

**THE PUNJAB MOTOR TRANSPORT WORKERS (8.15 – 8.26)  
RULES, 1963**

No. G.S.R. 131/C.A. 27/61/S. 40/63, dated the 1<sup>st</sup>. June, 1963 – With reference to Punjab Government Notification No. G.S.R. 157/C.A. 27/61/S.40/62, dated the 19<sup>th</sup>. August, 1962, and in exercise of the powers conferred by Section 40 of the Motor Transport Workers Act, 1961 (Central Act No. 27 of 1961). The Governor of Punjab is pleased to make the following rules: -

**CHAPTER I  
Preliminary**

**1. Short title and commencement.** -- (1) These rules may be called the Punjab Motor Transport Workers Rules, 1963.

(2) The whole of these rules except rules\* 17 to 23 and Rule 25 shall come into force as soon as they are published in the Official Gazette and the State Government may by notification in the official Gazette that Rules 17 to 23 and Rule 25 shall come into force on such date or dates as may be specified in the notification. \*[Rules 17 to 23 were made applicable vide Notification No. 1485-V-Lab-II-66/5371 dated 24.2.1966].

**2. Definitions.** -- (1) In these rules, unless the context otherwise requires.

- (a) “Act” means the Motor Transport Workers Act, 1961;
- (b) “Form” means a form appended to these rules;
- (c) “Inspector” means an officer appointed under Section 4 of the Act and included 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, 191 or in the Schedules to the Indian Medical Council Act, 1933;
- (e) “Schedule” means a Schedule annexed to these rules;
- (f) “Section” means a section of the Act;
- (g) “Undertaking” means a motor transport undertaking;

**3. Interruption during running time. Rule prescribed under Clause (f) of Section 2.** -- Any interruption of less than fifteen minutes shall be counted towards running time.

**CHAPTER II  
Registration of Motor Transport Undertaking**

**4. Application for Registration. Rule prescribed under Section 3 read with Section 40(2)(a).** -- 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 authorized 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 made be made within sixty days from such commencement:

Provided further that where an undertaking ha 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 Certificates of Registration. Rule prescribed under Section 3 read with Section 40(2)(b).** -- A certificate of registration for an undertaking shall be granted by the Chief Inspector or an Inspector duly authorized 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 1	Fee (Rupees) 2
5	10
25	25
50	50
100	100
250	250
500	500
750	750
1000	1000
1500 and above	1500

<sup>1</sup>FOR PUNJAB

Maximum number of motor transport workers to be employed during the year 1	Fee (Rupees) 2
5	100
25	250
50	500
100	1000
250	2500
500	5000
750	7500
1000	10000
1500 and above	15000

<sup>1</sup> Vide GSR no. 7 dated 20.1.1994

**6. Validity of Certificate of Registration. Rule prescribed under Section 3 read with Section 40(2)(b).** -- Every certificate of registration granted under Rule 5 renewed under Rule 8 shall remain in force up to 31<sup>st</sup>. December of the year for the certificate is granted or renewed.

**7. Amendment of Certificate of Registration. Rule prescribed under Section 3 read with Section 40.** -- (1) The certificate of registration granted under Rule 5 may be amended by the Chief Inspector or an Inspector duly authorized by him in this behalf.

(2) An employer shall, within thirty days of the day when the cause of amendment arises, submit to the Chief Inspector or an Inspector duly authorized 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 [for Punjab – Fifty rupees] 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. Rule prescribed under Section 3 read with Section 40.** -- (1) Every employer shall apply to the Chief Inspector or an Inspector duly authorized 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 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 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 case 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 employer, he may reduce or remit as he thinks fit, the payment of such excess fee.

**9. Transfer of certificate of Registration. Rule prescribed under Section 3 read with Section 40.** -- (1) An employer holding a certificate of registration may, at any time,

before the expiration 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 authorized by him in this behalf who shall if he approves of the transfer enter upon the certificate of registration under his signature and endorsement to the effect that the certificate of registration has been transferred to the person named.

**10. Procedure on death or disability of employee. Rule prescribed under Section 3 read with Section 40(2)(a) and (b).** -- If the employer holding a certificate of registration dies or becomes insolvent the person carrying of 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 certificates of registration under Rule 7 in his name.

**11. Issue of duplicate certificate of registration. Rule prescribed under Section 3 read with Section 40(2) (a) (b).** -- Where a certificate of registration granted or renewed under Rule 5 or 8 s the case may be, is log, defaced or accidentally destroyed, a duplicate may be granted to him on payment of a fee of five rupees [For Punjab. – Fifty rupees].

**12. Payment of fees. Rule prescribed under Section 3 read with Section 40(2)(b).** -- (1) All fees to be paid under these rules shall be paid into the local treasury under the head ‘XXXII-Miscellaneous Social and Development Organizations (Provincial) Labour and Employment— Fee for registration under the Motor Transport Workers Act, 1961 [For Punjab. —“230 – Labour and Employment 01 – Labour (a) receipts under various Labour Laws]<sup>2</sup> 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 certificate or registration is rejected the fee paid shall be refunded to the applicant.

**13. Making of the registration number on the vehicle. Rule prescribed under Section 3 read with Section 4.** -- Registration number of the undertaking shall be marked on the left hand side of every vehicle in lettering .076 meters high and .013 meters thick.

### **CHAPTER III Inspecting Staff**

**14. Qualification of Inspector. Rule prescribed under Clause (c) of sub-section 2 of Section 40 read with Section 4(1).** -- (1) No person shall be appointed as an Inspector unless he: --

(a) in the case of direct appointment.

(i) is not less than 25 years;

---

<sup>2</sup> Vide GSR No. 7 dated 20.1.1994.

- (ii) possesses a degree of a recognized university and a degree or diploma in Social Science of a recognized institution; and
- (iii) has worked as a Labour or Welfare Officer in any industrial establishment or Government Department for a minimum period of two years;

(b) in the case of an appointment by promotion;

- (i) possesses a degree of a recognized university; and
- (ii) has an experience of working in the Labour Department for minimum period of two years;

(2) Notwithstanding anything contained in sub-rule (1) the Government may appoint a Wage Inspector, Labour Inspector or any other Officer of the Labour Department of rank higher than that of Wage Inspector or Labor Inspector as an Inspector for the purpose of Section 4.

**Explanation.** -- For the purpose of this rule, the expression “recognized university” or “recognized institution” shall mean a university or institution as the case may be, recognized by the State Government in this behalf.

**15. Powers of Inspectors, Rule prescribed under Clause (e) of sub-section (1) of Section 5, read with Section 40(2)(d).** -- An Inspector shall for carrying out the purpose of the Act have power to do all or any of the following acts: -

- (i) to photograph any motor transport worker to inspect of sketch, as the case may be, any motor transport vehicle, building, room, appliance, apparatus register or document, anything provided for the purpose of securing health and welfare of motor transport worker;
- (ii) to prosecute, conduct or defend before any court and complaint or other proceeding arising under the Act or these rule or in discharge of his duties as an Inspector;
- (iii) to require any employer to supply or send any return or information relating to the provisions of the Act or of these rules; and
- (iv) to have a person residing in a State other than one in which an offence under the Act or these rules has been committed examined through an Inspector in that State and to obtain a record of such examination.

**16. Duties of Certifying Surgeons. Rule prescribed under Sub-section (2) of Section 7, read with Section 40(2)(e).** -- (1) For the purpose of examination and certification of adolescents who wish to obtain certificates of attendance of such person and shall give previous notice in writing of such arrangements to the employers of undertakings or class of undertakings assigned to him.

(2) The Certifying Surgeon shall issue his certificates in Form No. III. The foil and counterfoils shall be filled in and the left thumb mark on them. On being satisfied as to the correctness of the entries made therein and of the fitness of the person examined he shall sign the foil and initial the counterfoil and shall deliver the foil to the person in whose name the certificate is granted, who shall keep the same in his custody and on demand by an Inspector shall produce the same for inspection by him. 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 this examination that any person employed in any work in any undertaking, is not longer fit to work for medical reason, 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 place of the undertaking to be fixed 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. Rule prescribed under Section 8, read with Section 40(2)(o).** -- (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 this rule.

(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 adopted for use as a canteen.

(3) The canteen building shall be situated not less than 15 meters 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 1.2 meters from the floor shall be made of smooth and impervious material; the remaining portion of the inside walls shall be made smooth by the cement plaster or in any other manner approved by the Chief Inspector.

(6) The doors and windows of a canteen-building shall be of fly 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 ceiling, passages and stair cases shall be lime washed or colour washed or painted, as the case may be and shall also be disinfected. Lime washing or colour washing shall be carried out once in every year, painting once in every three years and disinfecting once in six months;

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

(c) 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 arrangements shall be made for the collection and disposal of garbage.

**18. Canteen Hall. Rule prescribed under Section 8, read with Section 20(2)(O). -- (1)** the canteen hall shall accommodate at least thirty percent of the motor transport workers likely to commit a time:

Provided that in any particular undertaking or in any particular class of undertaking, the State Government may, by notification in this behalf in the Official Gazette, after the percentage of workers to be accommodated.

(2) The floor area of the canteen hall excluding the area occupied by service counter and any furniture, except tables and chairs, shall not be less than 0.9290. square metres per dinner to be accommodated under sub-rule (1).

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

**19. Equipment. Rule prescribed under Section 8 with Section 40(2)(O).** -- There shall be provided and maintained sufficient utensils, crockery, cutlery, furniture and any other equipment necessary for the efficient running of the canteen. Suitable clean clothes for the employees serving the canteen shall also be provided and maintained by the employer.

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

**20. Prices to be charged. Rule prescribed under Section 8, read with Section 40(2)(O).** - Food, drink and other items served in the canteen shall be sold on a no-profit basis and the prices charged shall be subject to the approval of the Canteen Managing Committee constituted under Rule 22.

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

**21. Accounts. Rule prescribed under Section 8, read with Section 40(2)(O).** -- (1) Proper accounts pertaining to the canteen shall be maintained. All books of accounts, register or any other documents used in connection with the running of a canteen shall be produced on demand of an Inspector.

(2) The accounts pertaining to the canteen shall be audited once in every twelve 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 two 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. Rule prescribed under Section 8, read with Section 40(2)(O).** -- (1) the employer shall constitute a Canteen Managing, which shall be constituted from time to time as to

- (a) The qualify and quantity of food stuffs to be served in the canteen.
- (b) The arrangement of the menus;
- (c) Any other matter as may be directed by the Committee.

(2) The canteen Managing Committee shall consist of as 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 100 workers employed in the undertaking:

Provided that in no case shall there be more than five or less than two motor transport workers on the Committee.

(3) The employer shall determine the procedure for and supervise the election of the representatives of the motor transport workers to the Canteen 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 member shall not with standing the expiration of their term continue to hold their office until the constitution of the next Canteen Managing Committee.

**23. Rest Rooms. Rule prescribed under Section (1) of sub-section 9, read with Section 40(2)(O).** -- The rest rooms 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 adopted.

- (a) The building shall be soundly constructed and all the walls and roof shall be suitable heat-resisting materials and shall be water proof. The floor and walls to a height of .09144 metres 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 3,6576 metres from the floor level to the lowest part of the roof and there shall be at least 4.64515 square metres of floor area for every motor transport worker required to halt at night.
- (c) Effective and suitable provisions shall be made in every room for securing and marinating adequate ventilation for the calculation 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 provided with adequate number of fans in towns.
- (e) Every rest room building and precincts thereof shall be kept in a clean and tidy condition and shall be lime-washed at least once in a period of 12 months and record thereof shall be maintained in Form No. IV prescribed in Rule 17:

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 standard if not reasonably practicable he may by order in writing approve any suitable alternative accommodation subject to such conditions as he may specify.

**24. Uniforms. Rule prescribed under Section 10.** -- (1) The drivers, conductors and line-checking staff employed in an undertaking shall be provided free by the employer with uniforms and rain coats as specified in Schedule I.

(2) Where washing of uniforms provided under sub-rule (a) is not arranged by the employer the staff concerned shall be entitled to a washing allowance at the rate of two rupees [For Pb. – Ten Rupees] per month.

**25. Medical Facilities. Rule prescribed under Section 40(2)(h), read with Section 11.** --

(1) At every operating center and halting station (which in the 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 State Government may direct.

(2) The dispensary shall have a floor area of at least 25 square metres and smooth hard and impervious walls and floors and shall be adequately ventilated and lighted by both natural and artificial means. An adequate supply of wholesome drinking water shall be provided.

(3) At every operating center and halting station where less than 150 motor transport workers call on duty every first-aid-boxes or cupboards of the standard set out in Schedule II shall be provided. Every first-aid-box or cupboards 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 the charge of an employee of the undertaking trained in first aid.

**26. First Aid Facilities. Rule prescribed under Section 40(2)(h), read with Section 12.** --

First-aid box containing the equipment mentioned in Schedule III shall be provided in every motor vehicle. Every First-aid box shall be clearly marked as "First-Aid" and shall be kept stocked and in good order.

## CHAPTER V

### Hours and limitation of employment

**27. Hours of work. Rule prescribed under Section 13, read with section 40(**