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NOTIFICATIONS BY GOVERNMENT

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NOTIFICATIONS BY GOVERNMENT

LABOUR AND EMPLOYMENT DEPARTMENT

Amendments to the Tamil Nadu Motor Transport Workers Rules, 1961.

[G.O. Ms. No. 192, Labour and Employment (H1), 24th November 2020, கார்த்திகை 9, சார்வரி, திருவள்ளுவர் ஆண்டு–2051.]

No.SRO A-43/2020.—In exercise of the powers conferred by Section 40 of the Motor Transport Workers Act, 1961 (Central Act 27 of 1961), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Moter Transport Workers Rules, 1965, the draft of the same having been previously published, as required under sub-section (1) of Section 40 of the said Act.

AMENDMENTS

In the said Rules,—

(1) rules 35, 46 and 48 shall be omitted;

(2) for rule 38, the following rule shall be substituted, namely:-

"38. (1) (a) Every employer shall maintain, -

(i) an Employee Register in Form XXIII;

(ii) a Register of Employment in Form XXIV;

(iii) a Register of Wages in Form XXV; and

(iv) a Register of Leave and Social Security Benefits in Form XXVI.

(b) The registers referred to in clause (a) shall be maintained either electronically or manually.

(c) Where the registers referred to in clause (a) are maintained in electronic form, the layout and presentation of the registers may be adjusted without changing the integrity, serial number and contents of the columns of the register.

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

Provided that if the Inspector considers necessary, the registers, records and notice maintained or exhibited under the provisions of these rules shall be produced for inspection in his office or such other public place as may be indicated by him. The registers, records and notice produced for inspection shall be returned on the same day and in any case, it shall not be retained after giving a receipt to the employer for more than seven days.

(3) The registers in the Forms specified in clause (a) of sub-rule (1) shall be considered to serve the purposes of the Registers/muster roll specified hereunder, namely:-

(i) Register of National and Festival Holidays in Form VI as per sub-rule (1) rule 7 of the Tamil Nadu Industrial Establishments (National, Festival and Special Holidays) Rules, 1959;

(ii) Muster Roll in Form A as per sub-rule (1) of rule 3 of the Tamil Nadu Maternity Benefit Rules, 1967;

(iii) Register of Fines in Form I, Register of Deductions for Damage or Loss caused to the employer by neglect or default of the employed person in Form II as per sub-rule (4) of rule 21, Overtime Register for Workers in Form IV as per sub-rule (2) of rule 26, Muster Roll in Form V as per sub-rule (5) of rule 27 and Register of Employees in Form XI as per sub-rule (6) of rule 27(6) of the Minimum Wages (Tamil Nadu) Rules, 1953;

(iv) Register of Fines in Form I as per rule 3, Register of Deductions for Damage or Loss caused to the employer by the neglect or default of the employed persons in Form II as per rule 4, Register of Advances in Form III as per rule 17 of the Tamil Nadu Payment of Wages Rules, 1937;

(v) Register of Wages in Form B, Register of Fines and Unpaid Accumulations in Form C as per rule 29 of the Tamil Nadu Labour Welfare Fund Rules, 1973;

(vi) Register of Workmen in Form I as per sub-rule (1) of rule 6 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Rules, 1981;

(vii) Register of employees placed under suspension in Form I as per rule 3 of the Tamil Nadu Payment of Subsistence Allowance Rules, 1981.";

(3) Forms XV, XX and XXII shall be omitted;

(4) after Form No XXII as so omitted, the following Forms shall be added, namely:-

"FORM No. XXIII

[*See* sub-clause (i) of clause (a) of sub-rule (1) of rule 38 of the Tamil Nadu Motor Transport Workers Rules, 1965.]

Employee Register.

Name and Address of the Motor Transport Undertaking:

Registration Certificate No:

Serial No.	Name of the employee	Employee I.D.No.	Gender	Father / Spouse Name	Date of Birth	Date of entry into service	Designation	Present Address	Permanent Address	EPF – UAN	ESIC No.	Aadhaar No.	Date on which completion of 480 days of service	Date on which made permanent	Period of Suspension if any	Bank A/c Number, Name of Bank, Branch (IFSC)	Photo	Mobile Number	e-mail I.D	Specimen Signature / Thumb Impression	Date of Exit	Reason for Exit	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)

FORM No. XXIV

[*See* sub-clause (ii) of clause (a) sub-rule (1) of rule 38 of the Tamil Nadu Motor Transport Workers Rules, 1965.]

Register of Employment

For the Period From ..... To .....

Name and Address of the Motor Transport Undertaking:

Name and Address of the Employer:

Name of the Manager / In-charge:

Registration Certificate No:

National and Festival Holidays Approval Proceedings No. and Date:

Approved National and Festival Holidays:

1	2	3	4	5

Serial No.	Name of the employee	Employee I.D. No.	Time at which work commences	Rest Interval	Time at which work ends	Daily Hours of work including overtime (if any)* 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total Days worked	Total Hours Worked	Number of days on Loss of Pay	Benefit availed for working on National Holiday (**)	Benefit availed for working on Festival Holiday (**)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)																															(8)	(9)	(10)	(11)	(12)	(13)

* Abbreviations to be used: H – Weekly Holiday; FH – Festival Holiday; NH – National Holiday; EL – Earned Leave; ML – Medical Leave; HW – Holidays with Wages; MBL – Maternity Leave; SH – Substituted Holiday; SP – Suspension; LOP – Loss of Pay.

** Abbreviations to be used:- H – for holidays allowed; W/D – for work on double wages; W/H – for work with substituted holiday; 'N/E' if not eligible for wages.

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FORM No. XXV

[*See* sub-clause (iii) of clause (a) of sub-rule (1) of rule 38 of the Tamil Nadu Motor Transport Workers Rules, 1965.]

Register of Wages

Name and Address of the Motor Transport Undertaking:
Name and Address of the Employer:

Name of the Manager/In-charge:
Registration Certificate No.:

Total number of persons employed:

Men	Women	Male Adolescent	Female Adolescent

Wage Period From ..... To .....
(Monthly/Fortnightly/Weekly/Daily/Piece Rated)

Serial No.	Name of the Employee	Employee I.D. No.	Number of days worked	Basic Wage	Dearness Allowance	House Rent Allowance	Other Allowances (nature may be specified)	Overtime Wages	Leave Wages (wages for EL availed / double wages for NFH / wages for accumulated leave)	Gross Wages	Deductions																		
														Advances				Damages / Fine											
											Provident Fund	Employees State Insurance	Labour Welfare Fund	Advance paid	Advance recovery pending at the beginning of the month	Advance Recovered	Pending Recovery	Deduction imposed on Damages, Loss or Fines	Deduction recovery pending at beginning of the month	Deduction made on Damages, Loss or Fines	Pending Recovery	Any other Deductions	Total Deductions	Net Wages	Date of payment	Unpaid accumulations	Rate at which subsistence allowance calculated and amount paid	Receipt by Employee / Bank Transaction I.D. and Date	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)	(29)	(30)

FORM No. XXVI

[*See* sub-clause (iv) of clause (a) of sub-rule (1) of rule 38 of the Tamil Nadu Motor Transport Workers Rules, 1965.]

Register of Leave and Social Security Benefits

Name and Address of the Motor Transport Undertaking:

Name and Address of the Employer:

Name of the Manager / In-charge:

Registration Certificate No:

For the month of ..... Year .....

Serial.No.	Name of the employee	Employee I.D. No.	Earned Leave				Medical Leave			Other Leave			Maternity Benefits					Gratuity Benefits		
			Leave at the beginning of the month	Leave earned during the period	Leave availed during the month	Leave balance at the end of the month	Leave at beginning of the month	Leave availed during the month	Leave balance at end of the month	Leave at beginning of the month	Leave availed during the month	Leave balance at end of the month	Date of giving notice of pregnancy / delivery	Amount of Maternity benefit paid in advance, of expected delivery and Date of Payment.	Subsequent payment of maternity benefit and date of payment	Amount paid as Medical Bonus and Date of payment	Leave with Wages as per Section 9 or 10 under Maternity Benefit Act, 1961	Whether nomination received from the employee	Amount paid as Gratuity in case of exit or demise of the employee	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)

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