

THE KARNATAKA MOTOR TRANSPORT WORKERS RULES, 1964

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¹THE KARNATAKA MOTOR TRANSPORT WORKERS RULES, 1964

(As amended by Notification No. LMA 5 LWA 66, dated 27-12-1966, GSR 12(KGD 5-1-1967); Notification No. FCL 130 LWA 68, dated 9-7-1968, GSR 253(KGD 25-7-1968); Notification No. FCL 8 LWA 68, dated 6-9/4-10-1969, GSR 352 (KGD 23-10-1969); Notification No. FCL 39 LWA 68, dated 15-10-1969, GSR 363 (KGD 30-10-1969); Notification No. FCL 20 LWA 69, dated 26-11-1969, GSR 422 (KGD 4-12-1969); Notification No. FCL 32 LWA 67, dated 28-11-1969, GSR 428 (KGD 11-12-1969); Notification No. FCL 27 LWA 69, dated 6-4-1971, GSR 139 (KGD 20-5-1971); GSR 234, dated 9-6-1972 and Notification No. SWL 42 LWA 88, dated 14-8-1992).

NOTIFICATION

No. PLM 43 LWA 61, dated 27-11-1964

GSR. 342.—In exercise of the powers conferred by Section 40 of the Motor Transport Workers Act, 1961 (Central Act 27 of 1961), the Government of Karnataka hereby makes the following rules, the draft of the said rules having been previously published in the Karnataka Gazette, dated 21st November, 1963, in Notification No. PLM 43 LWA 61, dated 1st November, 1963, as required by sub-section (1) of the said section, namely,—

CHAPTER I

Preliminary

1. Title and Commencement.—(1) These rules may be called the Motor Transport Workers (Karnataka) Rules, 1964.

(2) These rules except Rules 16 to 22 and Rule 24, shall come into force on 1st January, 1965 and the State Government may, by notification in the Official Gazette, direct that [Rules 16 to 22 and Rule 24 shall come into force on such date or dates as may be specified in the Notification.]

2. Definitions.—(1) These rules, unless the context otherwise requires,—

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

(b) "Form" means a form appended to these rules;

1. Published in the Karnataka Gazette, dated 17-12-1964.

2. Rules 16 to 22 and 24 shall come into force w.e.f. 1-1-1976 by SO 2390, dated 16-10-1974.

- (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, 1933;
- (e) "Quarter" means a period of three consecutive months beginning on the 1st January, 1st April, 1st July or the 1st October;
- (f) "Section" means a section of the Act;
- (g) "Undertaking" means a Motor Transport Undertaking;
- (h) "Schedule" means a Schedule annexed to these rules.

3. **Interruptions during running time.**—A period of interruption exceeding five minutes in respect of City Transport Services and a period of interruption exceeding ten minutes in respect of other transport services or undertakings, shall be the duration for purposes of Explanation 1 to clause (f) of Section 2.

CHAPTER II

Registration of Motor Transport Undertakings

4. **Application for registration.**—Employer of every 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 that in the case of an undertaking operating in more than one district and having a workshop or depot or other establishment therein the employer shall pay, in respect of the said workshop or depot or other establishment fees as specified in Rule 5:

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:

Provided further that, where an employer fails to submit his application for registration of his concern within the prescribed time-limit, he shall be liable to a penalty of Rs. 25/- for a delay of the first 30 days and Rs. 50/- for every subsequent delay of 30 days or part thereof.

5. **Grant of certificate of registration.**—A certificate of registration for an undertaking shall be granted by the Chief Inspector or an Inspector duly

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authorised by him in this behalf in Form No. II on payment of fees as specified below:

¹TABLE

Maximum number of motor transport workers to be employed during the year.		Fees for grant of Certificate of Registration
		Rs.
1.	5	100
2.	6 to 25	250
3.	26 to 50	500
4.	51 to 100	1,000
5.	101 to 250	1,500
6.	251 to 500	2,500
7.	501 to 750	3,000
8.	751 to 1000	3,500
9.	1001 to 1500	4,500
10.	1501 and above	5,000

²[5-A. Marking of the registration number on the vehicles.—(1) The registration number of the undertaking and the symbol shall be marked on the left hand side of every vehicle in lettering 7.5 cms. high and 1.25 cms. thick.

(2) Unless the Chief Inspector, by Notification in the official Gazette, otherwise directs, marking under sub-rule (1) shall be in English letters.]

6. Validity of the 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.

³[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 or an Inspector duly authorised by him in this behalf.

(2) An employer who desires to have his certificate of registration amended shall submit to the Chief Inspector or an Inspector duly authorised by him in this behalf, an application for amendment in the following manner.

(3) The application for the amendment of a certificate of registration shall be accompanied by:—

(i) a statement indicating the nature of the amendment required;

1. The Table substituted by Notification No. SWL 42 LWA 88, dated 4-8-1992.
2. Rule 5-A inserted by Notification No. FCL 39 LBW 68, dated 15-10-1969, Karnataka Gazette, dated 30-10-1969.
3. Rule 7 substituted by Notification No. FCL 27 LWA 69, dated 6-4-1971, w.e.f. 6-4-1971.

- (ii) a statement showing the change in particulars already furnished in the application for registration under Rule 4, which necessitates the amendment;
- (iii) a treasury receipt that the appropriate fee for the amendment for the certificate of registration has been paid in the local treasury; and
- (iv) the certificate of registration originally issued.]

8. Renewal of Certificate of Registration.—(1) A certificate of registration issued by the Chief Inspector [or an Inspector duly authorised by him in this behalf] shall be renewed every year before its validity expires.

(2) Every such application shall be in Form No. I, 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 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), the certificate of registration shall be renewed on payment of fee of twenty-five per cent in excess of the fee ordinarily payable for the certificate of registration:

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 [in Form No. II(a)].

(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.

(3) A fee of five rupees shall be charged for each such transfer.

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 be reasonably be required to allow him to

1. Inserted by GSR 139, dated 4-5-1971, (Kar. Gaz. dt. 20-5-1971).

2. Inserted by Notification No. FCL 27 LWA (R), dated 6-4-1971, n.e.f. 6-4-1971.

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 5 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.

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 "XXXII.—Miscellaneous, Social and Development Organisations-M-Fees under the Motor Transport Workers Act, 1961". Head of account should be indicated 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.

CHAPTER III Inspecting Staff

[13. Qualifications for Inspector.—No person shall be appointed as Inspector including a Chief Inspector for the purposes of the Act, unless he—

(a) holds or has held the office of an Inspector under the—

- (i) Factories Act, 1948;
- (ii) Payment of Wages Act, 1936;
- (iii) Minimum Wages Act, 1948;
- (iv) Plantation Labour Act, 1951; or
- (v) Karnataka Shops and Commercial Establishments Act, 1961,

or

(b) holds or has held the office of—

- (i) Commissioner of Labour;
- (ii) Deputy Commissioner of Labour;
- (iii) Assistant Commissioner of Labour;
- (iv) Labour Officer;
- (v) Labour Inspector;

or

(c) has worked at least 2 years as a Labour or Welfare Officer in any Industrial Establishment or Government Department.]

1. Rule 13 substituted by Notification No. LMA 5 LWA 66, dated 27-12-1966.

14. 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, sketch or test, 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 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 his opposite number in that State and to obtain a record of such examination.

15. Duties of certifying Surgeons.—(1) For the purpose of examination and certification of adolescents who wish to obtain certificates of fitness, the certifying surgeons shall arrange a suitable time and place for attendance of such persons and shall give previous notice in writing of such arrangements to the employers of undertakings concerned within the limits of his jurisdiction or undertakings or class of undertakings assigned to him.

(2) The certifying surgeon shall issue his certificate in Form No. III. The certificate and counterfoil 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 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 deliver the foil to the person in whose name the certificate is granted. The counterfoil so delivered shall be the certificate of fitness granted under Section 15. All counterfoils shall be kept for a period of at least two years after the date 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 require in respect of any undertaking or class of transport undertakings.

- (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.

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(4) If the certifying surgeon finds as result of his examination that any person employed in any work 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 the 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 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 materials) and chairs.

CHAPTER IV *Welfare and Health*

16. Canteens.—(1) The employer of every undertaking shall provide, for the use of the motor transport workers at every depot wherein one hundred motor transport workers or more ordinarily report 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:

Provided that the Chief Inspector, may, by order in writing, relax the provisions of this sub-rule, in particular cases he is of the opinion that the canteen run by a contractor fulfills the purposes 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 purposes of the said sub-rule:

Provided further that notwithstanding the grant of such relaxation it shall not absolve the responsibility of the employer in seeing that the contractor runs such canteen in accordance with these rules.

(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 noxious fumes:

Provided that the Chief Inspector may, in any particular case, relax the provisions of this sub-rule to such extent as may be reasonable in the circumstances and may require measures 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 fly-proof construction and shall allow adequate ventilation.

(7) The canteen shall be sufficiently lighted at all times where 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 suitably 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 the garbage.

17. Canteen hall.—(1) The canteen hall shall accommodate at least thirty per cent 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 Inspector may, by order in writing alter the percentage of workers to be accommodated.

(2) The floor area of the canteen shall, excluding the area occupied by service counter and any furniture, except tables and chairs, 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 sub-rule (1).

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. Suitable clean clothes for the employees serving the canteen shall also be provided and maintained.

(2) The furniture, utensils and other equipments 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.

19. Prices to be charged.—(1) Food, drink and other items served in the canteen shall be sold at prices approved by a Canteen Advisory Committee constituted for the purpose and consisting of representatives of the Management and the workers in equal number.

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

20. Accounts.—(1) All books of accounts, registers and 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 Government motor transport undertaking having its own Accounts Department may be audited in such department.

21. 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 menu;
- (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 or nominated by the Recognised Union, if any. The number of elected workers shall be in the proportion of one for every 500 workers employed in the undertaking.

Provided that in no cases shall there be more than 5 or less than 2 motor transport workers in the Committee.

(3) The employer shall determine the procedure for constituting the Committee and supervise the election of the representatives of the motor transport workers to the Canteen Managing Committee.

(4) The members of the 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.

22. Rest Room.—(1) Every employer shall be required to provide suitable rest-rooms at every place if ten or more workers are to halt at night therein.

(2) The rest-room shall conform to the following standards and the employer of undertaking shall submit for the approval of the Chief Inspector plans 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 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 worker required to halt at night;
- (c) effective and suitable provisions 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, 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.

- (e) every rest-room shall be adequately furnished with the chairs and cots.

23. Uniforms.—(1) The drivers, conductors and line-checking staff employed in an undertaking shall [on completion of six months, continuous services] be provided free by the employer with uniforms and [rain-coats as specified hereunder and it shall be obligatory on the said

1. Inserted by Notification No. FCL 32 LWA 67, dated 28-11-1969.

2. Substituted for the words "rain-coats as specified below" by Notification No. FCL 8 LWA 68, dated 6-9-10-1969.

categories of Motor Transport Workers to wear the uniforms while on duty)—

- (1) two sets of uniforms with head-wear every year;
- (2) one additional set every alternative year;
- (3) one woollen jersey and rain-coat every three years; and
- (4) one pair of pathani chappals every year.

(2) Where washing of uniforms 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.

24. Medical facilities.—(1) At every operating centre 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 work or remain on duty for some time, or report for duty at the same time 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 be in charge of a qualified medical practitioner, assisted by such staff as the State Government may direct.

(3) The dispensary shall have a floor area of at least 250 square feet 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 I shall be provided. Every first-aid-box or cup-boards shall be clearly marked 'First-Aid' and shall be kept stocked and in good order. These 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, trained in first-aid.

CHAPTER V

Hours and Limitations of Employment

25. Hours of work.—¹(1) The Chief Inspector may, on written application of an employer, subject to such conditions and for such period as he may think fit, permit motor transport workers to work for more than eight hours in any day or forty-eight hours in any week but in no case more than ten hours in a day and fifty-four hours in a week,—

- (i) on any route of 100 kilometers or more; or
- (ii) on such festive or other occasions as may be notified by the Chief Inspector in the official Gazette.]

1. Sub-rule (1) substituted by Notification No. FCL 130 LWA 68, dated 9-7-1968.

(2) 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 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.

¹[Provided that the Chief Inspector may on written application by an employer, subject to such conditions and for such period as he may specify, permit the employer to require or allow any motor transport worker to work for more than sixteen hours in any day or more than seventy two hours in any week with not less than eight consecutive hours of rest between the termination of duty and commencement of the next duty.]

26. Notice of hours of work.—(1) The notice of hours of work shall be in Form V.

(2) It shall be written in English and in a language understood 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.

(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.

27. Weekly rest.—(1) No motor transport worker shall be required or allowed to work on a day of rest fixed for him (hereinafter referred to as the said day), unless—

- (a) he has or will have a holiday for a whole day (hereinafter 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 notice to that effect at the premises.

(2) Notices given under sub-rule (1) 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 day to be cancelled, whichever is earlier.

1. Proviso added by Notification No. FCL 20 LWA 69, dated 26-11-1969.

(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.

28. Compensatory holidays.—(1) Every employer shall display on or before the end of the month in which holidays are lost, 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*

29. 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 1½ times the rates of his ordinary wages subject to a maximum of one-half of his ordinary wages.

* Any work in excess of 8 hours a day or 48 hours a week.

30. Holidays.—The employer shall notify to the Chief Inspector before the 31st December of each year the holidays which shall be granted to the motor transport workers during the succeeding year:

Provided that the State Government may, by notification in the official Gazette, specify the number of holidays which shall be granted to the motor transport workers.

NOTIFICATION

No. FCL 15 LMA 70, dated 18th September 1970

GSR 334.—In exercise of the powers conferred by the proviso to Rule 30 of the Motor Transport Workers (Karnataka) Rules, 1964, the Government of Karnataka hereby specifies the number of holidays to be granted to the Motor Transport Workers in a year, as seven.

31. 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 such 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 a period of three years after the last entry in it and shall be produced before the Inspector on demand.

32. Leave Book.—(1) Every employer shall provide each worker with a book in Form No. VIII (hereinafter called 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 card or similar record giving full particulars of the leave as shown in the leave 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.

33. 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.

34. Muster-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 as part of the routine of an undertaking, gives the particulars required under this rule, he may, by order 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.

35. 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 therefor. 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 routine 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.

36. Individual control book.—(1) No employer shall allow operation of any motor transport vehicle unless each motor transport worker

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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:

Provided that if the Chief Inspector is of opinion that any individual control book or similar records 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 be maintained in place 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 handover 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 it for inspection on demand by an Inspector.

CHAPTER VII Miscellaneous

37. Returns.—The employer of every undertaking shall furnish to the Inspector or other officer appointed by the State Government in this behalf not later than the First February of the year immediately succeeding that to which it relates, an annual return, in duplicate, in Form No. XII.

SCHEDULE I [See Rule 24]

- (A) For Operating Centres and Halting stations wherein 10 and not exceeding 50 Motor Transport Workers ordinarily call on duty everyday.

Each first-aid box or cupboard shall contain the following equipments:

- (i) 12 small sterilized dressings.
- (ii) 6 medium size sterilized dressings.
- (iii) 6 large size sterilized dressings.
- (iv) 6 (½oz.) packets of sterilized cotton wool.
- (v) 6 large size sterilized burn dressings.
- (vi) 1 (2 oz.) bottle containing two per cent 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.) bottle of potassium permanganate crystals.
- (xi) 1 pair of scissors.
- (xii) 1 copy of the approved first-aid leaflet.

(B) For Operating Centres and Halting Stations wherein more than 50 Motor Transport Workers ordinarily call on duty during everyday.

Each first-aid box or cupboard shall contain the following equipments.

- (i) 24 small sterilized dressings.
- (ii) 12 medium size sterilized dressings.
- (iii) 12 large size sterilized dressings.
- (iv) 12 large size sterilized burn dressings.
- (v) 12 (½ oz.) packets of sterilized cotton wool.
- (vi) 1 snake-bite lancet.
- (vii) 1 pair of scissors.
- (viii) 2 (1 oz.) bottles of potassium permanganate crystals.
- (ix) 1 (4 oz.) bottle containing two per cent alcoholic solution of iodine.
- (x) 1 (4 oz.) bottle of sal-volatile having the dose and mode of 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.
- (xv) 6 triangular bandages.
- (xvi) 2 packets of safety-pins.
- (xvii) A supply of suitable splints.
- (xviii) 1 tourniquet.

FORM I

[See Rules 4 and 8]

Application for Registration and Grant or Renewal of Certificate of Registration

1.	Name of 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.	

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4.	Total number of routes.	
5.	Total route mileage.	
6.	Total number of Motor Transport vehicles on the last day of the preceding year.	
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 firm 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.

¹[FORM II

[See Rule 5]

Certificate of Registration to work a Motor Transport Undertaking

Registration No.

Fee Rs.

Serial No.

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 the provisions of the Motor Transport Workers Act, 1961 and the Rules made thereunder.

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

The 19.....

1. Form II substituted as Forms II and II(a) by Notification No. FCL 27 LWA 69, dated 6-4-1971, w.e.f. 6-4-1971.

5.	(1) The name and address of the person to whom the registration certificate is to be transferred. (2) The reasons in brief for the proposed transfer (e.g., in the case of the death or insolvency of an employer the date of death or insolvency may be mentioned)	
6.	Whether the transfer of the permit under the Motor Vehicles Act has been ordered by the Regional State Transport Authority concerned.	
7.	Amount of fee Rs. (Rupees) No. dated) paid in treasury (vide challan)	

I agree that I will accept all liabilities of the transferor in respect of Labour.

Date:

Signature of the transferee.

* I agree that the registration certificate No. dated may be transferred in the name of

Date:

Signature of the Transferor.]

FORM III
(See Rule 15)
Certificate of Fitness

1.	Serial No.	Serial No.
2.	Name	Date
3.	Father's name	I certify that I have personally examined (name) son of residing at who is desirous of being employed in a Motor Transport Undertaking and that his age, as nearly as can be ascertained from my examination, is years and that he is fit for employment in Motor Transport Undertaking as an adolescent.
4.	Residence	
5.	Date of Birth, if available, and/or certified age	
6.	Physical fitness	
7.	Descriptive marks	His descriptive marks are
8.	Reasons for— (1) Refusal of certificate. (2) 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.

Chief Inspector

Inspector

FOR RENEWAL

<i>Date of Renewal</i>	<i>Amount of fee paid, challan No. and date</i>	<i>Date of expiry</i>	<i>Signature of the Chief Inspector or Inspector</i>
(1)	(2)	(3)	(4)

AMENDMENTS

<i>Date of Amendment</i>	<i>Nature of Amendment</i>	<i>Amount of Fees paid, challan No. and date</i>	<i>Signature of the Chief Inspector or Inspector</i>
(1)	(2)	(3)	(4)

TRANSFER

<i>Date of Transfer</i>	<i>Name of the Transferor</i>	<i>Name of the Transferee</i>	<i>Reasons for Transfer</i>	<i>Amount of fees paid, Challan No. and date</i>	<i>Signature of the Chief Inspector or Inspectors,]</i>
(1)	(2)	(3)	(4)	(5)	(6)

[FORM II(a)]

[See Rule 9]

Application for transfer of the certificate of Registration

1.	Name of the motor transport undertaking.	
2.	Full Postal address and situation of the motor transport undertaking including the various units.	
3.	Registration certificate No.	
4.	Name of the persons in whose name the certificate or registration has been issued.	

FORM IV

(See Rule 16)

Record of Lime-washing, Painting, etc.

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 Calendar)			Remarks
			Day	Month	Year	

Signature of employer.

FORM V

(See Rule 26)

Notice of periods of work for Motor Transport Workers for the year 19 _____

Name of undertaking

Period of work	Total number of men employed												Total number of adolescents employed						Description of groups								
	A			B			C			D			E			F			G			H			Groups	Nature of work	Day on which weekly holidays is allowed
GROUPS	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3			
RELAYS	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3			
Hours of work on working days:																											
1. From																											
To																											
2. From																											
To																											
3. From																											
To																											
4. From																											
To																											
5. From																											
To																											
6. From																											
To																											
On partial working days																											
7. From																											
To																											
8. From																											
To																											

Date on which this notice is exhibited.

Signature of employer.

FORM VI
(See Rule 28)

Register of Compensatory Holidays

[illegible]

FORM VIII
[See Rule 32]
Leave Book

Sl. No.		Name of the undertaking Adults/Adolescents		Address		Date of entry into service		Date of discharge		Date & amount of payment made in lieu of leave due	
1	Calendar year of service	2	Wages period from	3	Wages earned during the wage period	4	Number of days of work performed	5	Balance of leave from preceding year	Leave at credit	
										6	Leave earned during the year mentioned in Column 1.
7	Total of columns 5 & 6	8	Whether leave was refused	9	Leave enjoyed from	10	Balance of leave at credit	11	Normal rate of wages	12	Cash equivalent of advantage accruing through concessional sale of food grains and other articles
14	Remarks										

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

FORM VIII
[See Rule 32]
Leave Book

Sl. No.		Name of the undertaking Adults/Adolescents		Address		Date of entry into service		Date of discharge		Date & amount of payment made in lieu of leave due	
1	Calendar year of service	2	Wages period from	3	Wages earned during the wage period	4	Number of days of work performed	5	Balance of leave from preceding year	Leave at credit	
										6	Leave earned during the year mentioned in Column 1.
7	Total of columns 5 & 6	8	Whether leave was refused	9	Leave enjoyed from	10	Balance of leave at credit	11	Normal rate of wages	12	Cash equivalent of advantage accruing through concessional sale of food grains and other articles
14	Remarks										

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

FORM IX

[See Rule 33]

Register of Workers

Part I-Adults

Part II-Adolescents

<i>Serial No.</i>	<i>Name</i>	<i>Father's name</i>	<i>Address</i>
1	2	3	4

<i>Nature of work</i>	<i>Letter of group as in notice of period of work</i>	<i>No. and date of certificate of fitness, if an adolescent</i>	<i>Remarks</i>
5	6	7	8

FORM XII
(See Rule 36)

Individual Control Book

Sheet No.

Week from Sunday in Saturday 19

Name of the Motor Transport Worker

Day	Date	On duty (D) or Rest (Rest)	Time and Place		Spread over	Period vehicle on Road	Period interruption of 10 min. or more referred to in Column (f) of Section 2.	Running time (7-8)	Time spent in subsidiary work	Period of more attendance at terminals of less than 15 minutes	Hours of work (9, 10, 11)	Interval of rest	Length of overtime worked	Circumstances under which overtime worked	Remarks
			of taking up duty	Ending duty											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Sunday															
Monday															
Tuesday															
Wednesday															
Thursday															
Friday															
Saturday															

Notes: A new workday week begins at midnight.

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.

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