayed not later than the day immediately preceding the day on which the hours of work specified in the notice shall take effect at a conspicuous place where the motor transport workers ordinarily call on duty and
- (c) maintained in a clean and legible condition.

A copy of the notice shall be sent simultaneously to the Inspector having jurisdiction over the undertaking:

Provided that if any change in the notice displayed becomes necessary, a notice of such change shall be exhibited before such change is given effect to and a copy of the said notice together with the statement of reasons for the change shall be sent simultaneously to the Inspector.

Provided further that if the Chief Inspector is of opinion that the duty scheme or any other record maintained as a part of the routine of the undertaking gives the particulars required under this rule, he may, by order in writing direct that the maintenance of such record shall be sufficient compliance with the provisions of this rule.

28. Weekly Rest

(1) Every motor transport worker shall be allowed a duty of rest with wages in every period of seven days and an entry to that effect shall be made in the appropriate column in Form No. V.

(2) No motor transport worker shall be required or allowed to work on a day of rest fixed for him (hereinafter referred as the said day), unless:

(a) he has or will have a holiday for a whole day (hereinafter referred to as the substituted day) on one of the three days immediately before or after the said day; and

(b) the employer has before the said day or substituted day whichever is earlier:

- (i) delivered a notice at the office of the Inspector of his intention to require the worker to work on the said day and of the substituted day;
- (ii) displayed a notice to the effect at the premises of the undertaking; and
- (iii) delivered on the employee a notice in writing requiring him to work as aforesaid.

(3) Any notice given under sub-clause (i) of clause (b) of sub-rule (2) may be cancelled by a notice delivered at the office of the Inspector and to the employee concerned and a copy thereof displayed at the premises of the undertaking not later than the day before the said day or the substituted day to be cancelled whichever is earlier.

(4) Where in accordance with the provisions of sub-rule (2) any motor transport worker works on the said day and has had a holiday on one of three days immediately before it that said day shall, for the purpose of calculating his weekly hours of work, be included in the week immediately preceding:

Provided that if any change in the notice displayed becomes necessary, a notice of such change shall be exhibited before such change is given effect to and a copy of the said notice together with the statement of reasons for the change shall be sent simultaneously to the Inspector.

29. Compensatory Holidays

(1) Every employer shall display before the end of the month in which holidays are lost, a notice showing the dates of compensatory holidays allowed during the same

month or within two months immediately following at the place at which the notice of hours of work referred to in section 18 is displayed. Any subsequent change in the said notice shall be made not less than three days in advance of the date of the respective compensatory holiday.

(2) Any compensatory holiday or holidays to which a motor transport worker is entitled shall be given to him before he is discharged and dismissed and shall not be reckoned as part of any period of notice required to be given before discharge or dismissal.

### 30. Certificate of fitness.

For the purpose of examination and certifications of adolescents who wish to obtain certificates of fitness, the certifying surgeon shall arrange a suitable time and place for the attendance of such persons and shall give previous notice in writing of such arrangements to the employer of undertakings or any class of undertakings within the local limits of his jurisdiction.

(2) The certifying surgeon shall grant the certificate of fitness in Form No. VI. The form and counterfoil shall be filled in and the left thumb mark of the adolescent person in whose name the certificate is granted shall be taken on them. On being satisfied as to the correctness of the entries made therein and of the fitness of the adolescent person examined, he shall sign the foil and initial the counterfoil and shall deliver the foil to the adolescent persons in whose name the certificate is granted. The foil so delivered shall be the certificate of fitness granted under section 23. All counterfoils shall be preserved for a period of not less than two years from the date of grant of the certificate.

(3) The certifying surgeon shall, upon request made by the Chief Inspector, carry out such examination of adolescents and furnish him with such report as the Chief Inspector may indicate in respect of any undertaking or class of undertakings where:

- (a) Cases of illness have occurred which it is reasonable to believe are due to the nature of the work or other conditions of work prevailing therein or;
- (b) adolescents are, about to be employed in any work which is likely to cause injury to their health.

(4) If the certifying surgeon is as a result of his examination of the opinion that any adolescent person employed in any undertaking is no longer fit to work, he shall inform the employer in writing accordingly. On receipt of such information the employer shall not employ such person in that work for the period recommended by the certifying surgeon unless he is certified fit for the work by the certifying surgeon. The period of non-employment shall be treated as leave for which such person is eligible and if there is no leave to his credit or if such period exceeds the leave for which he may be eligible such excess period shall be treated as leave without pay.

(5) The employer shall afford to the certifying surgeon all facilities to inspect any work in which any adolescent person is employed or is likely to be employed.

(6) If the certifying surgeon wishes to conduct any medical examination at a place of the undertaking to be fixed in consultation with the representatives of motor transport workers, the employer shall provide for the purpose of such examination for his exclusive use of a room which shall be properly cleaned and adequately ventilated and lighted and furnished with a screen, a table with writing materials and chairs.

(7) If a qualified medical practitioner employed in a dispensary referred to in Chapter IV is appointed to be the certifying surgeon, an appeal will lie against his findings to the Director of Medical and Health Services, Andaman and Nicobar Islands, Port Blair or a medical officer of the rank of Civil Surgeon of the area in which a unit employing the motor transport worker concerned situated.

## CHAPTER VI

### 31. Wages and holidays.

When any motor transport worker works for more than eight hours in any day or more than forty-eight hours in any week in any case referred to in the second

proviso to section 13, he shall be entitled to wages in respect of overtime work double the ordinary rate of wages.

NOTE: "Overtime Work" means any work in excess of 8 hours a day or 48 hours a week.

32. Holidays

(1) Every motor transport worker save & except daily rated casual and seasonal workers shall be allowed in each calendar year full three holidays of one whole day each on the 26th January, 15th August and 2nd October and also thirteen other holidays each of one whole day on such as days may be notified by the Chief Commissioner in the Official Gazette for the industrial employees of various departments and undertakings of the Andaman and Nicobar Administration.

(2) Every daily-rated casual and season motor transport worker shall be allowed in each calendar year three full days of one whole day each on the 26th January, 15th August and 2nd October.

(3) Every motor transport worker shall be paid wages at the ordinary rates for each of the holidays allowed to him under sub-rule (1) or sub-rule (2) as the case may be:-

Provided that no such worker shall be entitled to any wages for any of the holidays allowed under sub-rule (1) other than the 26th January, 15th August and 2nd October, unless he has been in service under the employer for a period of 12 calendar months immediately preceding such holidays.

(3) (a) Every employer shall maintain a register of holidays allowed under this rule in Form No. VII.

(4) Notwithstanding anything contained in sub-rule (1) any motor transport worker may be required by the employer to work on any holiday allowed under that sub-rule, if the employer has, not less than twentyfour hours before such holiday:-

(a) served on the worker a notice in writing in Form No. VIII requiring him to work as aforesaid;

and

(b) sent a copy of the said notice to the Inspector having jurisdiction over the area in which the undertaking is situated and displayed in the premises of the undertaking.

(5) when a motor transport worker works on any holiday allowed under sub-rule (1), he shall be entitled to wages at double the ordinary rate of wages for such day only and to avail himself of a substituted holiday with wages on any other day within three days, immediately, preceding or succeeding the holidays on which he is required to work.

(6) The Chief Commissioner, Andaman and Nicobar Islands may by notification in the Andaman and Nicobar Gazette, exempt either permanently or for any specified period, any undertaking or person or classes of persons from all or any of the provisions of this rule subject to such condition as he may deem fit.

(7) For the purpose of the proviso to sub-rule (2) a week or any other holiday or authorised leave availed of by a motor transport worker shall be included in the period of calendar months specified therein.

(8) For the purpose of sub-rule (2) and (5) and rule 31 the expression 'ordinary rate of wages' means the basic pay/wages plus all allowances such as dearness allowance, compensatory allowances etc.

CHAPTER VII

Miscellaneous

33. Leave with wages

(1) every employer shall maintain a register of annual leave with wages in Form No IX updated.

(2) The register of leave with wages shall be preserved for a period of three years from the date of the last entry in it and shall be produced before the Inspector on demand.

#### 34. Leave Book.

(1) Every employer shall provide each motor transport worker with a book in Form No. X (hereinafter in this rule referred to as the Leave Book). The Leave Book shall be the property of the worker and the employer or his agent shall not demand it except to make necessary entries and shall not keep it for more than a week at a time.

(2) If a motor transport worker loses his Leave Book the employer shall provide him with another copy on payment of fifteen paise and shall complete it from his records.

#### 35. Register of workers.

Every employer shall maintain a muster roll of all the workers employed in the undertaking in Form No. XI in which the overtime hours of work and payment therefor shall be correctly entered. This Muster Roll shall at all reasonable hours be available for inspection.

#### 36. Individual control book

(1) No employer shall allow operation of any motor transport vehicle unless each motor transport worker travelling with the vehicle is provided with and maintains individual control book in Form No. XII. The book shall be bound with the forms in duplicate and each form shall be numbered consecutively.

(2) Every motor transport worker travelling with vehicle shall make entries daily in the individual control book and forward or hand over to his employer the original copy of the form on the first working day after completion of the work to which the form relates.

(3) Every employer shall maintain the original copies of the individual control book mentioned in sub-rule (2) in separate files for each motor transport worker for a period of three years and shall produce it before the Inspector on demand.

(4) Every motor transport worker travelling with the vehicles shall carry and retain with himself the individual control book at least six months from the last entry in it and produce it for inspection on demand by an inspector.

#### 37. Register of compensatory holidays.

Every employer shall maintain a register of compensatory holidays in form No. XIII which shall be preserved for a period of three years from the date of the last entry in it and shall be produced before the Inspector on demand.

#### 38. Maintenance of registers

The registers, records and notices maintained or exhibited under the provisions of these rules shall always be available in the undertaking and shall be produced or caused to be produced for inspection at all reasonable hours by an Inspector having jurisdiction.

#### 39. Entry in the register.

In any register or record which an employer is required to maintain under these rules, the entries relating to any day shall be made on such day.

#### 40. Exemption from liability to maintain register, records etc. in certain cases.

Notwithstanding anything contained in rules 32 (4), 33, 34, 35, 36 and 37 if the Chief Inspector is of the opinion that any register, muster roll or individual control book maintained as part of the routine of any undertaking or return made by the employer or any leave book or similar record issued by employer to the worker contained in respect of any or all the workers in the particulars required for the enforcement of the Act and these rules, he may be order, in writing direct that such

register Muster Roll, individual control book, return leave book or similar record shall to the corresponding extent, be maintained in the place of and be treated as register, the muster roll or individual control book, return leave book or similar record required to be maintained or provided under the aforesaid rules in respect of that undertaking.

#### 41. Payment of wages, if the Motor Transport Worker dies.

(1) If a motor transport worker dies while in service or during the period of leave with wages the balance of his wages if any, for the period of his employment including for the period of leave availed and not availed of by him and other dues, if any, shall be paid to his nominee within one month from the date of receipt of his claim by the employer.

(2) For the purpose of sub-rule (1) each motor transport worker shall submit a nomination in form No. XIV duly signed by him and attested by two witnesses. The Nomination shall remain in force unless the nominee predeceases the worker, or until it is cancelled or revised by another nomination.

(3) Notwithstanding anything contained in sub-rule (1) if no person has been nominated by the deceased motor transport worker referred to in that sub-rule for receiving payment of the wages or other dues referred to therein, such wages or dues shall be paid to the legal heir or heirs of the deceased motor transport worker. The employer may, before making such payment insist upon the production of:-

(a) a certificate issued by a Tahsildar if the amount to be paid does not exceed one thousand rupees;

(b) A succession certificate, if such amount exceeds one thousand.

#### 42. Appeals.

(1) The employer may appeal to the Chief Inspector against any order of an Inspector and to the Chief Commissioner, Andaman and Nicobar Islands or such authority as the Chief Commissioner may appoint in this behalf against any order of the Chief Inspector within thirty days from the date of receipt by him of the order.

(2) The appeal shall be in the form of a memorandum and shall set forth the grounds of objection to the order appealed against. The appeal shall be accompanied by a certificate copy of the order appealed against.

#### 43. Returns.

The employer of every undertaking shall furnish to the Inspector or other Officer appointed by the Chief Commissioner, Andaman and Nicobar Islands an annual return in duplicate in Form No. XV by the first day of February of the year immediately succeeding to that to which it relates.

#### 44. Language of registers, records etc.

All Registers, records and notices required to be maintained or furnished under these rules shall be in English.

#### 45. Service Certificate.

Every worker shall be entitled to a service certificate at the time of leaving the service, dismissal or discharge.

## FORM No. I

(See rules 4 &amp; 8)

## APPLICATION FOR GRANT/RENEWAL OF CERTIFICATE OF REGISTRATION

1. Name of motor transport undertaking
  - (i) Full address of the Headquarters of the undertaking
  - (ii) Full address/addresses, of each of the units of undertaking
2. Full address to which communications relating to the motor transport undertaking including its various units should be sent
3. Nature of motor transport service e.g., passenger service freight service
4. Details of routes

From to	Distance	Total No. of trips per day.	Total KM per day.	No. of Vehicle in the route
				Passenger service Freight service

5. Total number of motor transport vehicles on the last date of the preceding year with particulars of registration number of the vehicle
6. Maximum number of motor transport workers employed on any day during the preceding year
7. Full name of the employer and his residential address
8. Full name and residential address of other partners if the motor transport undertaking is a firm within the meaning of the India Partnership Act, 1932. (Central Act IX of 1932) or other directors in the case of a company within the meaning of Companies Act, 1956 (Central Act of 1956)

9. Amount of fees. (Rupees

(Paid in Treasury

vide chalan No. )

Enclosed)

Signature of employer

This form should be completed in ink in block letters or typed.

date:---

FORM No. II

(See rule 5)

Registration No.  
Serial No.

Certificate of registration is hereby granted to  
(name of the employer) to operate motor transport services known as

at \_\_\_\_\_ personally or any one or more persons during  
employing not more than \_\_\_\_\_ the year subject to the provisions of the Motor Transport Workers Act, 1948 (Central  
Act 27 of 1948) and the rule made thereunder.

The Certificate of registration hereby issued shall remain in force till the 31st day  
of December, 19\_\_.

The \_\_\_\_\_ 19\_\_ Chief Inspector

Date of receipt	Amount of fees paid	Date of expiry	Signature of the Chief Inspector
-----------------	---------------------	----------------	----------------------------------

FORM No. III

(See rule 9 and 10)

Application for transfer of the Certificate of Registration

1. Name of Motor Transport undertaking.
2. Full Postal address and situation of the Motor Transport undertaking including its various Units.
3. Registration certificate No.—
4. Name of the persons in whose name the certificate of registration has been issued.
5. (a) the name and address of the persons to whom the registration certificate is to be transferred.  
(b) the reasons in brief for the proposed transfer e.g. in the case of death or insolvency of an employer; the date of death or insolvency may be mentioned.
6. Whether the transfer of the permit under the M. T. Act. has been ordered by the Regional State Transport Authority concerned.
7. Amount of fee of Rs. \_\_\_\_\_

paid in treasury Vide chalan No. \_\_\_\_\_

I agree that I will accept all liabilities of the transfer in respect of labour.

I agree that the registration certificate No. \_\_\_\_\_  
may be transferred in the name of \_\_\_\_\_

date \_\_\_\_\_

Signature of the transferer.  
dated \_\_\_\_\_

Signature of the transferer.

FORM NO. IV

[ See Rule 16 (8) ]

Description of work	Time when washed or painted (e.g.) walls, ceiling, wood work etc.	Treatment whether lime washed, washed, varnished or painted.	Date on which lime washing, colour washing, varnishing or painting was carried out (according to the English Calendar)			Remarks		
			Day	Month	Year			
			2	3	4	5	6	7

FORM No. V.

[ See Rule 27 (1) and 28 (i) ]

Notice of periods of work for Motor Transport Workers. Name of undertaking \_\_\_\_\_

Category of workers.	Time of signing on	Time of signing off	Code of serial No. of duty	No. of hours of work	Duty on which weekly rest is allowed	Remarks
	1. Drivers and conductors					
2. Ticket checking staff						
3. Station and other staff						

Date on which the notice is displayed.

Signature of employer.

FORM No. VI.

[ See Sub-rule (2) of rule 30 ]

1. Serial No.

Serial No.

2. Date

Date

3. Father's name

I certify that I have personally examined (name) son of

4. Residence

residing at who is desirous of being employed in motor transport undertaking and that his age as nearly as can be ascertained from my examination is

5. Date of birth if available and/or certified age

Years and that he is fit for employment in motor transport undertaking as an adolescent

6. Physical illness

His descriptive marks

7. Descriptive marks

.....

8. Reason for

.....

(i) refusal of certificate

.....

(ii) certificate being revoked

.....

Thumb impression

Thumb impression

Signature of Certifying Surgeon

Certifying Surgeon

NOTE:-- Exact details of cause of physical disability should be clearly stated.

FORM No. VII.

[ See Rule 32 (4) ]

Serial number of the employee	and Ticket No. of the employee or father's name.	Days, dates and months of the year in which National and Federal Holidays are allowed under rule 32 A & N. Motor Transport Workers Rules, 1970.	Remarks.
		(1) (2) (3) (4) (5) (6) (7) (8)	

To be marked as follows. "H" for holidays allowed W/D for work on double wages  
 W/H for work with substituted holiday N/E if not eligible for the wages

FORM No. VIII

[ See rule 32 (5) ]

Form of notice requiring the employee to work on a holiday allowed.

Under sub-rule (5) of rule 32 of the Andaman and Nicobar Motor Transport Workers Rules, 1970 the following employee is hereby required to work on .....  
 which is a holiday allowed under rule 32 of the said rules.

He shall be entitled to wages at the ordinary rate of wages for such day and to avail himself of a substituted holiday with wages under sub-rule (6) or rule 32 of the said rules.

Dated at ..... the ..... day of 19 .....

To

Shri (Here enter the name of the employee) Copy to the Inspector of Labour.

Signature of employer.







FORM No. XII

(See sub-rule (1) of rule 16)

Name of the Motor Transport Worker

Date	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	Remarks
		On Duty (D) or Rest (R)	Of taking up duty	Ending duty	Spreadover	Period when vehicle was on road	Period of interruption of 5 minutes or more referred to in Rule 3	Running time (7-8)	Time spent in subsidiary	Periods of more than 15 minutes or less than 15 minutes	Hours of work (9 + 10)	Interval of rest	Length of overtime work	Circumstances under which overtime worked		
Sunday																
Monday																
Tuesday																
Wednesday																
Thursday																
Friday																
Saturday																

Note:—A new working week begins at midnight on Saturday particulars of hours of work and rest on Saturday would be in the form for the previous week and those on Sunday should be included in the form for the following week.

Date and Signature of the Motor Transport worker.



**FORM NO. XIV**

(See sub-rule 2 of rule 41)

Form of nomination for payment of wages due to a deceased worker

I hereby certify that in the event of my death the balance of my pay if any due and any other dues shall be paid to ..... who is my ..... and ..... resides at.....

Signature of motor transport worker.

Witness

- (1)
- (2)

**FORM NO. XV**

(See rule 43)

1. Name of the Motor Transport undertaking

2. Postal address

Year ending 31st December 19

3. Average number of workers employed daily

Adults

4. Normal hours worked per day

Adolescents

5. What rest intervals were given

Adults

6. The number of workers exempted from the provisions of sections

Adolescents

Adults

Adolescents

13

19

7. Leave with wages

(i) No. of workers who are entitled to annual leave with wages during the calendar year to which the return relate

Adults  
Adolescents

(ii) No. of workers who were granted leave during the year

Adults  
Adolescents

(iii) No. of workers discharged or dismissed from service during the year

Adults  
Adolescents

(iv) No. of discharged workers paid wages in lieu of leave

Adults  
Adolescents.

(v) Total amount wages paid in lieu of leave

8. Compensatory holidays

(i) No. of workers exempted from section 19

Adults  
Adolescents

(ii) No. of workers who received holidays in the

- (a) Same month
- (b) Following month
- (c) Third month

## 9. Canteens

(Number of canteens and situations)

## 10. Medical facilities

(i) No. of dispensaries and situation

(ii) No. of Doctors

(iii) No. of Nurses

## 11. Rest Rooms

(i) Number of Rest Rooms

(ii) Details of accommodation furniture and other equipment provided

(iii) Approximate average daily attendance of workers.

Signature of employer.

*Note:* The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days during the year. In reckoning attendance by temporary as well as permanent employees should be counted. Attendances on separate shift should be counted separately. Day on which the undertaking was not operating, for whatever cause, should be recorded in earlier day.

(M.S. Mahotra)  
Assistant Secretary (Pub.)  
& N Administration.

