

P. M. MASKAR

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**THE
GOODS TRANSPORT
UNPROTECTED WORKERS**

(Regulation of Employment and Welfare) Scheme 1971.

(Corrected upto October 1988)

**The Goods Transport Labour Board
For Greater Bombay**

102/103, Steel Chambers, Devji Ratanshi Marg,
Mumbai - 400 009.

Phone : 022 - 2348 0149 / 2348 1491.

INDUSTRIES AND LABOUR DEPARTMENT

Sachivalaya, Bombay- 32, 1st March 1971.

MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

No. UWA. 1471(GT) / 110144-Lab-IV.-In exercise of the Powers conferred by sub-section (1) of Section 4 of Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah.xxx of 1969) and of all other powers enabling it in that behalf, the Government of Maharashtra, after consultation with the Advisory Committee, hereby makes the following Scheme for employment in connection with loading of goods into the public transport vehicles or unloading of goods therefrom and any other operations incidental or connected thereto, in the areas specified in the schedule appended to this Scheme, the same having been previously published as required by sub-section (1) of the said section 4, namely :-

SCHEME

THE GOODS TRANSPORT UNPROTECTED WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) SCHEME, 1971.

1. Title :- This Scheme may be called the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.

2. Objects and Application :- (i) Objects :-The objects of this Scheme are to ensure an adequate supply and full and proper utilization of unprotected Workers employed in Goods Vehicle Transport Undertakings in connection with loading, unloading, stacking, carrying, weighing, measuring and such other work including work preparatory or incidental to such operations for efficient performance of work and generally for making better provisions for the terms and conditions of employments of such workers and make provision for their general welfare.

(ii) Application:- The Scheme shall apply to employment of registered workers by Goods Vehicle Transport Undertakings having their Head Offices, Offices, Delivery Offices, Delivery Godowns, Booking Offices, Booking Godowns, or such other activities connected with the above, in the areas specified in the Schedule hereto in connection with loading of goods into public transport vehicles or unloading of goods therefrom and any other operations incidental or connected thereto, provided that these workers have been engaged regularly and not on casual basis and are attached to their respective undertakings individually or under toli system :

Provided further that the Scheme shall not apply to the daily casual labour employed by the Stevedors and Clearing Agents engaged in the transport of goods.

3. Commencement :- (i) Clauses 14 and 15 of the Scheme shall come into

force from 1st April 1971.

- (ii) The remaining clauses of the Scheme shall come into force from 1st May, 1971.
- 4. Interpretation :- (a) "Act" means the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act; 1969;
- (b) "Board" means the Goods Transport Labour Board for Greater Bombay constituted under section 6 of the Act;
- (c) "Chairman" means the Chairman of the Board.
- (d) "monthly worker" means a worker who is employed by an employer or a group of employers on monthly basis.
- (e) "Pool" means a list of workers maintained by the Board but which does not include monthly workers;
- (f) "Pool workers" means a worker whose name is entered in the pool;
- (g) "Employer" means the employer whose name is for the time being entered in the register of employers;
- (h) "Worker" means a worker whose name is for the time being entered in register of pool workers or in the register of monthly workers.
- (i) "Register of employers" means the register of employers maintained under the Scheme;
- (j) "Register of workers" mean the register of workers maintained under the Scheme;
- (k) "Secretary" means the Secretary of the Board.
- (l) "Personnel Officer" means the Personnel Officer appointed by the Board under clause 5;
- (m) "Rule" means the Maharashtar Mathadi, Hamal and Other Manual, workers (Regulation of Employment and Welfare) Rules, 1970;
- (n) "Week" means the period of seven days commencing from mid-night of Saturday and ending on the mid-night of the Saturday next following.
- 5. Secretary, Personnel Officer and other servants of the Board:- The Board may appoint a Secretary, a Personnel Officer and such other officers and Servants on such terms and conditions of service as it deems fit:

Provided that no post the maximum salary of which exclusive of allowance is Rs.500 and above per mensem shall be created and no appointment to such post shall be made by the Board except with the previous approval of the State Government;

Provided further that, the previous approval of the State Government shall not be necessary to any appointment in a leave vacancy of a duration of not more than three months.

6. Function of the Board :- (1) The Board may take such measures as it may consider desirable for carrying out the objectives of this Scheme including measures for:-

- (i) ensuring the adequate supply and full and proper utilisation of registered workers for the purpose of facilitating the rapid turnout of work;
- (ii) regulating the recruitment and the discharge from this scheme of workers for the purposes of this Scheme and allotment of registered workers in the pool to registered employers;
- (iii) determining and keeping under review the number of registered workers from time to time, on the registers or records and the increase or reduction to be made in the number of registered workers;
- (iv) keeping, adjusting and maintaining the employers' registers, entering or re-entering therein the name of any employer and where circumstances so require removing from the register the name of any registered employer in accordance with the provisions of this Scheme;
- (v) keeping, adjusting and maintaining from time to time, such registers or records, as may be necessary of workers including any registers, or records of workers who are temporarily not available for work and whose absence has been approved by the Board: and where circumstances so required, removing from any register or record the name of any registered worker either at his own request or in accordance with the provisions of this Scheme;
- (vi) grouping or re-grouping of all registered workers into such groups as may be determined by the Board, and reviewing the grouping of any registered worker on the application of a registered worker or otherwise;
- (vii) making provision, subject to availability of funds, for the welfare of registered workers including medical services in so far as such provision does not exist apart from this Scheme;
- (viii) recovering, from registered employers contribution in respect of the expenses of this scheme, wages, levy and any other contributions under this Scheme;
- (ix) making provision subject to availability of funds, for health and safety measures in places where workers are employed in so far as such provision does not exist apart from this Scheme;
- (x) maintaining and administering the workers' welfare fund, and recovering from all the registered employers contribution towards the fund when such fund is constituted in accordance with the rules of the fund;
- (xi) maintaining and administering provident fund and gratuity fund for registered workers in the pool when such funds are constituted.

* (xii) assisting, subject to the availability of funds by way of grant of loan, the co-operative societies formed for the benefits of the registered workers and staff of the Board.

2) All property, fund and other assets vesting in the Board shall be held and applied by it, subject to the provisions and for the purposes of this Scheme.

3) The Board shall have and maintain its own fund to which shall be credited.

a) all monies received by the Board from the State Government;

b) all fees, wages and levies received by the Board under the Scheme;

c) all monies received by the Board by way of sale and disposal of properties and other assets;

d) interest on investment in securities and deposits, rents and all monies received by the Board in any other manner or from any other source.

(4) All monies forming part of the funds shall be kept in current or deposit account with the State Bank of India or the Reserve Bank of India or in any nationalised scheduled Bank or any co-op. Banks (Inserted vide GNIE & LD No. UWA 1077/CR-1868-Lad-5 dt. 8-5-79) or invested in such securities as may be approved by the Board. Such accounts shall be operated by such officers of the Board as may be authorised by it:

Provided, that Board may Keep on hand such sum not exceeding Rs.1,000 as the Board may consider necessary.

5) The Board may with the previous permission of the State Government borrow money from open market or otherwise with a view to provide itself with adequate resources.

6) The Board may accept deposits on such conditions as it deems fit from person, authorities or establishments with whom it has to transact any business.

(7) The Board shall make provision for such reserve and other denominated funds as may be provided in this Scheme.

(8) The Board shall have the authority to spend such sum as it thinks fit for the purposes authorised under the scheme from out of the general fund of the Board or from the reserve and other funds as the case may be.

(9) The Board shall cause the proper account to be kept of the cost of operating this scheme and of all receipts and expenses under this Scheme.

(10) The Board shall submit to the State Government:-

(a) as soon as may be after the first day of April, in every year and not later than the 31st day of October, an annual report on the working of the scheme during the preceding year ending the 31st of March together with an audited balance-

Clause No.6 (XII) inserted vide G.N. No. UWA 1077 CR-1868-Lad-5 dated 8.5.79

sheet; and

(b) copies of proceedings of the meeting of the Board.

(11) The Board shall:-

- (i) fix the number of workers to be registered under the various categories;
- (ii) increase or decrease the number of workers in any category on the register from time to time, as may be necessary after a periodical review of the register and anticipated requirements;
- (iii) sanction the temporary registration of a specified number of workers in any category for specific periods;
- (iv) devise forms, records, registers, settlements and the like required for administration of the Scheme;
- (v) determine the wages, allowances and the other conditions of service including age of retirement of the registered workers;
- (vi) fix the rate of levy under clause 42(1);
- (vii) appoint, abolish or reconstitute the Committees under clause 28,
- (viii) sanction the annual budget;
- (ix) subject to the provisions of clause 5 appoint a Secretary, the personnel officer and other staff of the Board;
- (x) make recommendation to the State Government about any modification in the Scheme;
- (xi) settle disputes between registered employers and registered workers;
- (xii) discuss statistics of output of labour and turn-out of work and record its observations and directions;
- (xiii) Deleted vide Amendment validation Act 1974.

7. Annual Estimate:- The Chairman shall at a special meeting to be held before the end of February in each year lay before the Board, the annual budget of the scheme for the year commencing on the first day of April then next ensuing in such details and forms as Board may from time to time specify. The Board shall consider the estimate so presented to it and shall within four weeks of its presentation sanction the same either unaltered or subject to such alteration as it may deem fit.

8. Responsibilities and duties of Chairman:- Without prejudice to the powers and functions of the Board the Chairman shall be generally responsible for satisfactory execution of the scheme and shall have powers to execute the decisions of the Board subject to its direction and in particular

- (a) to ensure that the decisions of the Board in regard to the adjustment of the workers registers are carried out expeditiously;

(b) to ensure that the sanctions for temporary registration of workers are carried out without delay;

(c) to supervise and control the working of the scheme;

(d) to take suitable steps if any irregularities are detected by him or brought to his notice;

(e) to ensure that the provisions of the scheme in regard to transfer and promotion of workers are carried out;

(f) to constitute medical boards when required;

(g) to ensure that conditions laid down in Scheme for the registration of employer's are complied with by them.

(h) to ensure that all forms, registers, returns and documents, devised by the Board are properly maintained;

(i) to ensure that suitable statistics in regard to the output of labour is compiled and placed before the Board with appropriate remarks and explanations at such intervals as the Board may desire;

(j) (j) to sanction the creation of posts the maximum salary of which exclusive of allowance is below Rs. 500 per month and to make appointments to such posts;

(ii) to make appointments to posts, the maximum salary of which exclusive of allowance is Rs. 500 pre month;

(k) to take disciplinary action against workers, employers in accordance with the provisions of this Scheme;

(l) to declare that there has been "go slow" and to take action as authorised under this Scheme;

(m) to sanction the transfer of a monthly worker to the pool at the request of the employer or the worker, as provided for in this Scheme;

(n) to deal with appeals from workers and employers under clauses 38 and 39;

(o) discharge all functions relating to disciplinary action against registered employers and workers to the extent permitted under Clause 35.

9. Functions of Secretary:- Without prejudice to the powers and functions of the Board and the Chairman, the Secretary shall perform duties imposed on him by the scheme in discharge of his duties and in particular be responsible for:-

(a) keeping, adjusting and maintaining the register of employers entering or re-entering therein the name of any employer and if so directed by the Board removing from the register the name of any registered employer in accordance with the provisions of this Scheme.

(b) Keeping, adjusting and maintaining from time to time, such registers or records as may be necessary of workers, including any registers or records of workers, who are temporarily not available for work and whose absence has been approved by the Board and where the circumstances require removing from any registers or records the name of any registered worker, either at his request or in accordance with the Provisions of this Scheme.

(c) the employment and control of registered workers who are available for work, when they are not otherwise employed in accordance with this Scheme;

(d) the grouping or re-grouping of registered workers in suitable pools, in accordance with the instructions received from the Board in such groups as may be determined by the Board;

(e) the allotment of registered workers in the pool who are available for work to registered employers and for this purpose, the Secretary shall:-

(i) make the fullest possible use of registered workers in the pool;

(ii) keep the record of attendance at call stands or control points of registered workers;

(iii) provide for the maintenance of records of employment and earnings of registered workers;

(iv) make or cause to be made the necessary entries in the attendance cards and the wage slips of the workers in the reserve pool as laid down in clause 23;

(f) (i) the collection of levy or any other contribution from the employers under the Scheme;

(ii) the collection from registered workers of contribution to the provident Fund, Insurance Fund or any other fund which may be constituted under the Scheme;

(iii) the payment to each daily worker of all earnings lawfully due to him from the registered employer and the payment to such worker of all monies payable by the Board in accordance with the provisions of this Scheme;

(g) appointing subject to provisions made in the budget in this behalf such officers and servants from time to time, as may be authorised by the Board or the Chairman to appoint;

(h) the keeping of proper accounts of the cost of operating this scheme and of all receipts and expenses under it and making and submitting to the Board an Annual Report and Audited Balance-Sheet and profit and loss accounts statements;

(i) framing budget annually for submission to the Board on or before the 15th day of February each year.

(j) maintaining complete service records of all registered workers and record sheets of all registered employers ;

(k) authorising the employment of unregistered workers in case registered workers are not available for work in the pool or in such other circumstances as the Chairman may approve; and

l) such other functions as may, from time to time, subject to the provisions of this scheme be assigned to him by the Board or the Chairman.

10. Functions of Personnel Officer:- The Personnel Officer shall assist the Secretary in the discharge of his duties and in particular shall carry out the functions assigned to him by clause 35 of this Scheme.

11. Maintenance of Registers:- (1) Register of employers:- There shall be a register of employers in the form devised by the Board wherein the names and addresses of the employers, registered under the Scheme shall be entered.

(2) Register of workers:- There shall be a register of workers in the forms devised by the Board wherein the names and addresses of workers registered under this scheme shall be entered. It shall be duly maintained.

(3) Monthly register:- There shall be a register of monthly workers in the form devised by the Board wherein names and addresses of such workers shall be entered and the names employers under whom they are employed. The register shall be duly maintained.

(4) pool registers:- There shall be a register of workers other than those on the monthly register known as pool workers. This register shall include a sub-pool of workers who are not attached to any gang to fill casual vacancies in gangs. The workers included in such a sub-pool shall be known as leave reserve workers.

12. Classification of workers:- The Board shall arrange for the classification of workers in suitable categories as may be determined by it, from time to time.

13. Fixation of number of workers on the registers:- The Board shall determine, before the commencement of registration in any category, the number of workers required in that category in consultation with the employers.

14. Registration of employers:- Every employer [Inserted by Validation Act, 1974] to whom the scheme applies, engaged in receiving, storing, dispatching or transporting of goods by public vehicles in the areas to which the Scheme applies shall get registered with the Board by applying in form 'A' appended to the scheme within fifteen days from the appointed day, provided, however that Goods Transport undertaking coming into existence in any area after the appointed day shall apply for a registration simultaneously on the commencement of their business.

15. Registration of existing and new workers: (1) (a) Every worker who on the appointed day is already working in the employment in the area to which the scheme applies shall be registered under the Scheme.

(b) The qualifications for new registration shall be such as may be specified by the Board having regard to local conditions, physical fitness, capacity or experience or both Citizen of India only shall be eligible for registration.

(c) Registration of workers in any new category shall be from among workers who have been or were working in the said employment on any such date as the Board may specify in this behalf provided that, the worker is medically fit and is not more than 60 years of age.

(2) Notwithstanding anything contained in this scheme, where the Board is of opinion that a worker has secured his registration by furnishing false information in his application or by withholding any information required therein or where it appears that a worker has been registered improperly or incorrectly the Board may direct the removal of his name from the registers.

Provided that, before giving any such direction, the Board shall give such worker opportunity, of showing cause why the proposed direction should not be issued.

16. Promotion and transfer of workers:- (1) A vacancy other than a casual vacancy, in any category of workers in a pool register shall ordinarily be filled by promotion of a worker from lower category within the same gang.

2) A vacancy other than a casual vacancy, in any category of monthly worker may be filled only by promotion from lower categories of monthly workers in the gang or, if no worker is suitable for promotion from lower categories of monthly worker in the same gang, by transfer of a worker in the same or a superior category in the pool who may be selected by registered employers or a group of employers.

Explanation:- The criteria for promotion shall ordinarily be:-

(a) seniority;

(b) merit and fitness for the category which promotion is to be made.

(c) record of past service.

Note :- A transfer from the pool register to the monthly register in the same category or vice-versa shall not be deemed a promotion.

(3) The chairman or the Secretary may for sufficient and valid reasons allow the transfer of a monthly worker to the pool on a request in writing of the employer or the worker explaining fully the reasons for the transfer provided that such transfer shall be subject to the fulfilment of any contract subsisting between the monthly worker and his employer regarding termination of employment. No transfer shall take place without the prior approval of the Chairman or the Secretary.

(4) If the services of a monthly worker are terminated by the employer for an act of indiscipline or misconduct he may, apply to the Board for employment in the pool. The Secretary on behalf of the Board shall then decide on the merits of the case whether or not the worker should be employed by the Board and if so, whether in the same or a lower category.

(5) If a monthly worker is transferred to or employed in the pool under sub-clause (3) or sub-clause (4) as the case may be his previous service shall be reckoned for all benefits in the pool and the employer shall transfer to the Board all benefits that have accrued to the worker in the respect of his previous service as, if such service has not been transferred. The employer shall contribute to the board such amount of the provident fund of the worker, if any, standing to his credit in the Provident Fund of which he is a member and such amount towards his leave and gratuity as may have been due to him under any contract subsisting between the worker and his employer or under any law, award or agreement applicable to such worker, as if his services had been terminated by the employer.

17. Medical examination:- (1) If the Board considers it necessary so to do it may require a new worker before registration to undergo, free of charge, a medical examination for physical fitness by a Medical Officer nominated by the Chairman for this purpose. A worker found medically unfit by a Medical Officer may apply in writing to the Chairman and simultaneously deposit with him such fees as may be specified in this behalf for examination by a Medical Board. On receipt of such a request, the Chairman shall set up a Medical Board. The decision of the Medical Board shall be final and a worker who is medically unfit shall not be entitled to registration.

(2) If the Chairman deems it necessary so to do a worker shall undergo free of charge a medical examination by a Medical Board to be constituted by the Chairman. The decision of the Medical Board in relation to such worker shall be final. If the worker is found Permanently unfit by a Medical Board, the Chairman shall terminate his services forthwith.

18. Registration fee:- (i) A registration fee of rupee one shall be paid to the Board by each worker at the time of registration under this scheme.

(ii) A registration fee of Rs. twenty-five shall be paid by each employer at the time of registration under this Scheme.

19. Supply of cards:- (1) Every registered worker shall be supplied with (i) an identity card (ii) an attendance card; (iii) wage slips in the form, devised by the Board.

(2) In case loss of card, a fresh card will be issued but the cost thereof, which will be fixed by the Board shall be payable by the worker concerned.

20. Services records for registered workers- A service record for every monthly and daily worker shall be maintained in a form to be specified by the Board which shall contain, among other things a complete record of disciplinary actions taken against the worker, promotions, commendations for good work, and other details which the Board may deem fit to include in it. such details in respect of the monthly workers shall be supplied to the Board by the registered employers.

21. Record sheets for registered employers:- The Personnel Officer shall maintain a record sheet in respect of each registered employer in a form to be devised

by the Board which shall contain among other things, a complete record of disciplinary action taken against the registered employer.

22. Surrender of cards :- A worker's card shall be surrendered to the Board in the following circumstances, viz.:-

- (a) When Proceeding on leave for seven days or more;
- (b) When retiring from service;
- (c) When dismissed or discharged from service;
- (d) When temporarily suspended; or
- (e) On death

Provided that, the employer of a monthly worker shall also surrender the card of the worker to the Board in the case of (a), (b), (c), (d) and (e) above.

23. Entries in attendance card and wage slip:- (1) Registered worker in the pool shall hand over to the Board at the time he is allotted for work to a registered employer his attendance card. The board shall make necessary entries in the attendance card in respect of the period of work done by the worker and return it to him on completion of his engagement. For each day of work, the Board shall supply as soon as possible, a wage slip showing the wages earned by a worker.

(2) A monthly worker shall hand over to his employer at the time when he is allotted work his attendance card. The employer shall make necessary entries in the card in respect of the period of work done by the worker and return it to him on the completion of his allotted work. For each day of work, the employer shall supply as soon as possible a wage slip showing wages earned by a worker.

24. Employment of workers:- (1) A monthly worker of a particular category allotted to a registered employer or a group of employers shall be entitled to be employed for work in that category by that employer or group of employers in preference to any worker of the same category in the pool.

(2) If the number of workers on the monthly register in a particular category is not sufficient for the work available the workers on the pool register in that category shall be employed.

(3) A monthly worker of one employer or a group of employers shall not be employed by another employer or group of employers, except with previous approval of the chairman or Secretary.

25. Filling up of casual vacancies :- Casual vacancies of monthly worker shall be filled up in the following manner.

When a Head Mukadam or Mukadam is absent the vacancy shall be filled by a senior person of the same gang in the employment of employer.

26. Disappointment money :- When a worker in the pool presents himself for work and for any reason the work for which he has been allotted can not commence

or proceed and no alternative work can be found for him and he is relieved within two hours of his attending for work he shall be entitled to disappointment money from the employer at a rate as may be fixed by the Board appropriate to the category to which he belongs. A worker detained for more than two hours shall be paid full wages inclusive of dearness allowance.

27. Holidays :- each worker shall be entitled in a year to four holidays with pay at such rates as may be specified by the Board under clause 33, Out of the four holidays, three holidays will be on (i) 26th January (Republic Day), (ii) 1st May (Maharashtra Day) and (iii) 15th August (Independence Day). The Fourth holiday shall be decided by the Board.

28. Committees :- (1) Deleted vide Amendment Validation Act, 1974.

29. Obligations of registered workers :- (1) Every registered worker shall be deemed to have accepted the obligations of this Scheme.

(2) A registered worker in the pool who is available for work shall be deemed to be in the employment of the Board.

(3) A registered worker in the pool who is available for work shall not engage himself for employment under registered employer, unless he is allotted to that employer by the Secretary.

(4) A registered worker in the pool who is available for work shall carry out directions of the Board and shall.

(a) report as such call stands or control points and at such times as may be specified by the Board and shall remain at such call stands or control points;

(b) accept any employment under registered employer whether in the category in which he has been registered or any other category for which he is considered suitable by the Board.

(5) A registered worker who is available for work when allotted by the Board for employment under a registered employer shall carry out his duties in accordance with the directions of such registered employer or his authorised representative or supervisor and the rules of the employment or place where he is working.

30. Obligations of registered employers: - (1) Every registered employer shall accept the obligations of the Scheme.

(2) Subject to the provisions of clause 24 a registered employer shall not employ a worker other than a worker who has been allotted to him by the Secretary in accordance with provisions of clause 9 (e).

(3) A registered employer shall, in accordance with instructions as may be given by the Board, submit all available information of his current and future labour requirements.

(4) A registered employer shall lodge with the Board, unless otherwise directed, particulars of the tonnage handled by workers on piece rate and such other

statistical data as may be required in respect of the registered workers engaged by him.

(5) A registered employer shall pay to the Board, in such manner and at such times as the Board may direct, the levy payable under clause 42(1) and the gross wages due to daily workers and any other amount due to daily workers.

(6) A registered employer shall keep such records as the Board may require, and shall produce before the Board or such person as may be designated by the Board upon reasonable notice all such records and any other documents of any kind relating to registered workers and to the work upon which they have been employed and furnish such information relating thereto as may be set out in any notice or directions issued by or on behalf of the Board.

31. Restriction on employment :- (1) No employer shall engage for employment a worker unless that worker is a registered worker.

(2) Notwithstanding the preceding provisions of the clause:-

(a) where the Secretary is satisfied that,

(i) the work is emergently required to be done, and

(ii) it is not reasonably practicable to obtain registered worker for that work, the Secretary may, subject to any limitation imposed by the Board, allow a registered employer to employ a worker who is not a registered worker.

Provided that, whenever unregistered workers have to be employed the Secretary shall obtain, if possible, the prior approval of the Chairman to the employment of such workers, and where this is not possible, shall report to the Chairman within 24 hours the full circumstances under which such workers were employed and the Chairman shall duly inform the Board of such employment at its next meeting;

(b) the Board may, subject to such conditions as it may specify, permit employment of unregistered workers on a holiday, if work is required to be done on that day, to the extent registered workers are not available for work;

(c) in the case referred to in items (a) and (b), the person so employed as aforesaid by a registered employer shall, for the purposes of clause 30 (4), (5) and (6) clause 33, be treated in respect of that work, as if he were a daily worker.

(3) A registered worker in the pool may, provided he fulfils fully his obligations under clause 29, take up employment elsewhere on those days on which he is not allotted for work by the Board.

32. Circumstance in which this scheme ceases to apply:- (1) This scheme shall cease to apply to a registered worker when his name has been removed from the register or record in accordance with the provisions of the Scheme.

(2) This scheme shall cease to apply to a registered employer when his name has been removed from the employer's register in accordance with the provisions

of this scheme.

(3) Nothing in this clause shall affect any obligation incurred or right accrued during any time when a person was a registered worker or a registered employer.

33. Wages, allowances and other conditions of service of workers :- (1) Without prejudice to the provisions of any award it shall be, unless otherwise specifically provided for in this scheme an implied condition of the contract between a registered worker (whether in the pool or on the monthly register) and registered employer that the rates, allowances and overtime, hours of work, rest intervals, leave with wages and other conditions of service "shall subject to the provision of Sub-Clause *(2), (3), (4), (5) and (6) be such as may be fixed by the Board for each category of workers.

(2) For the purpose of fixing rates of wages allowances and over-time, hours of work, rest interval, leave with wages and other conditions of service (hereinafter collectively referred to as the conditions of the service) of the registered workers or for revising or modifying the same the Board shall call upon the Associations of employers and Trade Unions of workers covered by this Scheme to make such representations, as they may think fit, as respects the conditions of service which may be fixed or revised or modified under this Scheme in respect of registered unprotected workers. If there is no such Association of employers and Union of workers then, such representations from registered employers and workers may be invited on a notice published in such manner as the Board may think fit.

(3) Every such representations shall be in writing and shall be made within such period as the Board may specify and shall state the conditions of the service which in the opinion of the person making the representation would be reasonable having regard to the capacity of the employers to pay the same or comply with or to any other circumstances, which may seem relevant to the persons making the representations.

(4) The Board shall take into account the representations aforesaid if any, and after examining all the material placed before it shall fix or revise or as the case may be modify the relevant conditions of the service of the registered workers.

(5) In fixing, revising, or as the case may be modifying the conditions of service of the registered workers the Board shall have regard to the cost of living the prevalent conditions of service in comparable employments in the local area, the capacity of the registered employer to pay and any other circumstances which may seem relevant to the Board.

(6) The conditions of service fixed, revised, or modified by the Board shall take effects either prospectively or retrospectively from such date as the Board may decide. The decision of the Board, shall be communicated to the registered workers and employers in such manner as the Board thinks fit.

34. Disbursement of wages and other allowances to registered workers:-
The Board may permit the registered employers to pay wages and other

1) Deleted-Clause No.31-2 a (II) last line-A. V. Act. 74.

2) Clause No. 33-Sub-clause No. 2,3,4,5 and 6 added by Amendment Validation Act No. XL of 1974 dated 10-9-1974.

allowances to the registered monthly workers employed by them directly after making such deductions as may be authorised and recoverable from them under this scheme. In respect of workers other than monthly workers employed by the registered employers from time to time, the wages and other allowances payable by the registered employers shall be remitted by the registered employers by cheque to the Secretary of the Board every week. The Secretary thereupon shall arrange to disburse the wages and other dues if any to the registered workers on a specified day every month subject to deductions recoverable from them under this Scheme.

35. Disciplinary procedure:- (1) (i) The Personnel Officer may, on receipt of the information whether on a complaint or otherwise that a registered employer has failed to carry out the provisions of this scheme after investigating the matter, give him a warning in writing,

(ii) Where in his opinion, a higher penalty is merited, the Personnel Officer shall report the case to the Chairman who may then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer, that is to say, he may-

(a) censure him and record the censure in his record sheet; or

(b) subject to the approval of the Board and after one month's notice in writing given to the registered employer, remove his name from the employer's register for such period as determined by the Board or permanently.

(2) A registered worker in the pool who fails to comply with any of the provisions of the scheme or commits any act of indiscipline or misconduct may be reported in writing to the Personnel Officer who may after investigating the matter give him a warning in writing or suspend him for a period not exceeding four days.

(3) Where in the opinion of the Personnel Officer, a higher punishment than that provided in sub-clause (2) is merited, he shall report the case to the Chairman.

(4) On receipt of the written report from the Personnel Officer under sub-clause (3) or from employers or any other person that a registered worker in the pool has failed to comply with any of the provisions of this scheme or has committed an act of indiscipline or misconduct or has consistently failed to produce the standard or datum output or has been inefficient in any other manner, the Chairman may make or cause to be made such further investigation as he may deem fit and thereafter take any of the following steps, as regards the worker concerned, that is to say, he may impose any of the following penalties:-

(a) give him a warning in writing;

(aa) suspend him for a period not exceeding four days.

(b) terminate his services after giving one month's notice or one month's wages inclusive of dearness allowance in lieu thereof; or

(c) dismiss him.

(5) Before any action is taken under this clause the person concerned shall be given an opportunity to show cause why the proposed action should not be taken against him.

(5) (a) During the pendency of investigations under sub-clause (2) and (4) above, the workers concerned may be suspended by the Chairman".

(6) Without prejudice to the powers of the Chairman under clause 36 a registered employer shall have full powers to take disciplinary action against monthly workers employed under him.

36. Special disciplinary powers of the Chairman:- (1) Notwithstanding anything contained in the scheme if the Chairman is satisfied after enquiry that a "go slow" has been resorted to by any gang of registered workers or any individual worker and is being continued or repeated by the same gang or worker or different gangs or workers on the same or different places of work he may make a declaration in writing to that effect.

(2) When a declaration under sub-clause (1) has been made it shall be lawful for the Chairman.

(i) in case of monthly workers, to take, without prejudice to the rights of the registered employers such disciplinary action including removal against such workers as he may consider appropriate; and

(ii) in case of registered workers in the pool to take such disciplinary action including dismissal against such workers as he may consider appropriate.

(3) The Chairman may take disciplinary action.

(i) Where "go slow" is resorted to by a gang against all the members of the gang, and

(ii) Where "go slow" is resorted to by a worker against the worker concerned.

(4) Before any disciplinary action is taken under this clause against any worker or any gang of workers, such worker or gang shall be given an opportunity to show cause why the proposed action should not be taken against him or it:

Provided that, the Chairman may, before giving an opportunity to show cause under this sub-clause, suspend from work any worker or gang of workers immediately after a declaration has been made under sub-section (1).

(5) A declaration by the Chairman that a "go slow" has been resorted to by a worker or a gang of workers shall be final, and shall not be liable to be questioned on any ground whatsoever.

37. Termination of employment:- (1) The employment of a registered worker in the pool shall not be terminated except in accordance with the provisions of this Scheme.

(2) A registered worker in the pool shall not leave his employment with the Board except by giving fourteen day's notice in writing to the Board of forfeiting fourteen days; wages inclusive of dearness allowances in-lieu thereof.

(3) When the employment of a registered worker with the Board, has been terminated under sub-clauses (1) and (2) his name shall forthwith be removed from the register or record by the Board.

38. Appeals by workers:- (1) save as otherwise provided in this clause, a worker, in the pool who is aggrieved by an order passed by an authority under clause 35, may prefer an appeal against the order of the Personnel Officer to the Chairman and against the order of the Chairmen to the State Government.

(2) A worker who is aggrieved by an order of the Secretary ;

(i) placing him in a particular group in the register or record; or

(ii) refusing registration under clause 15; or

(iii) requiring him under clause 29 (4) (b) to undertake any work which is not of the same category to which he belongs; may prefer an appeal to the Chairman.

(3) Any worker who is aggrieved by an order clause 16 (4) may prefer an appeal to the Chairman.

(4) No appeal shall lie where due notice has been given of the removal of the name of registered worker from the register or record in accordance with the instructions of the Board if the ground of removal is that the registered worker falls within a class of description of workers whose names are to be removed from the register or record in order to reduce the size thereof.

Provided that, an appeal shall lie to the Chairman where the registered worker alleges that he does not belong to the class or description of workers referred to in the instructions of the Board.

(5) Every appeal referred to in sub-clause (1), (2), (3) or (4) shall be in writing and be preferred within fourteen days of the date of receipt of the order appealed against:

Provided that, the appellate authority may for reasons to be recorded admit an appeal preferred after the expiry of fourteen days.

39. Appeals by employers :- (1) (i) A registered employer who is aggrieved by an order of the Personnel Officer under clause 35 (1) (ii) may appeal to the Chairman;

(ii) In the case of an appeal against an order under clause 35 (1) (ii) (b) the Chairman shall forthwith refer the matter to the State Government. The State Government shall make such order on the appeal as it thinks fit.

(2) Every appeal referred to in sub-clause (1) shall be in writing and preferred within fourteen days of the receipt of the order appealed against:

Provided that, the appellate authority may for reasons to be recorded, admit an appeal preferred after the expiry of fourteen days.

40. Powers of Revision of Chairman :- Notwithstanding anything contained in the scheme, the Chairman in case of an order passed by Personnel Officer under clause 35 may at any time call for the record of any proceeding in which the Personnel Officer has passed the order for the purpose of satisfying himself as to the legality or propriety thereof and may pass such order in relation thereof as he may think fit:

Provided that, the Chairman shall not pass any order under this clause which may prejudicially affect the interests of any person without giving such person reasonable opportunity of being heard.

41. Stay of order in case of certain appeals:- Where an appeal made by a worker in accordance with the provisions of clause 38 against an order of termination of service on one month's notice or where an appeal is preferred by an employer in accordance with the provisions of clause 36 against an order removing his name from the employers register under clause 35 (1) (ii) (b) the appellate authority may suspend the operation of the order appealed from pending the hearing and disposal of the appeal.

42. Cost of operating the Scheme :- (and provisions for amenities and benefits to registered workers) (1) The cost of operating this Scheme and for providing different benefits, facilities and amenities to registered workers as provided in the Act and under this Scheme shall be defrayed by payments made by the registered employers to the Board. Every registered employer shall pay to the Board such amount by way of levy in respect of registered workers allotted to and engaged by him as the Board may, from time to time, specify by public notice or written order to the registered employers and in such manner and at such time as the Board may direct.

(2) In determining what payment are to be made by the registered employers under sub-clause (1) the Board may fix different rate of levy for different categories of work or workers, provided that, the levy shall be so fixed that the same rate of levy will apply to all registered employers who are in like circumstances.

(3) The Board shall not sanction any levy exceeding fifty per cent of the total wage bill without the prior approval of the State Government.

(4) A registered employer shall on demand make a payment to the Board by way of deposit or provide such other security for the due payment of the amount referred to in sub-clause (1), as the Board may consider necessary.

(5) The Secretary shall furnish from time to time, to the Board such statistics and other information as may reasonably be required in connection with the operation and financing of the Scheme.

(6) If a registered employer fails to make the payment due from him under

Clase No.	42	(1) added vide Amendment Validation Act 1974.
	42	(2) delated second last line.
	42	(3) delated same words in first & second lines. Vide Amendment Act No. XI. Of 1974 date 10-9-74.

sub-clause (1) Within the time specified by the Board, the Secretary shall serve a notice on the employer to the effect that, unless he pays his dues within three days from the date of receipt of the notice, the supply of registered workers to him shall be suspended. On the expiry of the notice period the Secretary shall suspend the supply of registered workers to a defaulting employer until he pays his dues.

43. Provident Fund and Gratuity:- (1) The Board shall frame and operate rules providing for Contributory Provident Fund for registered workers. The rules shall provide for the rate of contribution, the manner and method of payment and such other matters as may be considered necessary, so however, that the rate of contribution is not less than $6\frac{1}{4}\%$ of the wages of a registered workers and is not more than 8.1% of such wages.

Provided that, pending the framing the rules it shall be lawful for the Board to fix rates of contribution and the manner and method of payment thereof.

(1) (a) In framing rules for the contributory provident fund the Board shall take into consideration the provisions of the Employees Provident Fund Act, 1952, as amended from time to time, and Scheme made thereunder, for any establishment.

(2) The Board shall frame rules for payment of gratuity for registered workers.

(2) (a) In framing rules for the payment of gratuity for registered workers the Board shall take into consideration the provisions of the payment of the Gratuity Act, 1972, as amended from time to time.

(3) The rules for provident fund and Gratuity framed by the Board shall be subject to the previous approval of the State Government.

44. Penalties : Whoever contravenes the provisions of the clause-14, 30 and 31 shall on conviction, be punished with imprisonment for term of three months or with fine which may extend to Rs. 500/- or with both, where such contravention is a first contravention and with imprisonment for term of 6 months or with the fine which may extent to Rs. 1,000/- or with both, where such contravention is any subsequent contravention. If the contravention is continued further after conviction he shall be punished with a further fine which may extent to Rs, 100/- for each day on which the contravention is so continued.

Delated 43 (1) from "in respect of -----monthly workers" & "from the workers & employers".
Added 43 (1), 1 (a), 2(a) vide Amendment Validation Act, No. XL of 1974 dated 10-9-74
1 (a) and 2 (a) Clause No. 43. (1) added in disput workers & from compuges.
clause No. 44 Substituted vide G.No. Notification No. UWA. 1476-CR-616-Lab. 5 date 15-4-1977. M.G.extra P.T.I-L, Page 139).

SCHEDULE

[Clause 2 (ii)]

Serial No. 1	Description 2
--------------------	------------------

* [PART I]

Areas bound by:-

(i) On the East:- By Reay Road from Reay Road Bridge upto its junction with P.D.' Mello Road, By P. D' Mello Road from its junction with Reay Road upto its junction with Lokmanya Tilak Marg. By Lokmanya Tilak Marg from its junction with P. D'Mello Road upto the crossing of Central Railway Line, By Central Railway Line from its crossing with Lokmanya Tilak Marg upto Victoria Terminus Station.

(ii) On the south:- By Saint George Road from its junction with V.T. Station, upto its junction with Dr. Dadabhai Naoroji road.

(iii) On the West:- By Dr. D. N. Road from its junction with Saint George road upto its junction with Lokmanya Tilak Marg. By Lokmanya Tilak Marg from its junction with Dr. D. M. Road upto its junction with Kalbadevi Road. By Kalbadevi Road from its junction with Lokmanya Tilak Marg upto its junction with C.P. Tank Road. By S.P. Tank Road from its junction with kika street upto its junction with Sardar Vithalbhai Patel Road. By sardar Vihalbhai Patel Road from its junction with C.P. Tank Road upto its junction with Nanubhai Desai Road. By Nanubhai Desai Road from its junction with Sardar Vithalbhai Patel Road, upto its junction with Khetwadi Second Lane. By Khetwadi Second Lane from its junction with Nanubhai Desai Road upto its junction with Trimbak Parshuram Street. By Trimbak Parshuram Street from its junction with Khetwadi Second Lane upto its junction with Maulana Shoukat Ali Road. By Maulana Shoukat Ali Road from its junction with Trimbak Parshuram Street upto its junction with Maulana Azad Road. By Maulana Azad Road (including west side of the Road) from its junction with Maulana Shoukat Ali Road upto Gadage Maharaj Chowk.

(iv) On the North :- By Keshavrao Khadye Marg from its junction with Gadage Maharaj Chawk, upto its junction with Garden Bridge Road. By Garden Bridge Road from its junction with Keshvrao Khadya Marg upto its junction with Dr. Babasaheb Ambedkar Marg, By Dr, Babasaheb Ambedkar Marg from its junction with Garden Bridge Road upto its junction with Victoria Road. By Victoria Road from its junction with Dr. Babasaheb Ambedkar Marg upto its junction with Reay Road near Reay Road Bridge.

* Added by G. N. of 30-3-1972

SCHEDULE

[Clause 2(ii)]

* [PART II]

- (1) Areas comprising the Thana Taluka of the Thana District.
- (2) Areas within 418.05 square metres on both the sides of the Bombay-Agra Road, starting from Thana creek and ending upto the limits of the Bhiwandi Municipal Council.

**[PART III]

The following areas from Greater Bombay:-

- (1) On the East:- From the limits of Thana District by Eastern highway, by Tatya Tope Marg, by sixth Scheme Road, by Rafi Ahmed Kidwadi Road, by Sewri Cross Road, by Sewri Road, by Jakaria Bunder Road, by Reay Road upto Reay Road Bridge, by Victoria Road, by Babasaheb Ambedkar Marg upto its junction with Garden Bridge Road, by Garden Bridge Road, Keshvrao Khadye Marg up to Gadge Maharaj Chowk, by Maulana Shoukat Ali Road, by Maulana Azad Road, by Trimbak Parshuram Street, by Khetwadi Second Lane, by Sardar Vithalbhai Patel Road, by Nanubhai Desai Road, by C. P. Tank Road, by Kika street, by Kalbadevi Road, by Tilak Marg, by D. N. Road, by Saint George Road.
- (2) On the South : By Marine Street No.1 from its junction with Mahatma Gandhi Road, up to its junction with Maharshi Karve Road.
- (3) On the West:- By Maharshi Karve Road, by Mama Parmanand Marg, by Mathew Road, up to its junction with Nyayamurthi Sitaram Patkar Marg, by Gopalrao Deshmukh Marg, upto its junction with Lala Lajpatrai Marg, by Annie Besant Road, by Swatantrya Vir Savarkar Marg, by Swami Vivekanand Road, up to its junction with Mahatma Gandhi Road, Kandivali by Mahatma Gandhi Road including the Kandivali industrial area.
- (4) On the North :- By Akurli Road from its junction with Vivekanand Road, by Western highway up to Aarey Colony Road, by Aarey Colony Road, up to Marol junction by Mathuradas Vasanji Road, by Saki Vihar Road, by Powai Road upto its junction with Lal Bahadur Shastri Marg up to limits of Thana District, by the limits of Thana District on the North up to Eastern highway.

*** [PART IV]

- (1) Those areas of Greater Bombay and Thana Taluka of the Thana District which are not specified in Parts I, II, and III.

(2) Panvel Taluka of the Kulaba District

- * Added by G.N. of 30-3-1972
- ** Added by G. N. of 22-11-1972.
- *** Inserted by G. N. of 9-3-1978.

FORM "A"

(Clause 14)

GOODS TRANSPORT LABOUR FOR GREATER BOMBAY

Application for the registration of employer

Registration No
(to be filled in by office).

1. Name and Address of the Establishment and Tel.No.
2. Whether a firm or a company
Name of the Proprietor.
Partner/s (1)
Partner/s (2)
Director/s (1)
Director/s (2)
3. Are you a member of any Association? if so, state the name of the Association
4. Whether your Estts. is registered under the Bombay Shops and Estts. Act, 1948 (and or the Motor Transport Workers Act, 1961) if so, state the Registration No
5. The Places of work with location in details Where the loading, unloading, stacking, carrying, etc. of goods is carried on in connection with Trade/Business of your Estts.
6. Are you employing workers through contractors? if so, state the name of the contractor.
7. Are you employing workers through Toli? if so, state the name of the Mukadam/s of the Toli/s, or of all workers.

Date :

Place :

Signature of the Applicant.
M. A. R. SIDDIQUI,
Under Secretary to Government

महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

गुरुवार, ऑगस्ट २५, १९८८/ भाद्रपद ३, शके १९१०

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग एक-ल

(केंद्रीय) औद्योगिक विवाद अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांखालील
(भाग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना,
आदेश व निवाडे यांव्यतिरिक्त) अधिसूचना, आदेश व निवाडे

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated 25th August 1988

MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

No. UWA. 1387/CR-(11437)/Lab-5.-In exercise of the powers conferred by section 26 of the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), and after giving three months notice of its intention so to do, the Government of Maharashtra hereby amends the Schedule to the said Act, as follows, namely :-

In the said Schedule,

- (1) in entry 1, after the word "measuring", the words "twisting and cutting operations" shall be inserted;
- (2) in entry 5, after the word "measuring", the words "twisting and cutting operations" shall be inserted.

By order and in the name of the Governor of Maharashtra,

भाग एक-ल-१०८

RAMAKANT ASMAR,
Assistant Secretary to Government.

(३२४)

३२५ महाराष्ट्र शासन राजपत्र, असा., ऑगस्ट २५, १९८८/माद्र ३, शके १९९० (भाग एक-क)

INDUSTRIES, ENRGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated 25th August 1988

Maharashtra Mathadi, Hamal And Other Manual Workers
(Regulation of Employment and Welfare) Act, 1969.

No. UWA. 1388/CR-11786/Lab-5. Whereas under sub-section (7) of section 6 of the Maharashtra Mathadi, Hamal and Other Mannual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), read with sub-rule (1) of Rule 3 of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Rules 1970 (hereinafter referred to as the "said Rules") the terms of offices of the Members (hereinafter referred to as "said Members") of the Mathadi and Unprotected Labour Board, Nagpur (hereinafter referred to as the "said Boad") established by Government Notification, Indusrties and Labour Department, No. UWA. 1473/163370/Lab-IV, dated the 19th March 1974, as amended by Government Notification, Indusrties, Energy and Labour Department, No. UWA-1384/CR-10574/Lab-5, expired on the 18th July 1988;

And whereas, the Government of Maharashtra shall take some more time to nominate the Members on the said Board;

And whereas, the State Government has decided to appoint the said Board consisting of one person under Section 6A of the said Act and to appoint Shri G.V. Atitkar, Deputy Commissioner of Labour, Nagpur to be the person who shall hold office and exersies all the powers and perform and discharge all the duties and functions of the said Board until the Board is duly constituted under section 6 of the said Act;

Now, therefore, in exercise of the powers conferred by section 6A of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), the Government of Maharashtra hereby constitutes a Board to be known by the name of the Mathadi and Unprotected Labour Board, Nagpur, and appoints Shri G.V. Atitkar, Deputy Commissioner of Labour, Nagpur, to hold office and to exercise all the powers and perform all the duties and functions of the said Board until the Board is duly constituted under section 6 of the said Act.

By order and in the name of Government of Maharashtra,

RAMAKANT ASMAR,
Assistant Secretary to Government.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT
Mantralaya, Bombay 400 032, dated the 25th August 1988

MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

NO. UWA. 1387/CR (11447)/LAB-5. In exercise of the powers conferred by sub-section (1) of Section 6 of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), the Government of Maharashtra hereby, with effect from the 25th day of August 1988, extends the jurisdiction of the Goods Transport Labour Board for Greater Bombay.

भाग एक-ल) महाराष्ट्र शासन राजपत्र, असा., ऑगस्ट २५. १९८८/ भाद्र ३, शके १९९०

established for employment in connection with loading of goods into the public transport vehicles or unloading of goods therefrom and any other operations, incidental or connected thereto by the State Government by its Notification No. UWA-1471 (GT) / 112800-LAB-IV, dated the 25th March 1971, and reconstituted, from time to time, to the area of Thane and Raigad Districts.

By order and in the name of the Governor of Maharashtra,

RAMAKANT ASMAR
Assistant Secretary to Government

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT
Mantralaya, Bombay 400 032, dated the 25th August 1988

MAHARASHTRA MATHADI HAMAL AND OTHER MANUAL WORKERS
(REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

No. UWA. 1387 /CR-11447/Lab-5. Whereas, the Scheme entitled the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, published under Government Notification, Industries and Labour Department, No. UWA. 1471(GT) 110144-Lab-IV, dated the 1st March 1971, as amended from time to time (hereinafter referred to as "the said Scheme") has been made by the Government of Maharashtra for the scheduled employment in goods vehicle transport in connection with loading of goods in to public transport vehicle or unloading of goods therefrom and any other operations incidental or connected thereto (hereinafter referred to as "the said scheduled employment") in the areas specified in the Schedule appended to the said Scheme;

And whereas, after consultation with the Advisory Committee and the employers and workers in the scheduled employment of Commission Agents, Lorry Suppliers, Clearing Agents and Warehouses, the Government of Maharashtra considers it necessary to make the provisions of the said Scheme, as amended from time to time, applicable to employment of registered workers by Commission Agents, Lorry Suppliers, Clearing Agents and Warehouses in connection with the loading of goods into public transport vehicles or unloading of goods therefrom and any other operation incidental and connected thereto;

And where as, after consultation with the Advisory Committee, the Government of Maharashtra Further considers it necessary to make the provisions of the said scheme applicable to the areas of Thane District and Raigad District in connection with the activities of loading, unloading, stacking, varai, carrying, weighing, measuring and such other work including work preparatory or incidental to such operations in the said scheduled employment;

Now therefore, in exercise of the powers conferred by sub-sections (1) and (2) of Section 4 of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), read with Section 24 of the Bombay General Clause Act, 1904 (Bom. I of 1904), and of all other powers enabling it in this behalf, the Government of Maharashtra after consultation with the Advisory Committee, hereby makes the following Scheme further to amend the said Scheme, the same having been previously published as required by sub-section (1) of the said Section 4, namely :

1. (1) This Scheme may be called the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) (Amendment) Scheme, 1988.

महाराष्ट्र शासन राजपत्र, असा., ऑगस्ट २५, १९८८/ भाद्र २, शके १९९०

(2) It shall come into force from 1st September, 1988.

2. In the Goods Transport Unprotected Workers (Regulations of Employment and Welfare) Scheme, 1971 (hereinafter referred to as "the said Scheme"), for clause 2, the following shall be substituted, namely :-

"2. Objects and Application - (1) Object - The Object of this Scheme are to ensure an adequate supply and full and proper utilisation of unprotected workers employed in Goods Vehicles Transport Undertakings, having their Head offices, Delivery Offices, Delivery Godowns, Booking Offices, Booking Godowns, including offices of Commission Agents, Lorry Suppliers, Clearing Agents and Warehouses, or such other activities, in connection with loading, unloading, stacking, varai, carrying, weighing, measuring and such other work including work preparatory or incidental to such operations for efficient performance of works and generally for making better provisions for the terms and conditions of employment of such workers and make provisions for their general welfare.

(2) Application - The Scheme shall apply to employment of registered workers by Goods Vehicle Transport Undertaking having their Head Offices, offices, Delivery Offices, Delivery Godowns, Booking Offices, Booking Godowns, including offices of the Commission Agents, Lorry Suppliers, Clearing Agents and Warehouses, or such other activities connected with the above in the areas specified in the Schedule hereto in connection with loading of goods in the public transport vehicles or unloading of goods therefrom and any other operations incidental or connected thereto :

Provided that, these registered workers have been engaged regularly and not on casual basis and are attached to their respective undertakings individually or under toll system :

Provided further that, the Scheme shall not apply to the daily casual labour employed by the Stevedors and Clearing Agents engaged in transport of goods."

3. For clause 3 of the said Scheme, the following clause shall be substituted, namely :-

"3. Commencement - This Scheme shall commence in respect of such areas and from such dates as specified in Schedule appended hereto".

4. After clause 14 of the said Scheme, the following shall be added, namely :-

"14 A. Registration of Employer - Every Commission Agent, Lorry Supplier or Management of Warehouses and Clearing Agent engaged in receiving, storing, despatching or transporting of goods by public vehicle in the areas to which the Scheme applies shall get registered with this Board by applying in Form "A" appended to the Scheme, within 15 days from the appointed day provided, however, that the Goods Transport Undertakings coming into existence in any area after the appointed day shall apply for registration simultaneously on the commencement of their business."

भाग एक-ल) महाराष्ट्र शासन राजपत्र, असा., ऑगस्ट २५ १९८८/ भाद्र ३, शके १९९०
5. For Schedule appended to the said Scheme, the followign Schedule shall be substituted,
namely :-

Schedule
[Clause 2 (ii)]

Serial No.	Areas of application of Schedule (Description)	Part	Date of application of the Clauses 14 and 15	Date of application of the remain- ing Clauses of the Scheme
1	2	3	4	
	1 Areas boundedy by -			
	(i) On the East - By Reay Road from Reay Road Bridge upto its junction. with P. D'Mello Road, by P. D'Mello Road from its junction with Reay Road upto its junction with Lokmanya Tilak Marg by Lokmanya Tilak Marg from its junction with P. D'Mello Road upto the crossing of Central Railway Line, by Central Railway Line from its crossing with Lokmanya Tilak Marg upto Victoria Terminus Station.	1	1st April 1971	1st May 1971
	(ii) On the South - By Saint George Road from its junction with V. T. Station upto its junction with Dr. Dadabhai Naoroji Road.			
	(iii) On the West - By Dr. D. N. Road from its junction with Saint. George Road upto its junction with Lokmanya Tilak Marg. by Lokmanya Tilak Marg, from its junction with Dr. D. N. Road upto its junction with Kalbadavi Road. by Kalbadevi Road from its jancnion with Lokmanya Tilak Marg upto its junction with Kika Street by Kika Street from its junction with Kalbadevi Road, upto its junction with C. P. Tank Road, by C. P. Tank Road from its junction with Kika Street upto its junction with Sardar Vithalbhai Patel Road, by Sardar Vithalbhai patel Road, from its junction with C. P. Tank Road upto its junction with Nanubhai Desai Road, by Nanubhai Desai Road from its junction with Sardar Vithalbhai Patel Road upto its junction with Khetwadi Second Lane, by Khatewadi Second Lane from its junction with Nanubhai Desai Road, by Nanubhi Desai Road upto its junction with Trimbak Parshuram Street, by Trimbak Parshuram Street from its junction with Khatewadi Second Lane upto its junction Maulana Shoukat Ali Road, by Maulana Shoukat Ali Road from its junction with Trimbak Parshuram Street upto its junction with Maulana Azad Road, by Maulana Azad Road (including West Side of the Road) from its junction with Maulana Shoukat Ali Road upto Gadage Maharaj Chowk.			

1	2	3	4	5
<p>(iv) On the North - By Keshvrao Khadye Marg, from its junction with Gadge Mahraj Chowk, upto its junction with Garden Bridge Road by Garden Bridge Road from its junction with Keshvrao Khadye Marg upto its junction with Dr. Babasaheb Ambedkar Marg, by Dr. Babasaheb Ambedkar Marg, from its junction with Garden Bridge Road upto its junction with Victoria Road, by Victoria Road from its junction with Dr. Babasaheb Ambedkar Marg upto its junction with Reay Road near Reay Road Bridge.</p>				
<p>2 (i) Areas comprising the Thane Taluka of the Thane District.</p>				
<p>(ii) Areas within 418.05 sq. metres on both the sides of the Bombay - Agra Road starting from Thane Creek and ending upto the limits of the Bhiwandi Municipal Council.</p>				
<p>3. The following areas from Greater Bombay -</p>				
<p>(i) On the East :- From the limits of Thane District by Eastern Highway, by Thaya Tope Marg, by six Scheme Road, by Rafi Ahmed Kidwai Road, by Sewree Cross Road, by Sewri Road, by Jakaria Bunder Road, by Reay Road, upto Reay Road Bridge by Victoria Road, by Babasaheb Ambedkar Marg, upto its junction with Garden Bridge Road, by Garden Bridge Road, Keshavrao Khadye Marg, upto Gadage Maharaj Chowk by Maulana Shoukat Ali Road, by Maulana Azad Road, by Trimbak Parshuram Street by Khetwadi second lane, by Sardar Vithalbhai Patel Road, by Nanubhai Desai Road by C. P. Tank by Kika Street, by Kalbadevi Road, by Tilak Marg, by D. N. Road, by Saint George Road.</p>				
<p>(ii) On the South :- By Marine Street, No.1 from its junction with Mahatma Gandhi Road upto its junction with Maharshi Karve Road.</p>				
<p>(iii) On the West :- By Maharshi Karve Road, by Mama Parmanand Marg, by Mathew Road upto its junction with Nyayamurti Sitaram Patkar Marg, by Gopalrao Deshmukh Marg, upto its junction with Lala Lajpatrai Marg, by Annie Basant Road, by Swatantraya Vir Savarkar Marg, by Swami Vivekanand Road upto its junction with Mahatma Gandhi Road, Kandivali, by Mahatma Gandhi Road, including the Kandivali Industrial Area.</p>				
		II	1st May 1972	1st June 1972
		II	1st January 1973	1st February 1973

1	2	3	4	5
(iv) On the North - By Akurli Road from its junction with Vivekanand Road. by Western Highway upto Aarey Colony Road. by Aarey Colony Road upto Marol Junction, by Mathuradas Vasanji Road, by Saki Vihar Road, by Pawai Road upto its junction with Lalbahadur Shastri Marg, upto limits of Thane District on the North upto Eastern Highway.				
4. (i) Those areas of Greater Bombay and Thane Taluka of the Thane District which are not specified in parts I, II, III.	IV	15th April 1978	15th May 1978	
(ii) Panvel Taluka of the Raigad District.		15th April 1978	15th May 1978	
5. Area bounded by part I, II, III and IV	V	1st September 1988 (for application of clause 14 A and 15)	1st October 1988	
6. All areas of Thane District excluding Thane Taluka and all areas of Raigad District excluding Panvel Taluka.	VI	1st September 1988 (for application of clause 14 A and 15)	1st October 1988	

By order and in the name of the Governor of Maharashtra,

RAMAKANT ASMAR
Assistant Secretary to Government,