



महाराष्ट्र शासनाचा राजपत्र

असाधारण
प्राधिकृत प्रकाशन

शुक्रवार, सप्टेंबर १८, १९९२/भाद्र २७, शके १९१४

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

भाग एक-क

(संघीय) औद्योगिक विभाग असिल्लियम व सुर्वई औद्योगिक संबंध अधिनियम पोखालील
(आन एक, चार-अ, चार-ब आणि चार-क यांमळे प्रसिद्ध केलेल्या अधिसूचना,
आदेश व निवाडे अधिनियम) अधिसूचना, आदेश व निवाडे.

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 18th September 1992

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

No. UWA.1491/(1680)/LAB-5.—Whereas, the Scheme called the Solapur-Barsi Iron and Steel Markets or Shops, Cloth or Cotton Markets or Shops, Grocery Markets or Shops, Markets and Factories and other Establishments, Public Goods Transport Undertakings, Vegetable Markets, Markets or Subsidiary Markets and Khokha Making and Timber Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1988 (hereinafter referred to as "the said Scheme") published under Government Notification, Industries, Energy and Labour Department, No. UWA.1484/CR-10408/LAB-5, dated the 18th August 1988, has been made by the Government of Maharashtra for the Schedule Employments in,—

(1) Iron and Steel Market or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work including work preparatory or incidental to such operations ;

(2) Cloth and Cotton Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations ;

(3) Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations ;

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(4) Markets and factories and other establishments in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried on by workers not covered by any other entries in the Schedule to the Maharashtra Mathadi Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969) ;

(5) Connection with loading of goods into public transport vehicles or unloading of goods there from and any other operation incidental and connected thereto ;

(6) Vegetable markets (including onions and potatoes markets) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations ;

(7) Markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964), in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations ; and

(8) Khokha making and in timber markets, in the areas within the limits of Solapur Municipal Corporation and Barsi Municipal Council ;

And whereas entry 1 and 5 of the Schedule appended to the said Act have been amended by inserting the words "twisting and cutting operation" by Government Notification, Industries, Energy and Labour Department No. UWA.1387/CR-(11437)/Lab-5, dated the 25th August 1988 and accordingly the said employments which are already included in said Scheme are required to be amended to that effect ;

And whereas, after consultation with the Advisory Committee, the Government of Maharashtra considers it necessary to make provisions of the said Scheme applicable to the following Employments within the area of Solapur District, namely :—

(i) Employment in Railway Yards and Goods sheds in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work preparatory or incidental to such operation by workers, who are not employed by the Railway Authorities ; and

(ii) Employment in connection with loading, unloading and carrying of food-grains into godowns, sorting, cleaning of foodgrains, filling foodgrains in the Bags, stitching of such bags and such other work incidental and connected thereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) and (2) of section 4 of the said Act, read with section 24 of the Bombay General Clauses 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 to amend the said Scheme, namely :—

1. (i) This Scheme may be called the Solapur-Barsi Iron and Steel Markets or Shops Cloth, Yarn or Cotton Markets or Shops, Grocery Markets or Shops, Markets and Factories and other establishments, Railway Yards and Goods Sheds, Public Transport Undertakings, Vegetable Markets, Markets and Subsidiary Markets, Khokha Making and Timber Markets and Foodgrains Godown Unprotected Workers (Regulation of Employment and Welfare) (Amendment) Scheme, 1992.

(ii) It shall come into force on the 18th September 1992.

2. For existing clause (1) of the said Scheme, the following shall be substituted, namely :—

"1. Title.— This Scheme may be called the Solapur District Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Scheme, 1988".

3. In clause 2 of the said Scheme,—

(1) in sub-clause (1),—

(i) in paragraph (a) and (d) After the word "measuring" the words "twisting and cutting operations" shall be inserted ;

(ii) in paragraph (b), after the word "cloth", the word "yarn" shall be inserted;

(iii) after paragraph (h), the following paragraphs shall be added, namely:—

"(i) Railway yards and goods-sheds in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work preparatory or incidental to such operations by workers, who are not employed by Railway Authorities;" and

"(j) in connection with the loading, unloading and carrying of food-grains into godowns, sorting and cleaning, filling of food grains, filling foodgrains in bags, stitching of such bags, and such other work incidental and connected thereto,"

(2) For clause 2 of the said scheme, the following shall be substituted, namely:—

"2. *Application.*— This Scheme shall be, and shall be deemed to have been applied to the workers and the Employers in the Scheduled Employments specified in column (2) of the Schedule hereto in the areas respectively specified against each of them in column (3)."

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

"3. *Commencement.*— This Scheme shall commence or as the case may be, shall be deemed to have commenced on and from the date specified in columns 3 and 4 in respect of each of the Scheduled Employment mentioned in column 2 of the Schedule in such areas specified in column 3 thereof."

5. In clause 4 of the said Scheme for sub-clause (b) the following shall be substituted, namely:—

"(b) "Board" means Solapur District Mathadi and unprotected Labour Board constituted under section 6 of the Act;"

6. For clauses 14 and 15 of the said Scheme, the following shall be respectively substituted, namely:—

"14. *Registration of employers.*—Every employer including a Mukadam, Commission Agent, Lorry Supplies, clearing Agent Purchaser, Importer, Exporter, engaged in receiving, stacking, clearing, despatching or transporting of goods selling, purchasing or trading or acting as agent in the scheduled Employments specified in the Schedule hereto in areas to which this Scheme applies shall get himself registered with the Board by applying in Form 'A' appended to the Scheme within 15 days from the date of coming into force of this clause :

Provided that, an employer of any establishment coming into existence after the commencement of the said Scheme shall apply for registration simultaneously on the commencement of his business.

"15. *Registration of existing and new workers.*—(1) Every worker working in any of the employment referred to in the Schedule hereto in the dates specified against each of such employment shall be registered under the Scheme. Any other worker, who has been or was working in the said Scheduled Employment, on such date as has been or may be specified by the Board in that behalf may be registered if he is a citizen of India and possesses such qualifications as have been or may be specified by the Board having regard to local conditions, physical fitnesses, capacity or experience and is not more than 60 years of age or medically unfit.

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

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

7. In the said scheme after clause 43 the following Schedule shall be inserted, namely :—

SCHEDULE

[See clause 2(2)]

Serial No.	Name of the Employment	Areas falling with	Date of application of clauses 14 and 15 of the scheme	Date of application of remaining clauses of the scheme
(1)	(2)	(3)	(4)	(5)
1	(a) Employment in Iron and Steel Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, or such other work including work preparatory or incidental to such operations.	(a) The limits of Solapur Municipal Corporation and Barsi Municipal Council. (b) Remaining areas of Solapur District Excluding the areas of Solapur Municipal Corporation and Barsi Municipal Council to which it already applies.	1st September 1988. 18th September 1992.	1st October 1988. 18th October 1992.
	(b) Twisting and cutting operations falling under the above scheduled employment in Iron and Steel Markets.	Whole area of Solapur District.	18th September 1992.	18th October 1992.
2	(a) Employment in Cloth and Cotton Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work, including work preparatory or incidental to such operations ;	(a) The limits of Solapur Municipal Corporation and Barsi Municipal Council. (b) Remaining areas of Solapur District excluding the areas of Solapur Municipal Corporation and Barsi Municipal Council to which it already applies.	1st September 1988. 18th September 1992.	1st October 1988. 18th October 1992.
	(b) Employment in Yarn falling under the above Scheduled Employment in Cloth and Cotton Markets.	Whole area of Solapur District.	18th September 1992.	18th October 1992.
3	Employment in Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning of such other work including work	(a) The limits of Solapur Municipal Corporation and Barsi Municipal Council. (b) Remaining areas of Solapur Dis-	1st September 1988. 18th September 1992.	1st October 1988. 18th October 1992.

(1)	(2)	(3)	(4)	(5)
	preparatory or incidental to such operations.	tract excluding the areas of Solapur Municipal Corporation and Barsi Municipal Council to which it already applies.		
4	(a) Employment in markets and factories and other establishments, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried on by workers not covered by any other entries in the Schedule to the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1949. (MAH. XXX of 1969).	(a) The limits of Solapur Municipal Corporation and Barsi Municipal Council.	1st September 1988.	1st October 1988.
	(b) Twisting and cutting operation falling under the above scheduled employment in Markets, Factories and other establishment.	(b) Remaining areas of Solapur District Excluding the areas of Solapur Municipal Corporation and Barsi Municipal Council to which it already applies.	18th September 1992.	18th October 1992.
5	Employment in connection with loading of goods into public transport vehicles or unloading, therefrom and any other operations incidental and connected thereto or such other work including work preparatory or incidental to such operations.	Whole area of Solapur District,	18th September 1992.	18th October 1992.
		(a) The limits of Solapur Municipal Corporation and Barsi Municipal Council.	1st September 1988.	1st October 1988.
		(b) Remaining areas of Solapur District excluding the area of Solapur Municipality Corporation and Barsi Municipality Council to which it already applies.	18th September 1992.	18th October 1992.
6	Employment in Vegetable markets (including onions and potatoes markets) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations.	(a) The limits of Solapur Municipality Corporation and Barsi Municipality Council.	1st September 1988.	1st October 1988.
		(b) Remaining areas of Solapur District excluding the area of Solapur Municipality to which it already applies.	18th September 1992.	18th October 1992.

(1)	(2)	(3)	(4)	(5)
7	Employment in Markets or subsidiary markets established under Maharashtra Agricultural produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;	(a) The limits of Solapur Municipality Corporation and Barsi Municipality Council.	1st September 1988.	1st October 1988.
		(b) Remaining areas of Solapur District excluding the areas of Solapur Municipality Corporation and Barsi Municipality Council to which it already applies.	18th September 1992.	18th October 1992.
8	Employment in Khoka making and in timber markets.	(a) The limits of Solapur Municipality Corporation and Barsi Municipality Council.	1st September 1988.	1st October 1988.
		(b) Remaining areas of Solapur District excluding the areas of Solapur Municipality Corporation and Barsi Municipality Council to which it already applies.	18th September 1992.	18th October 1992.
9	Employment in railway yards and goods-sheds in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work preparatory or incidental to such operations by workers who are not employed by Railway Authorities.	Whole area of Solapur District.	18th September 1992.	18th October 1992.
10	Employment in connection with the loading, unloading and carrying of foodgrains into godowns, sorting and cleaning of foodgrains, filling foodgrains in bags, stitching of such bags and such other work incidental and connected thereto.	Whole area of Solapur District.	18th September 1992.	18th October 1992.

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

G. K. WALAVALKAR,
Section Officer.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई