[1]

Department of Labour

No. F. 15(14)/LAB/59.

Dated, Agartala, the 27th June, 1962. NOTIFICATION.

In exercise of the powers conferred by Section 40 of the Motor Transport Workers Act, 1961 (27 of 1961) read with Government of India, Ministry of Home Affairs Notification No. F. 2/8/61-Judl-II. dated the 13th October, 1961, the Chief Commissioner is pleased to make the following rules the same having been previously published as required by Sub-Section (1) of Section 40 of the said Act.

CHAPTER: 1.

PRELIMINARY

1. SHORT TITLE AND COMMENCEMENT. (1) These Rules may be called the Tripura Motor Transport Workers Rules, 1962.

(2) The whole of these rules except rule 17 to 23 and rule 25 shall come into force at once and the Chief Commission er may, by notification in the Official Gazette, direct that rules 17 to 23 and rule 25 shall come into force on such date or dates as may be specified in the notification.

2. DEFINITIONS: (1) In these rules, unless the context otherwise requires :-

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

(b) "

Form means a Form appended to these rules:

(c)"Inspector" means an officer appointed under Section 4 of the Act and includes a Chief Inspector;

(d) "qualified medical practitioner" means a person holding a qualification granted by an authority specified in the Schedule to the Indian Medical Degrees Act, 1916 or in the Schedules to the Indian Medical Council Act, 1953.

(e) "Schedule" means a Schedule annexed to these rules:

(f) "Section" means a section of the Act;

(g) means a motor transport undertaking;

(2) All other words and expressions used but not defined in these rules, and defined in the Act shall have the meanings respectively assigned to them in the Act.

3. INTERRUPTIONS DURING RUNNING TIME. Any interruption of less than ten minutes shall be counted towards running time.

[2]

CHAPTER: II

REGISTRATION OF MOTOR TRANSPORT UNDERTAKING.

4. APPLICATION FOR REGISTRATION. Every employer of an undertaking shall, within not less than thirty days before the date on which he proposes to operate the undertaking, submit to the Chief Inspector or an Inspector duly authorised by him in this behalf an application in

Form No. 1, in duplicate, for the registration of the undertaking and grant of a certificate of registration:

Provided that in the case of an undertaking existing immediately before the commencement of these rules, such application shall be made within sixty days from such commencement:

Provided further that where an undertaking has units operating in more than one State, the employer of the undertaking shall apply for registration to the Chief Inspector or the Inspector, as the case may be, of the State in which its Headquarters Office is located.

5. GRANT OF CERTIFICATE OF REGISTRATION. A certificate of registration for an undertaking shall be granted by the Chief Inspector or an Inspector duly authorised by him in this behalf in

Form No. II on payment of fees as specified below:-

Maximum number of motor transport workers to be employed during the year.	Fees. Rs.
5	10
25	25
50	50
100	100
250	250
500	500
750	750
1000	1000
1500 and above	1500

6. VALIDITY OF CERTIFICATE OF REGISTRATION. Every certificate of registration granted under rule 5 or renewed under rule 8 shall remain in force up to 31st December of the year for which the certificate is granted or renewed.

7. AMENDMENT OF CERTIFICATE OF REGISTRATION. (1) The certificate of registration granted under rule 5 may be amended by the Chief Inspector or an Inspector duly authorised by him in this behalf.

[3]

(2) An employer who desires to have his certificate of registration amended shall subunit to the Chief Inspector or an Inspector duly authorised by him in this behalf an application stating the nature of amendment and reasons therefore.

(3) The fee for the amendment of the certificate of registration shall be five rupees plus the amount if any, by which the fee that would have been payable if the licence 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) Every employer shall apply to the Chief Inspector or an Inspector duly authorised by him in this behalf for renewal of the certificate of registration before its validity expires.

(2) Every such application shall be in Form No. 1, in duplicate, and shall be made not less than sixty days before the date on which the certificate of registration expires and if the application is so made, the undertaking shall be deemed to be duly registered until such date as the certificate of registration is renewed.

(3) The fees chargeable for renewal of a certificate of registration shall be the same as for the grant thereof:

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of twenty-five per cent in excess 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 or the 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 excess fee.

9. TRANSFER OF CERTIFICATE OF REGISTRATION: (1) An employer holding a certificate of registration may, at any time, before the expiration of its validity apply for permission to transfer the certificate to another person.

(2) Such application shall be made to the Chief Inspector or an Inspector duly authorised by him in this behalf who shall, if he approves of the transfer, enter upon the Certificate of registration under his signature, an endorsement to the effect that the certificate of registration has been transferred to the person named.

10. PROCEDURE ON DEATH OR DISABILITY OF EMPLOYER: If an employer holding a certificate of registration dies or becomes insolvent, the person carrying on the business of the undertaking shall not be liable under the Act during such time as may reasonably be required to allow him to make an application for the amendment of the certificate of registration under rule 7 in his name.

11. ISSUE OF DUPLICATE CERTIFICATE OF REGISTRATION: Where a certificate of registration granted or renewed under rule & or rule 8, as the case may be, is lost, defaced or accidentally destroyed, a duplicate may be granted on payment of a fee of five rupees.

[4]

12. PAYMENT OF FEES: (1) All fees to be paid under these rules shall be paid into the local treasury under the Head of Account XXXVI-MISC. Deptts. with new minor head Labour & Employment", and receipt obtained which shall be submitted along with the application.

(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 VEHICLES. The registration number of the undertaking shall be marked on the left hand side of every vehicle in lettering 3" high and thick.

CHAPTER III
INSPECTION STAFF.

14. QUALIFICATIONS OF AN INSPECTOR: No person shall be appointed as an Inspector unless he possesses the following qualifications:-

(i) he must not be less than twenty five years in age;

(ii) (a) he must possess a degree of a recognised University;

(b) he has obtained a degree or diploma in Social work from any Institution recognised by this Administration in this behalf; and

(iii) must have worked at least two years as a Labour Inspector or a Labour Officer in any Government Department or any industrial establishment.

15. POWERS OF INSPECTORS: An Inspector shall for carrying out the purposes of the Act, have power to do all or any of the following Acts:-

(i) 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 document, which is under use or occupation of any undertaking, or anything provided for the purpose of securing health and welfare of 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 discharge of his duties as an

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

(iv) to have a person residing in a State other then one in which an offence under the Act or these rules has been committed, examined through his opposite number in that State and to obtain a record of such examination.

16. DUTIES OF CERTIFYING SURGEONS: (1) For the purpose of examination and certification of adolescents who which to obtain certificates of fitness, the certifying surgeon shall arrange a suitable time & place for the attendance of such persons and shall give previous notice in writing of such arrangements to the employers of undertakings concerned within the local limits of his jurisdiction or undertakings or class or undertakings assigned to him.

[5]

Form No. III. The foil and counter-foil shall be filled in and the left thumb mark of the person in whose name the certificate is granted shall be taken on them. On being satisfied us to the correctness of the entries made therein and of the fitness of the person examined, he shall sign the foil and initial the counter foil and shall deliver the foil to the person 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 kept for a period of at least two years after the issue of the certificate.

(3) The Certifying Surgeon shall upon request by the Chief Inspector, carry out such examination and furnish him with such report as he may indicate in respect of any undertaking or class of transport undertakings where-

(a) cases of illness have occurred which it is reasonable to believe are due to the nature of work or other conditions of work prevailing therein, or

(b) Adolescents are or are about to be, employed in any work which is likely to cause injury to their health."

(4) If the Certifying Surgeon finds as a result of his examination that any person employed in any work in any undertaking is no longer fit to work for medical reasons, he shall inform the employer in writing accordingly. On receipt of this information it shall be obligatory on the employer to suspend such a person from working in that work for the period recommended by the Certifying Surgeon and no person after such suspension shall be employed in that work unless he is certified fit for the work by the Certifying Surgeon.

(5) The employer shall afford to the Certifying Surgeon facilities to inspect any work in which any person is employed or is likely to be employed.

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

CHAPTER- IV.

WELFARE AND HEALTH.

17. CANTEENS. (1) The employer of every undertaking shall provide, for the use of the motor transport workers at every place wherein one hundred motor transport workers or more ordinarily call on duty during every day, an adequate canteen in or near the place wherein the undertaking is situated according to the standards prescribed in the rule.

[6]

(2) The employer shall submit for the approval of the Chief Inspector plans and site plan in duplicate of the building to be constructed or adapted for use as a canteen.

(3) The Canteen building shall be situated not less than 50 feet from any latrine, urinal or any other source of dust, smoke, or obnoxious fumes;

Provided that the Chief Inspector may in any particular case relax the provision of this sub- rule to such extent as may be reasonable in the circumstances and may require measures to be adopted to secure the essential purpose of this sub-rule.

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

(5) In a canteen, the floor and inside walls up to a height of 4 feet from the floor shall be made of smooth and 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.

(6) The doors and windows of a canteen building shall be of tly-proof construction and shall allow adequate Ventilation.

(7) The canteen shall be sufficiently lighted at all times when any person has access to it.

(8) (a) In every canteen-

(i) all inside walls of rooms and all ceilings, passages and staircases 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 shall be varnished or painted once in every three years; and

(iii) 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.

(9) The precincts of the canteen shall be maintained in a clean and sanitary condition. Waste water shall be carried away in suitable 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.

18. CANTEEN HALL. (1) The canteen shall accommodate at least thirty percent of the motor transport workers likely to come at a time.

Provided that in any particular undertaking or in any particular class of undertakings, the Chief Commissioner may, by notification in this behalf in the official Gazette, alter the per- centage of workers to be accommodated.

[7]

(2) The floor area of the canteen hall excluding the area occupied by service counter and any furniture, except tables and chairs, s all be not less than 10 sq. ft. per diner to be accommodated under sub-rule (1).

(3) Sufficient tables, chairs or benches shall be available for the number of diners to be accommodated under Au-rule (1)

19. EQUIPMENT: (1) There shall be provided and maintained sufficient utensils, crokery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen. Suitable clean clothes for the employees serving the canteen also be provided and maintained.

(2). The furniture, utensils and other equipment shall be maintained in a clean and hygienic condition. A service counter, it provided, shall have a top of smooth and impervious material. Suitable facilities including and adequate supply of hot water shall be provided for the cleaning of utensils and other equipment.

20. PRICES TO BE CHARGED. (1) Food, drink and other items served in the canteen shall be sold on a non-profit basis and the prices charged shall be subject to the approval Managing Committee constituted under rule 22.

(2). The charges per portion of food stuff, beverages and any other items served in the canteen shall be conspicuously displayed in the canteen,

21. ACCOUNTS. (1) Proper accounts pertaining to the canteen shall be maintained. All books of accounts, registers or any other documents used in connection with the running of a canteen shall be produced on demand to an Inspector.

(2) The accounts pertaining to the canteen shall be audited once in every 12 months by registered accountants and auditors. The balance sheet prepared by the said auditors shall be submitted to the Canteen Managing Committee not later than 2 months of the closing of the audited accounts:

Provided that the accounts pertaining to the canteen in a public sector undertaking having its own Accounts Department may be audited in that Department.

22. CANTEEN MANAGING COMMITTEE. (1) The employer shall constitute a Canteen Managing Committee which shall be consulted from time to time as to-

(a) the quality and quantity of food stuffs to be served in the canteen;

(b) the arrangement of the 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 an equal number of persons nominated by the employer and elected by the motor transport workers The number of elected workers shall be in the proportion of one for every 500 workers employed in the undertaking:

Provided that in no case shall there be more than 5 or less than 2 motor Transport Workers on the Committee.

[8]

(3) The employer shall determine the procedure for and supervise the election of the representatives of the motor tran n Managing Committee.

(4) The members of Canteen Managing Committee shall hold office for a period of two years from the date on which it is constituted:

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

23. REST ROOMS: The rest-rooms shall conform to the following standards and the employer of every undertaking shall submit for the approval of the Chief Inspector plans and site plan in duplicate of the building to be constituted or adapted-

(a) The building shall be soundly constructed and all the walls and roof shall be of suitable heat-resisting materials and shall be water-proof. The floor and walls to a height of 3 ft. 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 less than 12 ft. from the floor level to the lowest part of the roof and there shall be at least 50 sq ft of floor area for every motor transport workers required to halt at night,

(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 shall 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-root 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 rooms 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.

24. UNIFORMS. (1) The drivers, conductors and line-checking staff employed in an undertaking shall be provided, free, by the employer with uniforms and raincoats as specified in Schedule-I.

(2) Where washing of uniforms provided under sub-rule (1) is not arranged by the employer, the staff concerned shall be entitled to a washing allowance at the rate of Rs. 2/- per month.

25. MEDICAL FACILITIES: (1) At every operating centre and halting station (which, in case of city service, shall include only depots and other offices) wherein 250 motor transport workers or more ordinarily call on duty during every day, a dispensary shall be provided and maintained with such equipment and drugs as the Chief Commissioner may direct.

[9]

(2) The dispensary shall be in charge of a qualified medical practitioner assisted by such staff as the Chief Commissioner may direct.

(3) The dispensary shall have a floor area of at least 250 Sq. ft, 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 operating centre and halting station where less than 250 motor transport workers call on duty every day. first-aid boxes or cup-boards of the standard set out in Schedule II shall be provided Every first aid box or cupboard shall be clearly marked "First Aid" and shall be kept stocked and in good order. These first aid boxes or cupboards shall be readily accessible during all working hours and shall be in charge of an employee of the undertaking, trained in first aid.

26 FIRST AID FACILITIES First aid-box containing the equipment mentioned in Schedule III shall be provided in every motor transport vehicle. Every first-aid box shall be clearly marked “First-Aid” and shall be kept stocked and in good order.

CHAPTER V.

HOURS AND LIMITATION OF EMPLOYMENT.

27. HOURS OF WORK: (1). The Chief Inspector may on written application from an employer, subject such conditions and for such period as he may think fit, permit motor transport wor- kers to work for more than 8 hours in any day or 48 hours in any week but in no case more than 10 hours in a day and 54 hours in a week.

(i) on any route of 100 kilo meters or more, and

(2) In any case referred to in the second proviso to section 13, an employer shall not require or allow any motor transport workers to work for more than 16 hours in a day and 72 hours in a week with at least 8 consecutive hours of rest between the termination of duty and commencement of the next duty.

Form V.

(2) It shall be written in English and in a language under- stood by the majority of workers and shall be displayed at a conspicuous place where the motor transport workers ordinarily call for duty and shall be maintained in clean and legible condition.

Provided that if the Chief Inspector is of opinion that the duty schedule 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.

[10]

(3) No change in the notice of hours of work shall be allowed unless a three days' clear notice is given to the Inspector indicating the contemplated change in the notice of hours of work.

29. WEEKLY REST. (1) No motor Transport Worker shall be required or allowed to work on a day of rest fixed for him (therein after referred to as the said day) unless-

(a) he has or will have a holiday for a whole day (herein after called 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 the day which is to be substituted; and

(ii) displayed a notion to that effect at the premises.

(2) Notices given under sub-rule (i) may be cancelled by a notice delivered at the office of the Inspector and a notice displayed at the premises of the undertaking not later than the day before the said day or the substituted to be cancelled, which- ever is earlier.

(3) Where in accordance with the provisions of sub-rule (1) any motor transport worker works on the said day and has had a holiday on one of the three days immediately before it, that said day shall for the purpose of calculating his weekly hours of work, be included in the immediately preceding week.

30. COMPENSATORY HOLIDAYS. (1) Every employer shall display, on or before the end of the month in which holidays are lost, a notice in respect of workers allowing compensatory holidays during the same month or the immediately following two months and of the dates thereof, at the place at which the notice of hours of work prescribed under section 18 of the Act is displayed. Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.

(2) Any compensatory holiday or holidays, to which a worker is entitled shall be given to him before he is discharged or dismissed and shall not be reckoned as part of any period of notice required to be given before discharge or dismissal.. (3) Every employer shall maintain a Register of compensatory holidays in Form No. VI, which shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

CHAPTER VI.

WAGES AND LEAVE.

31. OVERTIME. When any motor transport worker works for more than 8 hours on any day or more than 48 hours in any week in any case referred to in the second proviso to section 13, he shall be entitled to the rate of wages in respect of overtime work at 1 times the rates of his ordinary wages subject to a maximum of one half of his ordinary wages.

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

[11]

32. HOLIDAYS. The Chief Commissioner may notify in the official Gazette the which shall be granted to the Motor Transport workers.

33. LEAVE WITH WAGES. (1) Every employer shall maintain a Register of Leave with wages, in Form No. VII.

Provided that if the chief Inspector is of opinion that any muster-roll or register maintained as part of the routine of any undertaking, or return made by the employer, gives in respect of any or all of the workers, the particulars required for the enforcement of Chapter VII of the Act, he may, by order in writing, direct that muster-roll or register or return shall, to the corresponding extent be maintained in place of and be treated as the register required to be maintained under this rule in respect of that undertaking.

(2) The register of Leave with wages shall be preserved for i period of three years after the last entry in it and shall be produced before the Inspector on demand.

34. LEAVE BOOK. (1) Every employer shall provide each worker with a book in Form No. VIII (hereinafter called 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.

Provided that if any leave curd or similar record giving full particulars of the are as shown in the eave book is issued by the employer to the motor transport worker such card or record may be accepted by order in writing by the Chief Inspector.

35. REGISTER OF WORKERS. Every employer shall maintain a Register of workers in Form No. IX.

Provided that if the Chief Inspector is of opinion that any register of workers or similar record maintained as part of the routine of an undertaking gives the particulars required under this rule, he may by order in writing direct that such register of workers or record shall be maintained in place of and treated as, the register of workers required to be maintained under this rule.

36. MESTER ROLL- Every employer shall maintain a muster-roll of all workers employed in the undertaking in

Form No. X.

Provided that, if the Chief Inspector is of opinion that any muster-roll or register maintained se part of the routine of an under- taking given the particulars required under this rule, be may by under in writing direct that such muster-roll or register be maintained in place of and treated as the muster-roll required to be maintained under this rule.

37. OVERTIME MUSTER ROLL. Every employer shall maintain a muster-roll in Form No. XI in which shall be correctly entered overtime hours of work and payments therefore. The muster-roll shall always be available for inspection.

Provided that if the Chief Inspector is of opinion that any overtime muster-roll or register maintained as part of the continue of an undertaking gives the particulars required under this rule, he may by order in writing direct that such overtime muster- roll or register be maintained in place of and treated as the muster roll required to be maintained under this rule.

[12]

38. 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 iu duplicate and each form shall be numbered consecutively.

Provided that if the Chief Inspector is of opinion that any individual control book or similar record maintained as a part of the routine of an undertaking gives the particulars required under this rule, he may by order in writing direct that such individual control book or record he maintained in places of and treated as the individual control book required under this rule.

(2) Every motor transport worker travelling with the vehicle shall make entries daily in the Individual Control Book and forward or hand over to his employer the original copy of the form not later than the first working day after completion of the week to which the form related.

(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 on demand by an Inspector.

(4) Every motor transport worker travelling with the vehicle shall carry and retain with himself the Individual Control Book for at least 6 months after the last entry and produce for inspection on demand by au Inspector.

CHAPTER. VII

MISCELLANEOUS.

39. RETURNS. The employer of every undertaking shall furnish to the Inspector or other officer appointed by the Chief Commissioner in this behalf not later than the first February of the year immediately succeeding to that to which it relates, an annual return, in duplicate, in

Form No. I.

(See rules 4 & 8)

Application for Registration and grant or Renewal of certificate of Registration.

1. Name of the motor transport undertaking.....

2. Full address to which communications relating to the motor transport undertaking should be sent.....

3. Nature of motor transport service, e. g. City service, long distance passenger service, long distance freight service...

4. Total number of routes.

5. Total route mileage.

6. Total number of motor transport vehicles on the last date of the preceding year.

[13]

7. Maximum number of motor transport workers employed on any day during the preceding year.

8. Full names and residential addresses of the-

(i) proprietor and partners of the motor transport undertaking in case of a form not registered under the Companies Act, 1956; or

(ii) General manager in case of a public sector undertaking.

9. Full name and residential addresses of the Directors in the case of a Company registered under the Companies Act, 1956,

10. Amount of fee Rs.....(Rupees.....).....paid in.....Treasury on.....(vide challan No.....enclosed)

Signature of the employer

Date.....

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

Form No. II.

(See rule 5)

CERTIFICATE OF REGISTRATION TO WORK A MOTOR TRANSPORT UNDERTAKING.

Registration No..... Serial No.....

Fee Rs.....

Certificate of Registration is hereby granted to.....to operate motor transport services employing not more than..... persons on any one day during the year subject to provisions of the Motor Transport Workers Act, 1961 and the rules made there under.

The Certificate of Registration shall remain in force till the 31st Day of December, 19.....

The..... 19

CHIEF INSPECTOR.

Date of renewal	Date of expiry	Signature of the Chief Inspector
....	....	....

[14]

FORM No. III
(See rule 16)

CERTIFICATE OF FITNESS.

1. Serial No..... ..... Serial No..... .....

Date .... Date ....

2, Name ....

3. Father's Name .....

I certify that I have personally examined (name) .....

4. Residence..... Son of.....

5. Date of birth .....

if available .....

and/or certified age ..... residing at.....

6. Physical fitness ..... who is desirous of being employed in a motor transport undertaking..... and that his age, as nearly as

7. Descriptive marks ..... can be ascertained from my .....examination is .....years and that he is fit for employment in motor transport undertaking as an adolescent.

8. Reason for—

(i) Refusal of certificate..... His descriptive marks are.....

(ii)Certificate being revoked .....

Thumb Impression.

Initials of certifying surgeon.

Thumb Impression.
Certifying Surgeon.

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

RECORD OF LIME WASHING PAINTING
ETC
Form No. IV
(See rule 17)

Name of room	Parts lime washed painted, varnished, e.g. walls, ceilings, wood work etc.	Treatment whether lime washed, painted, varnished.	Date on which lime washing, painting, varnishing was carried out (according to the ENGLISH CALENDER)			Remarks.
			Day	Month	Year	
1	2	3	4	5	6	7

[15]

SIGNATURE OF EMPLOYER

FORM No. V

(SEE RULE 28)

Notice of the Periods of Work for Motor Transport Workers for the year 19.....

Name of Undertaking.....

Place.....

Periods of work	Total number of men employed					Total number of adolescents employed			Groups	Description of groups.		
Groups	A	B	C	D	E	F	G	H		Nature of work	Day of which weekly holiday is allowed.	REMARKS
Relays	123	123	123	123	123	123	123	123				
Hours of work on workin g days.												
1.From To									A			
2.From To									B			
3.From To									C			
4.From To									D			
5.From To									E			
6.From To									F			
7.From To									G			
8.From To									H			

Date on which this notice is first exhibited.

Signature of employer

[16]

FORM No. VI

(SEE RULE 30)

REGISTER OF COMPENSATORY HOLIDAYS

Sl. No.	Sl. No. in the	Name	No. and	Weekly rest days lost due to the exempting order in.	Date of compensatory holidays given in.		

				Year	January to March	April to June	July to September	October to December	January to March	April to June		October to December	Lost rest days carried to the next	remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

[17]

FORM No. VII

(SEE RULE 33)

REGISTER OF LEAVE WITH WAGES

Sl. No.

Name.....

Name of the Undertaking.

Father's Name.....

Address.....

Date of entry into service.....

Date of discharge.....

Date and amount of payment

made in lieu of leave due.....

				Leave of Credit								

Calendar year of service	Wages period from- ----- -to-	Wages earned during the wage period	No. of days of work performed	Balance of leave from preceding year.	Leave earned during the year, mentioned in Col. 1	Total Cols. 5 & 6	Whether leave was refused	Leave enjoyed from- -- -to-	Balance of leave to credit.	Normal rate of wages	Cash equivalent of advantage accruing through concessional rate of food grains and other articles.	Rate of wages for the leave period. (Total of Cols. 11 & 12)	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Note:- Seperate page will be allotted to each worker.

[18]

FORM No. VIII

(SEE RULE 34)

LEAVE BOOK

Sl. No.

Name of the Undertaking.....

Adults/Adolescents

Address..... Date of entry into service.....

Date of discharge.....

Date and amount of payment

made in lieu of leave due.....

				Leave of Credit								

Calendar year of service	Wages period from- ----- -to-	Wages earned during the wage period	No. of days of work performed	Balance of leave from preceding year.	Leave earned during the year, mentioned in Col. 1	Total Cols. 5 & 6	Whether leave was refused	Leave enjoyed from- -- -to-	Balance of leave to credit.	Normal rate of wages	Cash equivalent of advantage accruing through concessional rate of food grains and other articles.	Rate of wages for the leave period. (Total of Cols. 11 & 12)	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Note:- The leave book shall be made out for each worker on thick bound sheets..

[19]

FORM No. IX
(SEE RULE 35)
REGISTER OF WORKERS
Part I Adults.

Part II Adolescents.

Sl. No.	Name	Father's Name	Address	Nature of work	Letter of group as in notice of period of work.	No. & date of certificate of fitness if an adolescent	Remarks
1	2	3	4	5	6	7	8

FORM No. X
(SEE RULE 36)
MUSTER ROLL

Name of the Undertaking.....

For the month of..... Place.....

Sl. No.	Name	Father's Name	Nature of work	For the period ending										Remarks
				1	2	3	4	5	6	7	8	9	10	

[20]

FORM No. XI

(SEE RULE 37)

OVERTIME MUSTER ROLL

Part I Overtime under first provision to Section 13. Part II
Overtime under second provision to Section 13.

Month ending.....19

S. No.	S. No. in the Register of workers	Name	Mature of work	Dates on which overtime has been worked	Extent of overtime on each occasion	Total overtime worked	Normal hours	Normal rate of pay	Overtime rate of pay	Overtime earning	Date on which overtime payment made.

[21]

INDIVIDUAL CONTROL BOOK

FORM No. XI I (SEE RULE 38)

Week from Sunday..... to Saturday..... 19.....

NAME OF THE MOTOR TRANSPORT WORKER

			TIME & PLACE												
Day	Date	O n duty(D) or Rest (Rest)	Of taking up duty	Ending duty	Spread over	Per vehicle on road.	Period interruption of 10 mts. Or more referred to in col. (f) of section 2.	Running time(7-8)	Time spent in subsidiary work.	Periods of more attendance at terminal of less than 15 minutes.	Hours of work (9+10+11).	Interval of rest.	Length of overtime worked	Circumstances under which overtime worked.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Sunday Monday Tuesday Wednesday Thurshday Friday Saturday															

Note:- A new working week begins at midnight on Saturday.

Particulars of hours of work and rest on Saturday should be included in the form for the previous week and those on Sunday should be included in the form for the following week.

Date & Signature of the Motor
Transport Worker.

[22]

FORM No. XIII

(SEE RULE 39)

ANNUAL RETURN

1. Name of the Motor Transport Undertaking. ..... 2. Postal Address.

3. Average number of workers employed daily:-

Year ending 31st December, 19....

.... Adults..... .....

Adolescents..... .....

4. Normal hours worked per day. Adults.....

..... Adolescents.....

.....

5. What rest intervals were given? Adults.....
..... Adolescents.....
.....
6. The number of workers exempted from the 13.....
.....
Previous of sections.:- 19.....
.....
7. Leave with wages
(i) No. of workers who are entitled to
annual leave with wages during the Adults.....
.....
calendar year to which this return relate: Adolescents..... .....
(ii) No. of workers who were granted Adults.....
..... leave during the year.: Adolescents.....
.....
(iii) No. of workers discharged or dismissed Adults..... .....
from service during the year: Adolescents.....
..... (iv) No. of discharged workers paid wages
Adults..... .....
in lieu of leave. Adolescents..... .....
(v) Total amount of wages paid in lieu
of leave.

- The average daily number should be calculated by dividing the aggregate number of attendance on working days by the number of working days during the year. In reckoning attendances, attendances by temporary as well as permanent employees should be counted. Attendances on separate shifts should be counted separately. Days on which the undertaking was not operating, for whatever cause should be treated as working days.

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)
.....
.....
.....
.....
[23]
10. Medical Facilities-
(i) No. of dispensaries and situations. .....
(ii) No. of doctors
..... (iii) No. of
nurses .....
11. Rest Rooms-
(i) No. of rests
rooms.....

(ii) Details of accommodation furniture and other equipment provided.....

(iii) Approximate average daily attendance of workers.....

Date.....

SCHEDULE I
(See Rule 24)

Category of staff	Particulars of articles.	Quantity	Period of supply
1.(i) Drivers Conductors, Trafic Inspectors & Ticket examiners. (ii) Calenders, watchmen and other line checking staff if required to go with the vehicle.	(a) Cotton shirt of coat. Cotton Pant Cotton cap or turban. (b) Woolen coat Woolen pant Woolen cap or Cotton turban. (c) Semi-closed chappals.	2 2 1 1 1 1 2 pairs imatic condi on Shirt, pa nstead of w	Every Summer One in every three years. Every year.
Provided that in place where due to climatic condi tions woollen clothes are not ordinarily Worn, a Cotton Shirt, pa nt and cap or turban may be supplied every winter instead of woollen cloths as provided in sub-clause(b)			
2.(i) Trafic Inspectors and Ticket examiners. (ii) Cleaners, watchmen and other line checking staff if required to go out in rains for their normal work.	Rain coat with cap. Rain coat with cap. include “Ticket Inspectors”, Inspectors” and “Road” lso “Controllers” “Assistant fic Incharge” if required to	1 1	Once in every five years. Once in every five years.
Note:-- “Inspectors” shall include “Ticket Inspectors”, “Travelling Ticket Inspectors” and “Road” Inspectors” and also “Controllers” “Assistant Traffic Inspectors” and Checkers as “Traffic Incharge” if required to go with the vehicle			

GOVERIDENT OF TRIPURA
DEPARTMENT OF LABOUR

No.P.97 (10)/LAB/TH/78.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 40 of the Motor Transport Workers Act, 1961 (Act No.27 of 1961) the State Government hereby make the following rules further to amend Tripura Motor Transport Workers Rules, 1962 after considering suggestions received in response to draft previously published in Tripura Gazette Extra-ordinary Issue May 29, 1980 and made available to the public..

R U L E S

1. (1) These Rules may be called the Tripura Motor Transport Workers (Second Amendment) Rules,"

(2) They shall come into force at once.

2. Amendment of Rule 40- After sub-rule (ii) of Rule 40 of the Tripura Motor Transport Workers Rules, 1962, the following sub-rule shall be added, namely: -

(iii) “The employer shall strictly adhere to the instructions given in

Form-XIV. Any alteration, modification or addition of the form shall make the employer liable for an offence under Section 32 of the Act and in addition he shall be liable for other financial liabilities for such violation."

3. Amendment of Form-XIV. For existing Form XIV appended to the Tripura Motor Transport workers Rules, 1962 the following Form shall be substituted, namely :-

FORM- XIV

LETTER OF AFPOINTMENT

Name of the Motor Transport Undertaking:-

Address:-

Name of the Employer :-

Registration No:-

1. Shri/Shrimati.....is appointed as (describe here the nature of appointment) .....with effect from..... in the Motor Transport Undertaking.

2. His/her appointment is on probationary/temporary/permanent basis for..... (insert the period) month/year.

3. His/her scale of pay (indicate the rate of increments) shall be.....

4. He/she will draw a total wages of Rs..... per month composed of the following namely:-(if these are separate)

i) Basic pay-

ii) Dearness allowance-

iii) Other allowance-

5. Service conditions guaranteed to the workers under the Motor Transport Workers Act, 1961 and the Rules framed there under, the Industrial Disputes Act, 1947 and other Labour Acts and Rules made there under as in force shall be applicable.

signature of the Employee.

Signature of the Employer.

[25]

"INSTRUCTION TO THE EMPLOYER-

(1) The employer issuing the letter of appointment shall issue the same exactly according to the columns of

Form-XIV, Ro additions or subtractions are allowed except as required in the columns of the Form.

(2) In case where the worker had commenced serving from a date before the date of issue of the letter of appointment, the dote from which the worker actually started serving will be filled in column No.1 of the letter of appointment."

By order of the Governor,

PART II -Advertisement & Notices.

Government of Tripura

Department of Labour

No.P.97(10)/LAB//78.

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 40 of the Motor Transport Workers Act, 1961 (Act No.27 of 1961) the State Government hereby make the following rules further to end Tripura Motor Transport Workers Rules, 1962 after considering suggestions received in response to draft previously published in Tripura Gazette Extra-ordinary issue, March 21, 1979 and made available to the public.

R U L E S

1. SHORT TITLE AND COMMENCEMENT:- 1) These Rules may be called the Tripura Motor Transport Workers (Amendment) Rules, 1980.

2. INCLUSION OF NEW RULE :- After rule-39 of the Tripura Motor Transport Workers Rules, 1962 (hereinafter referred to as the principal Rules), the following Rule shall be inserted, namely:-

“40 LETTER OF APPOINTMENT: - Every employer shall furnish all persons employed in a Motor Transport Undertaking with letters of appointment in Form-XIV.

i) In the case of every person who is already in employment in Motor Transport undertaking the letter of appointment shall be issued within 30 days from date on which these Rules come into operation, and (ii) in the case of every person who is employed in the Motor Transport undertaking, after these Rules come into operation before the person so employed commences work".

3. After Form-XIII appended with the principal Rule the following new Form shall be added, namely :-

[26]

FORM-XIV

LETTER OF APPOINTMENT

Name of the Motor Transport Undertaking: -
Address -
Name of the Employer :-
Registration No:-

Shri/Shrimati..... appointed as (describe here the nature of appointment).....with effect from.....in the Motor Transport Undertaking.

2. His/her appointment is on (insert the period) probationary/temporary casual/permanent basis for .....month.

3. His/Her scale of pay indicate the rate of increment in wages per month (insert the period) shall be.....

4, He/she will draw a total wages of Rs..... per month composed of following namely:- (if these are separate).

i) Basic pay.

ii) Dearness allowance

iii) Other allowances.

5. The service may be terminated on one months' notice on either payment of one months' wages in lieu thereof.

Signature of the Employee

Signature of the Employer,
sd/- K.C. Sinha
Deputy Secretary,
Government of Tripura.

SCHEDULE II

(See Rule 25)

(A) FOR OPERATING CENTRES AND HALTING STATIONS WHEREIN 10 AND NOT EXCEEDING 50 MOTOR TRANS PORT WORKERS ORDINARILY CALL ON DUTY DURING EVERY DAY.

Each first aid-box of or cupboard shall contain the following equipment :- (i) 12 small sterilized dressings.

(ii) 6 medium size sterilized dressings.
(iii) 6 large size sterilized dressing.
(iv) 6 large size sterilized burn dressings.
(v) 6 (1/2 oz) packets sterilized cotton wool.
(vi) 1 (2 oz) bottle containing a two percent alcoholic solution of iodine.
(Vii) 1(2 oz) bottle containing sal volatile having the dose and mode of administration indicated on the label.
(viii) 1 roll of adhesive plaster.
(ix) A snake bite lancet.
(x) 1 (1 oz.) battle of potassium permanganate crystals.
(ix) 1 pair scissors.
(xii) 1 copy to the approved first aid leaflet.

(B) FOR OPERATING CENTRES AND HALTING STATIONS WHEREIN MORE THAN 50 MOTOR TRANSPORT WORKERS ORDINARILY CALL ON DUTY DURING EVERY DAY.

Each first aid-box or cupboard shall contain the followings equipment: (i) 24 small sterilized dressings.

(ii) 12 medium size sterilized dressings.
(iii) 12 large size sterilized dressing.
(iv) 12 large size sterilized burn dressings.
(v) 12 (1/2 oz) packets sterilized cotton wool.
(vi) 1 snake bite lancet.
(vii) 1 pair scissors.
(viii) 2 (1 oz) battles of potassium permanganate crystals.
(ix) 1 (4 oz) bottle containing a two percent alcoholic solution of iodine.
(x) 1 (4 oz) bottle of sal-volatile having the dose and mode administration indicated on the label.
(xi) 1 copy of the approved first aid leaflet.
(xii) 12 roller bandages 4 inches wide.
(xiii) 12 roller bandages 2 inches wide.
(xiv) 2 rolls of adhesive plaster.
(AV) 6 triangular bandages,
(xvi) 2 packets of safety pins
(xvii) A supply of suitable
(xviii) 1 tourne quet.

[28]

SCHEDULE III
(See Rule 26)

(i) 6 small sterilized dressings.
(ii) 3 medium size sterilized burn dressings.
(iii) 3 large size sterilized dressings.
(iv) 3 large size sterilized burn dressings
(v) 1 (1 oz) bottle containing a two per cent alcoholic solution of iodine.
(vi) 1 (1 oz) bottle containing sal-volatile having the dose and mode of administration indicated on the label.
(vii) A snake bite lancet,
(viii) 1 (1 oz) bottle of potassium permanganate crystals.
(ix) 1 pair scissors.
(x) 1 copy of approved first aid leaflet.

By order of the Chief Commissioner.
T. P. CHOUDHURY
Secretary.