



सत्यमेव जयते

INDUSTRIES AND LABOUR DEPARTMENT

Sachivalaya, Bombay-32

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

**PUNE MATHADI HAMAL AND OTHER
MANUAL WORKERS BOARD, PUNE.**

SCHME - 1974



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

पुणे, २३ जुलै १९७३

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सोमवार, जुलै २३, १९७३/भावन १, शके १८९५

स्वतंत्र संकलन मनुष्य कार्य करण्यासाठी या कायद्याने देणारे पुढील कर्मांक दिले आहेत

भाग एक-ल

(फॅक्टरी) औद्योगिक दिवाळी अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांसाठी
(भाग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना,
आदेश व निवाडे यांमध्ये) अधिसूचना, आदेश व निवाडे

INDUSTRIES AND LABOUR DEPARTMENT

Sachivalaya, Bombay-32, 23rd July 1973

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

No. UWA-1473/180589/Lab-IV.—In exercise of the powers conferred by sub-section (4) of section 1 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 appoints the 23rd day of July 1973, to be the day on which all the provisions of the said Act shall come into force in the areas of the Poona Municipal Corporation for the following Scheduled employments, namely :—

(1) Employment in 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;

भाग एक-ल—१५७

(७४२)

७४३ महाराष्ट्र शासन राजपत्र, असा., जुलै २३, १९७३/आवण १, शके १८९५ [भाग एक-ल

(2) Employment in markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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.

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

S. A. VAIDYA,

Under Secretary to Government.

असा. नं. ४४



गणराज्य म. प्र. सं. १९७४/१०

असा. नं. ४४

असा. नं.

129 APR 1974

महाराष्ट्र शासन राजपत्र

प्रकाशक

अधिकृत प्रकाशक

शनिवार, मार्च ३०, १९७४/चित्र ९, शके १८९६

स्वातंत्र्य संघर्षात मृत्युमुखी पडलेल्या कार्यकर्त्यांना या नात्याला देण्यात येणारे पुरस्कार विजेते जाहीर

भाग एक-ल

(केंद्रीय) औद्योगिक विभाग अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांन्वये
(भाग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना,
जादेश व निवाडे यांन्वये प्रसिद्ध) अधिसूचना, जादेश व निवाडे.

INDUSTRIES AND LABOUR DEPARTMENT

Sachivalaya, Bombay 400 032, 30th March 1974

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

No. UWA-1473/197778/Lab.IV.—In exercise of the powers conferred by sub-section (1) of section 4 of the 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, (1) grocery markets or shops, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting or cleaning; (2) markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting or cleaning, or such other work including work preparatory or incidental to such operations, in the area of the Poona Municipal Corporation, the same having been previously published as required by sub-section (1) of the said section 4, namely :—

*The Poona Grocery Markets or Shops' and Markets or Subsidiary Markets
Unprotected Workers (Regulation of Employment and Welfare)
Scheme, 1974*

1. Title.—This Scheme may be called "The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974."

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(१६७)

2. *Objects and application*—(1) *Objects*.—The objects of the Scheme are to ensure an adequate supply and full and proper utilisation of unprotected workers employed in—

(a) 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;

(b) markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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;

for efficient performance of work and generally for making better provisions for terms and conditions of employment of such workers and make provisions for their general welfare and safety.

(2) *Application*.—The Scheme shall apply to the registered workers and registered employers at Poona in,—

(a) 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 in the areas specified in Part I of the schedule hereto;

(b) markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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 in the areas specified in Part II of the schedule hereto.

3. *Commencement*.—(i) Clauses 14 and 15 shall come into force from 1st May 1974.

(ii) The remaining clauses shall come into force from 1st June 1974.

4. *Interpretation*.—(a) "Act" means the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969.

(b) "Board" means The Poona Grocery Markets or Shops and the Agriculture Produce Markets Labour Board 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 contract on monthly basis;

(e) "pool worker" means a registered worker in the pool who is not a monthly worker;

(f) "pool" means a list of workers maintained by the Board but which does not include monthly workers;

(g) "Personnel Officer" means the Personnel Officer appointed by the Board under clause 5;

(h) "registered employers" means the employer whose name is for the time being entered in the register of employers;

(i) "registered worker" means a worker whose name is for the time being entered in the register of pool workers or in the register of monthly workers;

(j) "register of employers" means the register of employers maintained under this scheme;

(k) "register of workers" means the register of workers maintained under this scheme;

(l) "rules" means the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Rules, 1970;

(m) "Secretary" means the Secretary of the Board;

(n) "week" means the period of seven days commencing on mid-night of Saturday and ending on the mid-night of the Saturday next following;

(o) words and expression used but not defined in the Scheme shall have the meaning assigned to them in the Act.

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. *Functions of the Board.*—(1) The Board may take such measures as it may consider desirable for carrying out the objectives of administering the Scheme set out in clause 2 including measures for—

(i) ensuring the adequate supply and the full and proper utilisation of registered workers for the purpose of facilitating the rapid turnout of work;

(ii) regulating the recruitment and entry into and the discharge from, the scheme of workers 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 require, 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;

(vii) making provision, subject to availability of funds, for 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 the 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.

(2) A 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 this 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 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, the 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.

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(6) The Board may accept deposits on such conditions as it deems fit from persons, 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-sheet; and

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

(11) The Board may—

(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 requirement;

(iii) sanction the temporary registration of a specified number of workers in any category for specific periods;

(iv) devise forms, records, registers, statements and the like required for administration of the scheme;

(v) determine the wages, allowances and other conditions of service including age of retirement of 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;

(x) discuss statistics of output of labour and turn-out of work and record its observations and directions;

(xlii) subject to such conditions as it thinks fit, delegate in writing to the committees, Chairman, Secretary or to any other officer of the Board any of its functions under this scheme.

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 the 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 directions and in particular—

- (a) to ensure that the decisions of the Board in regard to the adjustment of the registers of workers 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 the scheme for the registration of employers 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) (i) to sanction the creation of posts the maximum salary of which exclusive of allowance is below Rs. 500 per month and to make appointment to such posts;
- (ii) to make appointment to the post, the maximum salary of which exclusive of allowance is below Rs. 500 per month.
- (k) to take disciplinary action against registered workers and registered employers in accordance with the provisions of this scheme;
- (l) to declare that there has been "a 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 registered employer or the registered worker, as provided for in this scheme;
- (n) to deal with appeals from registered workers and registered 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 this 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 where the circumstances so require 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 budget provisions 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;

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

(k) authorise 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 Officers.*—The Personnel Officer shall assist the Secretary in the discharge of his duties and shall in particular carry out the functions assigned to him by clause 35 of this scheme.

11. *Maintenance of Registers* (1) *Register of employer.*—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 who are engaged 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 workers who are engaged by each employer on contract on monthly basis and who are known as monthly workers

(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 including a Mukadam, commission agent, clearing agent, purchaser, importer, exporter engaged in selling, purchasing or trading or acting as agent in grocery markets or shops and agricultural produce markets or subsidiary markets in the areas to which the scheme applies shall get 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, however, that an employer of any establishment coming into existence after the commencement of the scheme shall apply for registration simultaneously on the commencement of his business.

15. *Registration of existing and new workers.*—(1) (a) Any worker who on the date of enforcement of this scheme is already working in the employment in the area to which the scheme applies shall be registered under this 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 and/or experience. 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 rate 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 any provisions of 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 casual vacancy) in any category of workers in a pool register shall ordinarily be filled by promotion of a worker from the next 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 to 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 workers 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 worker should be employed by the Board and if so, whether in the same or a lower category. The worker should be given an opportunity of being heard and pleading his case before the Secretary, either himself or through his representatives.

(5) If a monthly worker is transfer 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

Transfer

all benefits in the pool and the employer shall transfer to the Board all benefits that have accrued to the worker in 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 this 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 to be necessary so to do it may required 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 he may require a worker undergo free of charge a medical examination by a Medical Board to be constituted by the Chairman. The decision of the Medical Board shall be final, and a worker if 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) a identity card ; (ii) an attendance card ; (iii) wage slips in the forms, devised by the Board.

(2) In case of 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 workers concerned.

20. *Service 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, etc. and such other matters as the Board may think fit. Such details in respect of 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) A 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 his work 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 an other employer or group of employers, except with the 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 cannot 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.*—The Board may appoint one or more Committees to who it may entrust such of its functions as it may deem necessary to facilitate compliance with the provisions of this scheme and may abolish or reconstitute them as it may deem necessary. Persons who are not members of the Board may, if necessary, be nominated as co-opted members, of the Committee. Such co-opted members, however, shall not have any right of vote.

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 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 a 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 the 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 workload 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 direction issued by or on behalf of the Board.

31. *Restriction on employment.*—(1) No employer (other than a registered employer in any area to which this scheme applies) 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. In selecting such workers the local Employment Exchange Organisation shall as far as possible, be consulted :

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 clauses 30(4), (5) and (6) and 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 employee elsewhere on those days on which he is not allotted for work by the Board.

32. *Circumstances in which this scheme ceased 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 employers' 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.*—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 be such as may be fixed by the Board for each category of workers.

34. *Disbursement of wages and other allowances to registered workers.*—The Board may permit the registered employers to pay wages and other 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 employees 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 fortnight. 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, or

(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 employers' 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.

(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;
- (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. (5a)

(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 a 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-clause (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 the scheme.

(2) A registered worker in the pool shall not leave his employment with the Board except by giving fourteen days' notice in writing to the Board of forfeiting fourteen days' wages inclusive of dearness allowance 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 Chairman 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 20(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 under 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 a 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 instruction of the Board.

(5) Every appeal referred to in sub-clause (1), (2), (3) or (4) shall be in writing and be preferred within thirty 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 thirty 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 the 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 thereto 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 is 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 39 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.*—(1) The cost of operating 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 an engaged by him as the Board may, from time to time, specify by written order to the registered employers and in such manner and at such time as the Board may direct.

(2) In determining what payments 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 estimated total wage bill calculated on the basis of the daily time rate wage 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 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 in respect of the workers in the pool and the registered employers, in respect of their monthly workers, shall frame and operate rules providing for Contributory Provident Fund. The rules shall provide for the rate of contribution from the workers and the employers; the manner and method of payment and such other matters as may be considered necessary :

Provided that, the rules applicable to monthly workers shall not be less favourable than those relating to workers in the pool.

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

(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 clauses 14, 30 and 31 shall, on conviction, be punishable with a fine which may extend to rupees five hundred.

SCHEDULE

[Clause 2(2)]

PART I

Area of Grocery Markets or Shops

(A) Area bounded by—

On the East.—Pandit Jawaharlal Nehru Road starting from the Junction of Ramoshi Gate Police Chowki crossing Laxmi Road at Sant Kabir Chowk.

On the West.—(a) Maharana Pratapsinha Road starting from Junction of Kasture Chowk crossing Mirza Galib Road at Govind Halwai Chowk.

(b) Bhutkar Haud Road starting from Junction of Pandit Jawaharlal Nehru Chowk to Shukrawar Peth Police Chowk and extended to Nulkar Road starting from Shukrawar Peth Police Chowk.

On the North.—(a) Laxmi Road starting from Junction of Kedari Chowk crossing Pandit Jawaharlal Nehru Road at Sant Kabir Chowk.

(b) Mirza Galib Road starting from the Junction of Govind Halwai Chowk crossing Bhutkar Haud Road at the Junction of Pandit Jawaharlal Nehru Chowk.

On the South.—Gul Ali Road starting from the Junction of Ramoshi Gate Police Chowk crossing Maharana Pratapsinha Road at Kasture Chowk.

(B) *Roads starting from—*

- (1) Ramoshi Gate Police Chowki Junction to Sanas Road, Dharmavir Davare Chowk, Ganesh Peth, Pangul Ali, Govind Halwai Chowk, Mirza Galib Road and upto the Junction of Nehru Chowk.
- (2) Ramoshi Gate Police Chowk Junction to Gul Ali, Balaji Rakhamji Gaikwad Chowk and up to the Junction of Kasture Chowk.
- (3) Junction of Kasture Chowk to Maharana Pratapsinha Road up to Junction of Govind Halwai Chowk.
- (4) Junction of Nehru Chowk to Bhutkar Haud Road, Rao Bahadur Nulkar Road and up to the Junction of Kedari Chowk.
- (5) Junction of Shukrawar Peth Police Chowki crossing Subansha Road and Subansha Road crossing at Subansha Police Chowk.
- (6) Someshwar Temple Road crossing at Govind Halwai Chowk.
- (7) Dharmavir Davare Chowk to Ashok Chowk, Shri Shankarrao Nanasahab Karpe Road, Ganesh Peth crossing at Maharana Pratapsinha Road.
- (8) Ashok Chowk to Nana Peth upto the Junction of Pimpri Chowk.
- (9) Ashok Chowk to Tribhuvan Kirad Road ending at Ganesh Peth Police Chowki.
- (10) Nana Chawadi Chowk to Palkhi Vithoba Chowk.
- (11) Nana Chawadi Chowk to Laxmi Road meeting at Sant Kabir Chowk.

SCHEDULE

[Clause 2(2)]

PART II

Area of Markets or Subsidiary Markets Establishment under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963

(A) *Area bounded by—*

On the East.—Pandit Jawaharlal Nehru Road starting from the Junction of Ramoshi Gate Police Chowki crossing Laxmi Road at Sant Kabir Chowk.

On the West.—(a) Maharana Pratapsinha Road starting from Junction of Kasture Chowk crossing Mirza Galib Road at Govind Halwai Chowk.

(b) Bhutkar Haud Road starting from Junction of Pandit Jawaharlal Nehru Chowk to Shukrawar Peth Police Chowk and extended to Nulkar Road starting from Shukrawar Peth Police Chowk.

On the North.—(a) Laxmi Road starting from Junction of Kedari Chowk crossing Pandit Jawaharlal Nehru Road at Sant Kabir Chowk.

(b) Mirza Galib Road starting from the Junction of Govind Halwai Chowk crossing Bhutkar Haud Road at the Junction of Pandit Jawaharlal Nehru Chowk.

On the South.—Gul Ali Road starting from the Junction of Ramoshi Gate Police Chowk crossing Maharana Pratapsinha Road at Kasture Chowk.

(B) *Roads starting from—*

- (1) Ramoshi Gate Police Chowki Junction to Sanas Road, Dharmavir Davare Chowk, Ganesh Peth, Pangul Ali, Govind Halwai Chowk, Mirza Galib Road and upto the Junction of Nehru Chowk.
- (2) Ramoshi Gate Police Chowk Junction to Gul Ali, Balaji Rakhamji Gaikwad Chowk and up to the Junction of Kasture Chowk.
- (3) Junction of Kasture Chowk to Maharana Pratapasingh Road up to Junction of Govind Halwai Chowk.
- (4) Junction of Nehru Chowk to Bhutkar Haud Road, Rao Bahadur Nulkar Road and up to the Junction of Kedari Chowk.
- (5) Junction of Shukrawar Peth Police Chowki crossing Subansha Road and Subansha Road crossing at Subansha Police Chowk.
- (6) Someshwar Temple Road crossing at Govind Halwai Chowk.
- (7) Dharmavir Davare Chowk to Ashok Chowk, Shri Shankarrao Nanasaheb Karpe Road, Ganesh Peth crossing at Maharana Pratapsinha Road.
- (8) Ashok Chowk to Nana Peth upto the Junction of Pimpri Chowk.
- (9) Ashok Chowk to Tribhuvan Kirad Road ending at Ganesh Peth Police Chowki.
- (10) Nana Chawadi Chowk to Palkhi Vithoba Chowk.
- (11) Nana Chawadi Chowk to Laxmi Road meeting at Sant Kabir Chowk.

FORM "A"

(Clause 14)

The Poona Grocery Markets or Shops and the Agricultural Produce
Markets Labour Board

Application for the registration of employer

Registration No.

(to be filled in by office)

I hereby apply for registration as an employer etc. The necessary particulars
are furnished below :—

1. Name and address of the Establishment
and Telephone No.

2. Whether a firm or a company
Name of the proprietor—

(1)

(2)

(1)

(2)

3. Are you a member of any Associa-
tion? If so, state the name of
the Association.

4. Whether your Establishment is
registered under the Bombay
Shops and Establishments Act,
1948? If so, state the Registration
No.

5. The place of work with location in
details where the loading, unload-
ing, stacking, carrying, etc. of
goods is carried on in connection
with trade/business of your
Establishments.

6. Are you employing workers through
contractors? If so, state the name
of the contractors.

7. Are you employing workers through
Tolli? If so, state the name of
the Mukadam/s of the Tolli/s. or
of all workers.

Date

Signature of the applicant.

Place

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

S. A. VAIDYA,

Under Secretary to Government.

शासकीय मध्यवर्ती मद्रणालय, मुंबई



महाराष्ट्र शासन राजपत्र

असाधारण
अधिकृत प्रकाशक

मंगळवार, सप्टेंबर १०, १९७४/भा १९, ता. १८९९

स्वतंत्र संकलन म्हणून काढिले करण्यासाठी या भागाला वेगळे पुस्तक क्रमांक दिले जाते

भाग चार

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रस्थापित केलेले अध्यादेश व केलेले विनियम

अनुक्रमिका

	PAGES
MAHARASHTRA ACT No. XL OF 1974.—An Act further to amend the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969, and to amend and validate the schemes made under that Act	574-586

The following Act of the Maharashtra Legislature, having been assented to by the Governor on the 7th September 1974, is hereby published for general information:—

S. W. DHURANDHAR,

Additional Secretary to the Government of Maharashtra,
Law and Judiciary Department.

MAHARASHTRA ACT No. XL OF 1974

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette" on the 10th September 1974.

An Act further to amend the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969, and to amend and validate the schemes made under that Act.

Mah. XXX of 1969. WHEREAS it is expedient further to amend the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969, and to amend and validate the schemes made under that Act, for the purposes herein-after appearing; It is hereby enacted in the Twenty-fifth Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra Mathadi, Hamal and other Short title Manual Workers (Regulation of Employment and Welfare) (Amendment and Validation) Act, 1974.

Amendment
of section 3
of Mah.
XXX of
1969.

2. In section 3 of the Maharashtra *Mathadi, Hamal* and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (hereinafter referred to as "the principal Act"),—

Mah
XXX
of
1969

(1) in sub-section (1),—

(a) the words "whether registered or not" where they occur for the first time shall be and shall be deemed always to have been deleted;

(b) for the words "such unprotected workers, whether registered or not" the words "registered unprotected workers" shall be and shall be deemed always to have been substituted;

(2) in sub-section (2),—

(a) for the words "a scheme may provide—" the words "a scheme may provide for all or any of the following matters, that is to say—" shall be and shall be deemed always to have been substituted;

(b) in clauses (a) and (b), for the words "unprotected workers and employers" the words "registered unprotected workers and employers" shall be and shall be deemed always to have been substituted;

(c) in clause (d), for the words "unprotected workers, whether registered or not," the words "registered unprotected workers" shall be and shall be deemed always to have been substituted;

(d) in clauses (g) and (h), for the words "unprotected workers" the words "registered unprotected workers" shall be and shall be deemed always to have been substituted;

(e) in clause (i),—

(i) for the words "unprotected workers" the words "registered unprotected workers" shall be and shall be deemed always to have been substituted;

(ii) after the words "to be made to such funds" the brackets and words "(provision for provident fund and rates of contribution being made after taking into consideration the provisions of the Employees' Provident Funds Act, 1952, and the scheme framed thereunder with suitable modifications, where necessary, to suit the conditions of work of such registered unprotected workers)," shall be and shall be deemed always to have been inserted;

(f) in clause (j), the words "including any contributions to be paid by employers and unprotected workers, and the rate of such contribution" shall be and shall be deemed always to have been deleted;

(g) clause (m) shall be and shall be deemed always to have been deleted.

(3) In sub-section (3), the following shall be added at the end, namely:—

"and if the contravention is continued after conviction, with a further fine which may extend to one hundred rupees for each day on which the contravention is so continued."

Amendment
of section
18 of Mah.
XXX of
1969.

3. In section 18 of the principal Act, for the words "unprotected workers" the words "registered unprotected workers" shall be and shall be deemed always to have been substituted.

Amendment
of section
19 of Mah.
XXX of
1969.

4. In section 19 of the principal Act, in sub-section (1), for the words "unprotected workers" at both the places where they occur the words "registered unprotected workers" shall be and shall be deemed always to have been substituted.

Amendment
of section
20 of Mah.
XXX of
1969.

5. In section 20 of the principal Act, for the words "unprotected women workers" the words "registered unprotected women workers" shall be and shall be deemed always to have been substituted.

6. In section 21 of the principal Act, for the words "unprotected worker" the words "registered unprotected worker" shall be and shall be deemed always to have been substituted.

Amendment of section 21 of Mah. XXX of 1969.

7. In section 25 of the principal Act, for the words "an unprotected worker" the words "a registered unprotected worker" shall be and shall be deemed always to have been substituted.

Amendment of section 25 of Mah. XXX of 1969.

8. The schemes specified in column 1 of the Schedule hereto shall be amended in the manner and to the extent specified in column 2 thereof.

Amendment of schemes made under Mah. XXX of 1969.

9. Every scheme made or purported to have been made before the commencement of this Act for any scheduled employment shall be and shall be deemed always to have been validly and effectively made for registered unprotected workers and employers in the scheduled employment specified in the scheme under the principal Act as amended by this Act;

Validation.

And accordingly, notwithstanding anything in any judgment, decree or order of any court, anything done or purported to be done or any action taken or purported to be taken in respect of registered unprotected workers under the principal Act or any scheme made thereunder shall be and shall be deemed to have been validly done or taken by or under the Act or scheme as amended by this Act.

SCHEDULE (See section 8)

Name of the Scheme	Amendments
1	2
1. The Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	In each of the 8 Schemes specified in column 1,—
2. The Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	(1) in clause 6, in sub-clause (11), item (xiii) shall be and shall be deemed always to have been deleted;
3. The Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	(2) clause 28 shall be and shall be deemed always to have been deleted;
4. The Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	(3) in clause 31,—
5. The Metal (excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	(a) in sub-clause (1), the brackets and words "(other than a registered employer in any area to which this scheme applies)" shall be and shall be deemed always to have been deleted;
6. The Khoka and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	(b) in sub-clause (2), in item (a), in paragraph (ii), the words "In selecting such worker the local Employment Exchange Organisation shall as far as possible, be consulted" shall be and shall be deemed always to have been deleted.
7. The Nagpur Grocery Markets or Shops, Railway Yards and Goods-Sheds and Khoka Making	(4) (a) clause 33 shall be renumbered as sub-clause (1) of that clause, and

SCHEDULE—contd.

Name of the Scheme	Amendments
1	2
Establishments and Timber Markets and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974. 8. <u>The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.</u>	in sub-clause (1) so renumbered, for the words " shall be such " the words, brackets and figures " shall, subject to the provisions of sub-clauses (2), (3), (4), (5), and (6), be such " shall be and shall be deemed always to have been substituted; (b) after sub-clause (1) so renumbered, the following new sub-clauses shall be and shall be deemed always to have been inserted, namely:— " (2) For the purpose of fixing rates of wages, allowances and overtime, hours of work, rest intervals, leave with wages and other conditions of service (hereinafter collectively referred to as " the conditions of 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 representation shall be in writing and shall be made within such period as the Board may specify and shall state the conditions of 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 person making the representation.

SCHEDULE—contd.

Name of the Scheme	Amendments
1	2
	(4) The Board shall take into account the representations afore-said, 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 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 employers 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 effect 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.”; (5) in clause 42,— (a) in the heading, after the word “scheme”, the words “and provision for amenities and benefits to registered workers” shall be added; (b) in sub-clause (1)— (i) after the words “cost of operating this scheme” the words “and for providing different benefits, facilities and amenities to registered workers as provided in the Act and under this scheme” shall be and shall be deemed always to have been added;

SCHEDULE—contd.

Name of the Scheme	Amendments
1	2
	(ii) for the words "specify by written order" the words "specify by public notice or written order" shall be substituted; (c) in sub-clause (3), the word "estimated", and the words "calculated on the basis of the daily time-rate wage" shall be and shall be deemed always to have been deleted; (6) in clause 43,— (a) in sub-clause (1)— (i) the words "in respect of the workers in the pool and the registered employers in respect of their monthly workers," shall be and shall be deemed always to have been deleted; (ii) after the words "Contributory Provident Fund" the words "for registered workers" shall be and shall be deemed always to have been added; (iii) the words "from the workers and the employers" shall be and shall be deemed always to have been deleted; (iv) after the words "as may be considered necessary" the words and figures "so however, that the rate of contribution is not less than 6½ per cent. of the wages of a registered worker and is not more than 8½ per cent. of such wages" shall be and shall be deemed always to have been added; (v) for the proviso, the following proviso shall be and shall be deemed always to have been substituted, namely :— "Provided that, pending the framing of the rules, it shall be lawful for the Board to fix the rate of contribution and the manner and method of payment thereof.";

SCHEDULE—contd.

Name of the Scheme	Amendments
1	2
XIX of 1952.	(b) after sub-clause (1), the following new sub-clause shall be and shall be deemed to have been inserted, namely:— “(1a). In framing rules for the contributory provident fund, the Board shall take into consideration the provisions of the Employees’ Provident Funds Act, 1952, as amended from time to time, and the schemes made thereunder for any establishment.”;
XXXIX of 1972.	(c) after sub-clause (2), the following new sub-clause shall be and shall be deemed always to have been inserted, namely:— “(2a) In framing rules for the payment of gratuity to registered workers, the Board shall take into consideration the provisions of the Payment of Gratuity Act, 1972, as amended from time to time.”.
The Cloth Markets or Shops Un-Protected Workers (Regulation of Employment and Welfare) Scheme, 1971.	1. In clause 2, in sub-clause (2),— (a) in items (a) and (b), for the words “workers employed” wherever they occur, the words “registered workers employed” shall be and shall be deemed always to have been substituted; (b) after item (b), the following new item shall be and shall be deemed always to have been added, namely:— “(c) the registered employers engaging such workers.”. 2. In clause 6,— (a) in sub-clause (1), in the proviso to item (ii), after the words “then that <i>toli</i>” the words “after due registration under the scheme” shall be and shall be deemed always to have been inserted ; (b) in sub-clause (11), item (xiii) shall be and shall be deemed always to have been deleted.

SCHEDULE—*contd.*

Name of the Scheme	Amendments
1	2
	3. In clause 14, after the words " Every employer " the words " to whom the scheme applies " shall be and shall be deemed always to have been inserted. 4. Clause 28 shall be and shall be deemed always to have been deleted. 5. (a) Clause 33 shall be re-numbered as sub-clause (1) of that clause, and in sub-clause (1) so renumbered, for the words " shall be such " the words, brackets and figures " shall, subject to the provisions of sub-clauses (2), (3), (4), (5) and (6), be such " shall be and shall be deemed always to have been substituted; (b) After sub-clause (1) so renumbered, the following new sub-clauses shall be and shall be deemed always to have been inserted, namely :— " (2) For the purpose of fixing rates of wages, allowances and overtime, hours of work, rest intervals, leave with wages and other conditions of service (hereinafter collectively referred to as " the conditions of service ") of registered workers or for revising or for 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 through notice published in such manner as the Board may think fit. (3) Every such representation shall be in writing and shall be made within such period as the Board may specify and shall state the conditions of service which in the opinion of the person making the representation

SCHEDULE—contd.

Name of the Scheme	Amendments
1	2
	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 person making the representation. (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 service of the registered workers. (5) In fixing or 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 employers 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 effect 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." 4. In clause 42,— (a) in sub-clause (1), after the words "facilities and amenities to registered workers" the words "as provided under the Act or under this scheme" shall be and shall be deemed always to have been added; (b) in sub-clause (3), the word "estimated" and the words "calculated on the basis of the daily time rate wage" shall be and shall be deemed always to have been deleted. 5. In clause 43,— (a) in sub-clause (1)— (i) the words "in respect of the workers in the pool and the

SCHEDULE—contd.

Name of the Scheme	Amendments
1	2
	registered employers in respect of their monthly workers" shall be and shall be deemed always to have been deleted; (ii) after the words "Contributory Provident Fund" the words "for registered workers" shall be and shall be deemed always to have been added; (iii) the words "from the workers and the employers" shall be and shall be deemed always to have been deleted; (iv) after the words "as may be considered necessary" the words and figures "so however that the rate of contribution is not less than 6½ per cent. of the wages of a registered worker and is not more than 8½ per cent. of such wages" shall be and shall be deemed always to have been added; (v) for the proviso, the following proviso shall be and shall be deemed always to have been substituted, namely:— "Provided that, pending the framing of the rules, it shall be lawful for the Board to fix the rate of contribution and the manner and method of payment thereof." (b) after sub-clause (1), the following new sub-clause shall be and shall be deemed always to have been inserted, namely:— "(1a) In framing rules for the contributory provident fund, the Board shall take into consideration the provisions of the Employees' Provident Funds Act, 1952, as amended from time to time, and the schemes made thereunder."

SCHEDULE— contd.

Name of the Scheme

Amendments

1

2

XXXIX of
1972.

10. The Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.

(c) after sub-clause (2), the following new sub-clause shall be and shall be deemed always to have been inserted, namely:—

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

1. In clause 6, in sub-clause (11), item (xiii) shall be and shall be deemed always to have been deleted.

2. Clause 28 shall be and shall be deemed always to have been deleted.

3. In clause 31,—

(a) in sub-clause (1), the brackets and words “(other than a registered employer in any area to which this scheme applies)” shall be and shall be deemed always to have been deleted ;

(b) in sub-clause (2), in item (a), in paragraph (ii), the words “In selecting such workers, the local Employment Exchange Organisation shall as far as possible be consulted” shall be and shall be deemed always to have been deleted.

4. (a) Clause 33 shall be renumbered as sub-clause (1) of that clause, and in sub-clause (1) so renumbered, for the words “shall be such” the words, brackets and figures “shall, subject to the provisions of sub-clauses (2), (3), (4), (5) and (6), be such” shall be and shall be deemed always to have been substituted.

(b) After sub-clause (1) so renumbered the following new sub-clauses shall be and shall be deemed always to have been inserted, namely :—

“(2) For the purpose of fixing rates of wages, allowances and overtime, hours of work, rest intervals, leave with wages and other conditions of service (hereinafter collectively

SCHEDULE---contd.

Name of the Scheme	Amendments
1	2
	referred to as "the conditions of 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 representation shall be in writing and shall be made within such period as the Board may specify and shall state the conditions of service which in the opinion of the person making the representation would be reasonable having regard to the capacity of the employer to pay the same or comply with or to any other circumstances which may seem relevant to the person making the representation. (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 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 employers to pay, and any other circumstances which may seem relevant to the Board.

SCHEDULE—concl'd.

Name of the Scheme	Amendments
1	2
	(6) The conditions of service fixed, revised or modified by the Board shall take effect 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."
	5. In clause 42,—
	(a) in the heading after the word "scheme", the words "and provision for amenities and benefits to registered workers" shall be and shall be deemed always to have been added;
	(b) in sub-clause (1),—
	(i) after the words "cost of operating this scheme" the words "and for providing different benefits, facilities and amenities to registered workers as provided for under the Act and under this scheme" shall be and shall be deemed always to have been added;
	(ii) for the words "specify by written order" the words "specify by public notice or written order" shall be substituted;
	(c) in sub-clause (3), the word "estimated", and the words "calculated on the basis of the daily time rate wage" shall be and shall be deemed always to have been deleted.



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

शुक्रवार, जानेवारी १७, १९७५/पौष २७, शके १८९६

स्वतंत्र संकलन म्हणून पाईल करण्यासाठी या मागाला वेगळे पृष्ठ क्रमांक दिले जाते

भाग एक-ल

(प्रीति) औद्योगिक विचार अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांखालील
(भाग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना,
आदेश व निवाडे संघर्षातिरिक्त) अधिसूचना, आदेश व निवाडे

INDUSTRIES AND LABOUR DEPARTMENT

Sachivalaya, Bombay 400 032. 17th January 1975.

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

No. UWA. 1074/101724/Lab-IV.—In exercise of the powers conferred by sub-section (1) of section 4 of the 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 further to amend *the Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare), Scheme, 1970, the Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare), Scheme, 1970, the Goods Transport Unprotected Workers (Regulation of Employment and Welfare), Scheme, 1971, the Cloth Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Metal (Excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Nagpur Grocery Markets or Shops,

१७ महाराष्ट्र शासन राजपत्र, असा., जानेवारी १७, १९७५/पौष-२७, एके १८९६ [भाग एक-स]

Railway Yards and Goods-Sheds and Khoka Making Establishments and Timber Markets and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974 and the Poona Grocery Markets or Shops and Markets or subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the same having been previously published as required by sub-section (1) of the said section 4, namely:—

(1) This Scheme may be called the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) (Amendment) Scheme, 1975.

(2) Each of the Schemes specified in column 1 of the Schedule hereto are hereby amended in the manner, and to the extent shown in column 2 thereof.

SCHEDULE

Scheme 1	Amendment 2
1. The Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	
2. The Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	
3. The Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	
4. The Cloth Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	In clause 44, the following shall be added at the end, namely:—
5. The Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	“and if the contravention is continued after conviction, with a further fine which may extend to one hundred rupees for each day on which the contravention is so continued.”
6. The Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	
7. The Metal (Excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	
8. The Nagpur Grocery Markets or Shops, Railway Yards and Goods-Sheds and Khoka Making Establishments and Timber Markets, and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.	
9. <u>The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.</u>	

Scheme	Amendment
1	2
10. The Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	In clause 43, the following shall be added at the end, namely : "and if the contravention is continued after conviction, with a further fine which may extend to one hundred rupees for each day on which the contravention is so continued".

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

S. A. VAIDYA.

Under Secretary to Government.

Foot Note.—The Schemes at Serial Nos. 1, 5 and 6 were last amended by Government Notifications, Industries and Labour Department No. (1) UWA-1474(GR)/101427/Lab-IV, dated the 16th January 1975, (2) UWA-1274/101673/Lab-IV, dated the 16th January 1975, and (3) UWA-1474/101672/Lab-IV, dated the 16th January 1975 respectively. Remaining Schemes were last amended by Maharashtra Act, No. XL of 1974.



महाराष्ट्र शासन राजपत्र

असाधारण

आधिकार प्रकाशन

शुक्रवार, एप्रिल १५, १९७७/चंद्र २५, शके १८९९

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

भाग एक-ल

(केंद्रीय) औद्योगिक विवाद अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांमधील
(भाग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केले गेले) अधिसूचना,
आदेश व निवाडे यांमधील (अधिसूचना, आदेश व निवाडे)

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated 15th April 1977

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

No. UWA. 1476/CR-616/LAB-5.—In exercise of the powers conferred by sub-section (1) of section 4 of the 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 further to amend the Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Cloth Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Metal (excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Nagpur Grocery Markets or Shops, Railway Yards and Goods-sheds and Khokha Making Establishments and Timber Markets and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, and the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the same having

१४० महाराष्ट्र शासन राजपत्र, असा., एप्रिल १५, १९७७/चंत्र २५, हाके १८९९ [भाग एक-स]

been previously published as required by sub-section (1) of the said section 4, namely :—

1. (1) This Scheme may be called the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare Schemes) (Amendment) Scheme, 1977.

(2) It shall come into force on the 15th day of May 1977.

2. Each of the Schemes specified in column 1 of the Schedule hereto are hereby amended in the manner and to the extent set out in column 2 thereof.

SCHEDULE

Scheme 1	Amendment 2
1. The Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	In each of the 9 Schemes specified in column 1, for clause 44, the following shall be substituted, namely :—
2. The Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	"44. Penalties.—Whoever contravenes the provisions of clause 14, 30 31 shall, on conviction, be punished with imprisonment for a term of three months or with fine which may extend to rupees five hundred or with both, where such contravention is a first contravention and with imprisonment for a term of six months or with fine which may extend to rupees one thousand 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 extend to one hundred rupees for each day on which the contravention is so continued."
3. The Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	
4. The Cloth Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	
5. The Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	
6. The Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	
7. The Metal (excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	
8. The Nagpur Grocery Markets or Shops, Railway Yards and Goods Shed and Khokha Making Establishments and Timber Markets, and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.	

9. The Poona Grocery Markets or Shops and Markets or subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.

Foot-Note.—The Schemes at Serial Nos. 6, 7 and 8 were last amended by Government Notifications (1) Industries, Energy and Labour Department, No. UWA. 1475/CR-42/LAB-5, dated the 24th March 1977; (2) Industries and Labour Department, No. UWA. 1473/101902/LAB-IV, dated the 18th January 1975; and (3) Industries, Energy and Labour Department, No. UWA. 1473/CR-262A/LAB-5, dated the 18th January 1977, respectively. Remaining schemes were last amended by Government Notification, Industries and Labour Department, No. UWA. 1074/101724/LAB-IV, dated the 17th January 1975.

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

M. R. VAIDYA,
Section Officer.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई



महाराष्ट्र शासन राजपत्र

असाधारण
प्रतिष्ठित प्रकाशन

बुधवार, मार्च ८, १९७८/कालगुप्त १७, शके १८९९

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

भाग एक-ल

(केन्द्रीय) 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 the 8th March 1978

CORRIGENDUM

MAHARASHTRA MATRADI, HANAL AND OTHER MANUAL WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

No. UWA. 1477/CR-1758/Lab-5.—In Government Notification, Industries and Labour Department, No. UWA. 1473/197778/Lab-IV, dated the 30th March 1974, published in the Maharashtra Government Gazette, Extraordinary, Part I-L, dated the 30th March 1974, at pages 167 to 187, in the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974,—

- (1) in clause 4, in sub-clause (h), for "registered employers" read "registered employer";
- (2) in clause 8, in sub-clause (i), for "complied" read "compiled";
- (3) in clause 9, in sub-clause (k), for "authorities" read "authorising";
- (4) in clause 29,—
 - (a) in sub-clause (2), for "deemed to in" read "deemed to be in"; and
 - (b) in sub-clause (4), in paragraph (a), "report as such" read "report at such";
- (5) in clause 31, in sub-clause (3), for "employee" read "employment";
- (6) in clause 32, in the heading, for "ceased" read "ceases";

भाग एक-ल—२८

(११२)

११४ महाराष्ट्र शासन राजपत्र, जसा., मार्च ८, १९७८/फाल्गुन १७, शके १८९९ भाग एक-ख

(7) in clause 36, in sub-clause (5), for "has be resorted to" read "has been resorted to";

(8) in clause 37, in sub-clause (2), for "Board of forfeiting" read "Board of forfeiting";

(9) in clause 41, for "the employers register" read "the employers' register"; and

(10) in clause 42, for "workers allotted to an engaged by him" read "workers allotted to and engaged by him".

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

M. R. VAIDYA,

Section Officer



कायगार उप आयुक्त, पुणे

०३२१

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महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

सोमवार, एप्रिल २४, १९७८/वंशाख ४, शके १९००

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

भाग एक-ल

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

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 24th April 1978

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

No. UWA. 1077/CR-1868/Lab-5.—The following draft of Scheme further to amend the Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Metal (excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Nagpur Grocery Markets or Shops, Railway Yards and Goods-Sheds, Public Transport Vehicles and Khokha Making Establishments and Timber Markets and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974 and the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the Railway Clearing and Forwarding Establishments Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1976, which the Government of Maharashtra proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the

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(१६३)

kmr Sankar

१६४ महाराष्ट्र शासन राजपत्र, असा., एप्रिल २४, १९७८/वैशाख ४, शके १९०० [भाग एक-स

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, and after consultation with the Advisory Committee, is hereby published as required by sub-section (1) of the said section 4 for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra after 31st day of May 1978.

2. Any objections or suggestions which may be received by the Secretary to the Government of Maharashtra, Industries, Energy and Labour Department, Mantralaya, Bombay 400 032, from any person with respect to the said draft before the date aforesaid will be considered by Government.

DRAFT SCHEME

1. This Scheme may be called the Maharashtra *Mathadi, Hamal* and other Man Workers (Regulation of Employment and Welfare Schemes) (Amendment) Scheme, 1978.

2. Each of the Schemes specified in column 1 of the Schedule hereto are hereby amended in the manner and to the extent set out in column 2 thereof.

SCHEDULE

Scheme 1	Amendment 2
1. The Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	In each of the 9 schemes specified in column 1, (1) In clause 6,— (a) in sub-clause (1), after item (xi), the following shall be inserted, namely :— “(ii) assisting, subject to the availability of funds, by way of grant of loan or otherwise, the Co-operative Societies formed for the benefit registered workers and staff of the Board”.
2. The Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	(b) in sub-clause (4), after the words “any nationalised Scheduled Bank” the words “or any Co-operative Bank” shall be inserted.
3. The Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	(2) In clause 35— (a) in sub-clause (2), after the words “a warning in writing” the words “or suspend him for a period not exceeding four days” shall be inserted;
4. The Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	
5. The Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	
6. The Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	
7. The Metal (Excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	

SCHEDULE—contd.

1

2

8. The Nagpur Grocery Markets or Shops Railway Yards and Goods Sheds, Public Transport Vehicles and Khokha Making Establishments and Timber Markets, and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.

9. The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.

10. The Railway clearing and Forwarding Establishments Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1976.

(b) in sub-clause (4), after sub-clause (a) the following new sub-clause shall be inserted, namely :—

“(aa) Suspend him for a period not exceeding four days”;

(c) after sub-clause (5), the following new sub-clause shall be inserted, namely :—

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

1. In clause 6—

(a) in sub-clause (1), after item (xi), the following shall be inserted, namely :—

“(xii) assisting subject to the availability of funds, by way of grant of loan or otherwise, the Co-operative Societies formed for the benefit of registered workers and staff of the Board”.

(b) in sub-clause (4), after the words “any nationalised Scheduled Bank” the words “or any Co-operative Bank” shall be inserted.

2. In clause 34—

(a) in sub-clause (2), after the words “a warning in writing” the words “or suspend him for a period not exceeding four days” shall be inserted ;

(b) in sub-clause (4), after sub-clause (a) the following new sub-clause shall be inserted, namely :—

“(aa) suspend him for a period not exceeding four days”;

(c) after sub-clause (5), the following new sub-clause shall be inserted, namely :—

१९६ महाराष्ट्र शासन राजपत्र, असा., एप्रिल २४, १९७८/बंसा ४, शके १३०० [भाग एक-ल

SCHEDULE-contd.

1

2

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

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

M. R. VAIDYA.

Section Officer.

शासकीय मध्यवर्ती मंत्रालय, मुंबई

असा. क्र. ५३



रजिस्ट्रार नं. एम.ए. ३/१०५-सा.क. १०

कामगार उप व्ययुक्त, पुणे
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आवक नंबर ३

3.1 MAY 1979

महाराष्ट्र शासन राजपत्र

असाधारण

आधिकृत प्रकाशन

मंगळवार, मे ८, १९७९/वंशाख १८, शके १९०१

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

भाग एक-ल

(केंद्रीय) औद्योगिक विवाह अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांखालील
(माग एक, चार-अ, चार-ब आणि चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना
आदेश व निवाडे यांब्यतिरिक्त) अधिसूचना, आदेश व निवाडे

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 8th May 1979

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

No. UWA-1077/CR-1868/LAB-5.—In exercise of the powers conferred by sub-section (1) of section 4 of the 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 further to amend the Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Metal (excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Nagpur Grocery Markets or Shops, Railway yards and Goods-Sheds, Public Transport Vehicles and Khokha Making Establishments and Timber Markets, and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, and the Railway Goods Clearing and Forwarding Unprotected Workers (Regulation of Employment and

भाग एक-ल-—५९

(३४३)

Welfare) Scheme, 1976, the same having been previously published as required by sub-section (1) of the said section 4, namely :—

(1) This Scheme may be called the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare Schemes) (Amendment) Scheme, 1979.

(2) Each of the Schemes specified in column 1 of the Schedule hereto are hereby amended in the manner and to the extent set out in column 2 thereof.

SCHEDULE

Scheme 1	Amendment 2
1. The Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	In each of the 9 schemes specified in column 1,—
2. The Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	(1) In clause 6— (a) in sub-clause (1), after item (xi), the following shall be inserted, namely :— “(xii) assisting, subject to the availability of funds, by way of grant of loan, the Co-operative Societies formed for the benefit of registered workers and staff of the Board”.
3. The Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	(b) in sub-clause (4), after the words “any nationalised Scheduled Bank” the words “or any Co-operative Bank” shall be inserted.
4. The Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	(2) In clause 35— (a) in sub-clause (2), after the words “a warning in writing” the words “or suspend him for a period not exceeding four days” shall be inserted ;
5. The Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	(b) in sub-clause (4), after sub-clause (a) the following new sub-clause shall be inserted, namely :— “(aa) Suspend him for a period not exceeding four days” ;
6. The Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	(c) after sub-clause (5), the following new sub-clause shall be inserted, namely :—
7. The Metal (Excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	“(5a) During the pendency of investigations under sub-clauses (2) and (4) above, the workers concerned may be suspended by the Chairman”.
8. The Nagpur Grocery Markets or Shops, Railway Yards and Goods Sheds, Public Transport Vehicles and Khokha Making Establishments and Timber Markets, and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.	
9. The Poona Grocery Markets or Shops and Markets or subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.	

Scheme 1	Amendment 2
10. The Railway Goods Clearing and Forwarding Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1976.	1. In clause 6 (a) in sub-clause (1), after item (xv), the following shall be inserted namely :— (xvi) assisting subject to the availability of funds, by way of grant of loan, the Co-operative Societies formed for the benefit of registered workers and staff of the Board”. (b) in sub-clause (4), after the words “any nationalised Scheduled Bank” the words “or any Co-operative Bank” shall be inserted. 2. In clause 34 (a) in sub-clause (2), after the words “a warning in writing” the words “or suspend him for a period not exceeding four days” shall be inserted : (b) in sub-clause (4), after sub-clause (a), the following new sub-clause shall be inserted, namely :— “(aa) suspend him for a period not exceeding four days” : (c) after sub-clause (5), the following new sub-clause shall be inserted namely :— “(5a) During the pendency of investigations under sub-clauses (2) and (4) above, the workers concerned may be suspended by the Chairman”.

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

M. R. VAIDYA.

Assistant Secretary to Government.

Foot Note.—The Schemes of at S. Nos. 3, 4 and 8 were last amended by Government Notifications, Industries, Energy and Labour Department Nos. (1) UWA-1476/CR-530/LAB-5, dated the 9th March 1978, (2) UWA-1473(FSH)/CR-6/LAB-5, dated the 31st July 1978 and (3) UWA-1472/(CR)-74/LAB-5, dated the 30th September 1977, respectively. This is the first amendment to the Scheme at S. No. 10. Remaining Schemes were last amended by Government Notification, Industries, Energy and Labour Department No. UWA-1476/CR-616/LAB-5, dated the 15th April 1977.

NOTIFICATION

Industries, Energy and Labour Department,
Mantralaya, Bombay-400 032
Dated the 1st January 1980.

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

No. UWA 1579/CR-2617/LAB.5 :- In exercise of the powers conferred by sub-section (1) of section 4 of the 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 further to amend the Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970, the Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Cloth Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971, the Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972, the Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Metal (Excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973, the Nagpur Grocery Markets or Shops, Railway Yards and Goods-Sheds, Public Transport Vehicles and Khokha Making Establishment and Timber Markets and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the Poona Grocery Markets or Shops and Markets and Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the Railway Clearing and Forwarding Establishments Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1976 and the Kolhapur Grocery Markets or Shops, Markets or Subsidiary Markets, Public Goods Transport Undertakings Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1978, the same having been previously published as required by the Sub-section (1) of the said section 4, namely:-

1. This Scheme may be called the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare Schemes) (Amendment) Scheme, 1980.
2. Each of the Schemes specified in Column 1 of the Schedule hereto are hereby amended in the manner and to the extent set out in column 2 thereof.

SCHEDULE

Scheme (1)	Amendment (2)
1. The Grocery Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	In each of the 12 schemes specified in column 1, in clause 6, in sub-clause (4), after the words "any nationalised Scheduled Bank" the words "or any Scheduled Bank" shall be inserted.

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Scheme (1)	Amendment (2)
2. The Bombay Iron and Steel Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1970.	
3. The Goods Transport Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971	
4. The Cloth Markets or Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1971.	
5. The Fishing Industry Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	
6. The Cotton Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1972.	
7. The Khokha and Timber Unprotected Workers (Regulation of Employment and Welfare) Scheme 1973.	
8. The Metal (Excluding Iron and Steel) and Paper Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1973.	
9. The Nagpur Grocery Markets or Shops, Railway Yards and Goods Sheds, Public Transport Vehicles and Khokha Making Establishments and Timber Markets and Shops Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.	
10. The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974.	
11. The Railway Goods Clearing and Forwarding Establishments Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1976.	
12. The Kolhapur Grocery Markets or Shops, Markets or Subsidiary Markets, Public Goods Transport Undertakings Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1978.	

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

.../aidya
Assistant Secretary to Government.

Foot-Note. - The Schemes at S.Nos. 1, 4, and 6 were last amended by Government Notification, Industries, Energy and Labour Department, Nos. (1) UWA-1479/CR-2862/LAB-5, dated the 23rd November 1979, (2) UWA-1076/CR-1110/LAB-5, dated the 1st June 1979 and (3) UWA-1278/CR-2415/LAB-5, dated the 13th November 1979, respectively. This is the first amendment to the Scheme at S.No-12. Remaining Schemes were last amended by Government Notification, Industries, Energy and Labour Department, No. UWA-1077/CR-1868/LAB-5, dated the 8th May 1979.

.....
To be published in the Maharashtra Government Gazette, Part-I-L, Extra-ordinary, dated the 1st January 1980 and returned with 140 copies of the print to this Department, 200 copies may be sent to the Commissioner of Labour, Bombay, direct.

2. The publication of this notification in the Extra-ordinary Gazette has been approved by the, Joint Secretary, Industries Energy and Labour Department

MR Vaidya

(Malati Vaidya)

Assistant Secretary to Government.

Copy to:- The Commissioner of Labour, Bombay:- 34 (with 15 spare copies),
All Chairman of the 12 Mathadi Boards (with 5 spare copies each),
Select file.

NOTIFICATION

Industries, Energy & Labour Department,
Mantralaya, Bombay No. 400 032,

Dated the 20th November, 1981.

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

No. UWA 1481/CR-3925/LAB.5, - Whereas the Scheme called "the Poona Grocery Markets or Shops and Markets or subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974" published in Government Notification, Industries and Labour Department, No. UWA 1473/197778/LAB.IV, dated the 30th March 1974, in the Maharashtra Government Gazette, Part I-L, Extraordinary, of the same date at pages 167 to 187 (hereinafter referred to as "the said Scheme"), has been made by the Government of Maharashtra for certain scheduled employments in certain areas of the Municipal Corporation of the City of Pune specified in the Schedule to the said Scheme;

And whereas, after consultation with the Advisory Committee, the Government of Maharashtra considers it necessary to make the said Scheme, as amended from time to time, applicable also to the remaining areas so that it shall apply to the entire local area of the Municipal Corporation of the City of Pune;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the 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 and, after considering the objections and suggestions received in that behalf, hereby makes the following scheme further to amend the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, 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 Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected workers (Regulation of Employment and Welfare) (Amendment) Scheme, 1981.

(2) It shall come into force ^{from 21st} ~~20th~~ day of December 1981.

2. In the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected workers (Regulation of Employment and Welfare) Scheme, 1974 (hereinafter referred to as "the said Scheme"), in clause 2, after paragraph (b) the following shall be added, namely :-

"(c) grocery markets or Shops and markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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 in the areas specified in Part III and Part IV of the Schedule hereto."

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

"3. Commencement - (1) Clauses 14 and 15 shall come into force from 1st May 1974 in areas specified in Part I and Part II of the Schedule hereto; and from the 20th day of December 1981 in the areas specified in Part III and Part IV of the said Schedule.

(2) The remaining clauses shall come into force from the 1st June 1974 in the areas specified in Part I and Part II of the Schedule hereto; and from the 15th day of January 1982 in the areas specified in Part III and Part IV of the said Schedule."

4. In the Schedule appended to the said Scheme, -
(a) the words, brackets and figures.

"SCHEDULE
[Clause 2(2)]"

where they occur for the second time, shall be deleted;
(b) after Part II, the following shall be added,
namely :-

"PART III

Markets or Subsidiary Markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, within the areas bounded by -

- (a) on the North - East and West Public Roads.
- (b) on the West - Fruit and Vegetable Markets.
- (c) on the South - Areas reserved for Cattle and Fodder Markets.
- (d) on the East - Compound of the Market Yard.

PART IV

Grocery Markets or Shops within the areas of the limits of the Pune Municipal Corporation of the City of Pune not specified in Part I, Part II or Part III of this Schedule."

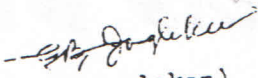
By order and in the name of the Governor of Maharashtra,

G.H. JOGLEKAR,
Assistant Secretary to Government.

To be published in the Maharashtra Government Gazette, Part I-I, Extra-ordinary, dated the 20th November, 1981, and returned with 150 copies of the print of this Department, 200 copies may be sent to the Commissioner of Labour, Bombay No. 40% C24, direct.

..: 3 :-

The publication of this Notification in the Extraordinary Gazette has been approved by the Deputy Secretary, Industries, Energy and Labour Department, Mantralaya.


(G.B. Joglekar)
Assistant Secretary to Government.

Copy to :-

- The Commissioner of Labour, Bombay
(with 15 spare copies).
- The Additional Commissioner of Labour, Pune,
Bungalow No.5, Bombay-Pune Road, Pune 411 005.
(with 10 spare copies).
- The Director of Information and Public Relations
Directorate of Publicity, Mantralaya, Bombay.
Select file.

nb/20.11.51

Pune Mahanadi



असा. नं. १२३

रजिस्टर्ड नं. एमएच/बाव-साऊव/२०



महाराष्ट्र शासन राजपत्र

असाधारण

प्रापिकृत प्रकाशन

मंगळवार, डिसेंबर १, १९८७/अप्रहायण १०, शके १९०९

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

भाग एक-ल

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

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 1st December 1987

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

No. UWA-1482/CR(10058)/LAB-5.—Whereas, the Scheme called the Poona Grocery Markets or Shops and Markets or Subsidiary Markets, Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, published in Government Notification, Industries, Energy and Labour Department, No. UWA-1473/197778/Lab-IV, dated the 30th March 1974, 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 (1) grocery markets or shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting or cleaning or such other work including work preparatory or incidental to such operations in the areas specified in Part I and Part IV of the Schedule thereto, and in (2) markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, or cleaning or such other work including work preparatory or incidental to such operations in the areas specified in Part II and Part III of the Schedule thereto;

भाग एक-ब—१३४

(३४५)

३४६ महाराष्ट्र शासन राजपत्र, अ.ता., डिसेंबर १, १९८७/अप्र.१०, राके १९०९ [भाग एक-स]

And whereas, after consultation with the Advisory Committee, the Government of Maharashtra considers it necessary to make the provisions of the said scheme applicable also to the following employments, within the areas of the Pune Municipal Corporation of the City of Pune,—

(1) Employments 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;

(2) Employment in Public Transportation, in connection with loading of goods into public transport vehicle or unloading of goods therefrom or any other operation incidental or connected thereto;

Now, therefore, in exercise of the powers conferred by sub-section (1), clause (a) of the second proviso in sub-section (1) and sub-section (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. (i) This Scheme may be called the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) (Amendment) Scheme, 1987.

(ii) It shall come into force from 1st day of December 1987.

2. In the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974 (hereinafter referred to as "the said Scheme") for the heading,—

"The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, the following heading shall be substituted, namely: 'The Pune Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Scheme, 1974'".

3. In clause 1 of the said scheme, for the words and figures "The Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974 the words and figures "The Pune Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare), Scheme, 1974" shall be substituted.

4. In clause 2 of the said scheme,—

(i) in sub-clause (i) after paragraph (c), the following shall be added, namely:—

(d) 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;

(e) public transportation, in connection with loading of goods into public transport vehicles or unloading of goods therefrom or any other operation incidental and connected thereto; and

(ii) in sub-clause (2), after paragraph (c), the following shall be added, namely

"(d) 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 in the areas specified in Part X of the Schedule hereto"; and

महाराष्ट्र शासन राजपत्र, असा., डिसेंबर १, १९८७/अप्र. १०, शके १९०९ ३४७

"(c) public transportation, in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto in the area specified in Part V of the schedule thereto."

5. For clause 3 of the said scheme, the following shall be substituted, namely :

"3. The clauses of the said scheme shall commence in respect of such employment, in such areas and from such date, as mentioned in Schedule II appended to the said scheme."

6. In clause 4, in sub-clause (b), for the words, "The Poona Grocery Markets or Shops and the Agricultural Produce Markets Labour Board" the words "The Pune Mathadi, Hamal and other Manual Workers Board" shall be substituted.

7. In the Schedule appended to the said Scheme,—

(i) for the heading "SCHEDULE" the heading "SCHEDULE I" shall be substituted ;

(ii) after Part IV, the following shall be added, namely :—

" PART V

The areas of the limits of the Pune Municipal Corporation of the City of Pune."

8. After Schedule I, appended to the said Scheme, the following shall be added, as follows, namely :—

**" SCHEDULE II
(Clause 3)**

Serial No.	Name of employment	Areas of application Schedule I (3)	Date of application of clauses 14 and 15 of the scheme (4)	Date of application of remaining clauses of the scheme. (5)
(1)	(2)			
1	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 in the areas specified in Part I of Schedule I;	Part I	1st May 1974	1st June 1974
2	Markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operation, in the area specified in Part II of Schedule I;	Part II	1st May 1974	1st June 1974.
3	Grocery markets or Shops and Markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning and such other work including work preparatory or incidental to such operations in the areas specified in Part III and Part IV of Schedule I;	Parts III & IV	21st December 1981.	15th January 1982.
4	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 in the areas specified in Part V of Schedule I;	Part V	1st December 1987	1st January 1988.
5	Public transportation in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto in the areas specified in Part V of Schedule I.	Part V	1st December 1987	1st January 1988.

By order and in the name of the Governor of Maharashtra,
RAMAKANT ASMAR,
 Assistant Secretary to Government.

अस. क्र. १०३

*Name of the Board
changed*

रजिस्ट्रं नं. एमएच/बाव-माकप/२०



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

मंगळवार, सप्टेंबर ६, १९८८/भाद्र १५, शके १९१०

स्वतंत्र संकलन म्हणून काईस करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत

भाग एक-ल

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

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 6th September 1988

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

No. UWA. 1388/11723/Lab-5.—Whereas, by Government Notification, Industries, Energy and Labour Department, No. UWA. 1482/CR (10058)/Lab-5, dated the 1st December 1987 issued under sub-section (1) of section 4 of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), the Government of Maharashtra has changed the name of the Poona Grocery Markets or Shops and Markets or Subsidiary Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, as "the Pune Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Scheme, 1974";

And whereas, as a sequel, the Government of Maharashtra considers it necessary to change the name of the Poona Grocery Markets or Shops and Agricultural Produce Markets Labour Board, Pune (hereinafter referred to as "the said Board") established by Government Notification, Industries and Labour Department, No. UWA. 1673/165237/Lab-IV, dated the 30th March 1974, (hereinafter referred to as "the said notification") and reconstituted, from time to time, as "the Pune Mathadi, Hamal and Other Manual Workers Board";

भाग एक-ल—११६

(३४६)

३४७ महाराष्ट्र शासन राजपत्र, असा., सप्टेंबर ६, १९८८/भाद्र १५, शके १९९० [भाग एक-ल

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Government of Maharashtra hereby amends the said notification as follows, namely :—

In the said notification, in the paragraph (a), for the words "the Poona Grocery Markets or Shops and Agricultural Produce Markets Labour Board, Poona", the words "the Pune Mathadi, Hamal and Other Manual Workers Board" shall be substituted.

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

RAMAKANT ASMAR,

Assistant Secretary to Government.

माननीय
साथी



महाराष्ट्र शासन राजपत्र

असाधारण
प्रसिद्ध प्रकाशन

शुक्रवार, एप्रिल २६, १९९१/वैशाख ६, शके १९१३

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भाषाभाषा वेळी पुढे कर्मांक दिले आहेत

भाग एक-रु

(केंद्रीय) औद्योगिक विवाद अधिनियम व मुंबई औद्योगिक संबंध अधिनियम यांच्यातील
(भाग एक, चार-अ, चार-ब आणि चार-क बाबतचे प्रसिद्ध केलेल्या अधिसूचना,
आदेश व निवाडे यांमधील) अधिसूचना, आदेश व निवाडे

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 26th April 1991

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

No. UWA. 1587/(11603)/LAB-5.—Whereas, the Scheme called the Poona Grocery Markets or Shops and Markets or Subsidiary Markets, Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1974, published in Government Notification, Industries, Energy and Labour Department, No. UWA-1473/197778/Lab-IV, dated the 30th March, 1974, as amended from time to time (hereinafter referred to as "the said Scheme") has been made by the Government of Maharashtra in the areas and the Scheduled employments as mentioned in the Schedule appended to the said Scheme :

And whereas, after consultation with the Advisory Committee, the Government of Maharashtra considers it necessary to make provisions of the said Scheme applicable also to the following employments within the areas of the Pune Municipal Corporation of the City of Pune, namely :—

(1) Employment in markets and factories and other establishments, in connection with loading, unloading, measuring, stacking, carrying, weighing, twisting and cutting, filling, stitching, sorting, cleaning or such other work including work preparatory or incidentally or 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).

भाग एक-ल] महाराष्ट्र शासन राजपत्र, असा., एप्रिल २६, १९९१/वैशाख ६, शके १९१३ २३७

goods selling, purchasing or trading or acting as an agent in the Scheduled Employments specified in the Schedule hereto in areas to which this Scheme applies, shall get 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 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 on 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 dates as has been or may be specified by the Board in that behalf may be registered if he is citizen of India and possesses such qualification, as have been or may be specified by the Board having regard to local conditions, physical fitness, 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 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 register :

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

5. For the Schedule to the said Scheme, the following Schedule shall be substituted namely :—

SCHEDULE

Sr. No.	Name of Employment.	Areas of application	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	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 in the areas specified in Part I of the schedule hereto.	Part-I	1st May 1974	1st June 1974

(1)	(2)	(3)	(4)	(5)
2	Markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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 in the areas specified in Part II of the schedule hereto.	Part-II	1st May 1974	1st June 1974
3	Grocery markets or shops and markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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 in the areas specified in Part III and Part IV of the Schedule hereto.	Part-III and IV	21st December 1981	15th January 1982
4.	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 in the areas specified in Part V of the Schedule hereto ; and	Part-V	1st December 1987	1st January 1988

भाग एक-क] महाराष्ट्र सातन राजवत, असा, एप्रिल २६, १९९१/बसाव ६, मके १९९३ २३९

(1)	(2)	(3)	(4)	(5)
5	Public transportation in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto in the areas specified in Part V of the Schedule hereto.	Part-V	1st December 1987	1st January 1988
6	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 of incidentally or 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).	Part-V	1st May 1991	16th May 1991
7	Employment in Railway Yards and Goods-Sheds in connection with loading, unloading, stacking, carrying, measuring or such other work preparatory or incidentally to such operations by workers who are not employed by Railway Authorities.	Part-V	1st May 1991	16th May 1991

२४० महाराष्ट्र शासन राजपत्र, भसा., एप्रिल २६, १९९१/वैशाख ६, शके १९१३ । भाग एक-स

(1)	(2)	(3)	(4)	(5)
8	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 incidentally to such operations.	Part-V	1st May 1991	16th May 1991
9	Employment in Khoka making and in Timber Market.	Part-V	1st May 1991	16th May 1991

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

G. K. WALAVALKAR,

Section Officer.

शासकीय मध्यवर्ती मुद्रणालय, मुंबई



महाराष्ट्र शासन राजपत्र

असाधारण
प्रधिकृत प्रकाशन

बुधवार, सप्टेंबर ९, १९९२/भाद्रपद १८, शके १९१४

स्वतंत्र संकलन म्हणून काईल 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 यांब्यतिरिक्त) अधिसूचना, आदेश व निवाडे

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 9th September 1992

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

No. UWA: 1587/(11603)/LAB-5.—In exercise of the powers conferred by sub-section (1) 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 Clauses Act, 1904 (Bom. I of 1904) and of all other powers enabling it in this behalf the Government of Maharashtra hereby amends the schedule of the Pune Mathadi, Hamal and Other Manual Workers (Regulation of employment and Welfare) (Amendment) Scheme, 1991 (published in Maharashtra Government Gazette, Part I-L, dated 26th April, 1991) as follows, namely :—

In the said schedule,—

in entry No. 9 after the word 'market' the words "in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work preparatory or incidental to such operations" shall be inserted.

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

G. K. WALAVALKAR,

Section Officer.

भाग एक-ल—३३

(३९०)

शासकीय मध्यवर्ती मुद्रणालय, मुंबई



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

गुरुवार, ऑक्टोबर २९, १९९२/कार्तिक ७, शके १९१४

स्वतंत्र संकलन म्हणून काईल करण्यासाठी या आगाळा वेगळे पृष्ठ क्रमांक दिले आहेत

भाग एक-ल

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

INDUSTRIES, ENERGY AND LABOUR DEPARTMENT

Mantralaya, Bombay 400 032, dated the 29th October 1992

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

No. UWA. 1587(11603)/LAB-5.—In exercise of the powers conferred by sub-section (4) of section 1 of the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), and in supersession of Government Notification, Industries and Labour Department, No. UWA. 1473/197778/LAB-IV, dated the 30th March 1974 and of all other notifications issued in this behalf, the Government of Maharashtra hereby appoints 29th October 1992 to be the day on which all the provisions of the said Act shall come into force in the whole of Pune District, for the following Scheduled employments, namely :—

1. 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.

2. Markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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.

४२९ महाराष्ट्र शासन राजपत्र, भसा., ऑक्टोबर २९, १९९२/कार्तिक ७, शके १९१४ [भाग एक-ख

3. Grocery markets or shops and markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963, 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.

4. 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.

5. Public transportation in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto.

6. 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 incidentally or 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).

7. Employment in Railway Yards and Goods-Sheds in connection with loading, unloading, stacking, carrying, measuring or such other work preparatory or incidentally to such operations by workers who are not employed by Railway Authorities.

8. 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 incidentally to such operations.

9. Employment in Khoka making and in Timber Market in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work preparatory or incidental to such operations.

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

G. K. WALAVALKAR,

Section Officer. }

CORRIGENDUM

Industries, Energy and Labour Department,
Mantralaya, Bombay-400032,
Dated the 9th November 1994.

Maharashtra
Mathadi
Hamal and
other
Manual
Workers
(Regulation
of Employ-
-ment and
Welfare)
Act, 1969.

No. UWA-1594/(2748)/Lab-5.- In Government Notification, Industries, Energy and Labour Department, No. UWA-1587/(11603)/LAB-5, dated the 26th April 1991 published in the Maharashtra Government Gazette, Part I-L, Extra-ordinary, dated the 26th April 1991 at pages 237-240 in the Pune Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) (Amendment) Scheme, 1991, -

(i) in clause 3 and 4 for 'Schedule hereto' wherever they occur read "Schedule II hereto";

(ii) in clause 5, -

- (a) for "For the schedule" read "For Schedule II";
- (b) for the heading "SCHEDULE" read "SCHEDULE II";
- (c) for "Areas of application" in column (3) read "Areas of application in Schedule I";
- (d) for "Schedule" appearing in the column (2) regarding Name of the Employment, in entry No.1 to 5 read "Schedule I".

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

S. Y. Kursange
Desk Officer.

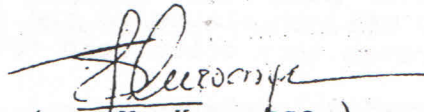
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To be published in Maharashtra Government Gazette, Part I-L Extra Ordinary, dated the 9th November 1994 and returned with 25 copies of the print to this department. 25 copies of the print may be sent to the Commissioner of Labour, Bombay, direct.

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: 2 :

The publication of this corrigendum in the Extra-Ordinary Gazette has been approved by the Deputy Secretary (Labour), Industries, Energy and Labour Department.



(S. Y. Kursange)
Desk Officer,

Industries, Energy and Labour Department.

Copy to :

The Commissioner of Labour, Bombay.

✓ The Additional Commissioner of Labour, Pune.

The Chairman, The Pune Mathadi and Unprotected Labour Board, Unique House, 180 Bhavani Peth, Pune-42.



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

दिनांक

बुधवार, ऑक्टोबर १८, १९९५/आश्विन २६, शके १९१७

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

भाग एक-ल

(केंद्रीय) औद्योगिक विकास अधिनियम व मुंबई औद्योगिक संस्थे अधिनियम याबाबत

(भाग एक, चार-अ, चार-ब अर्थात चार-क यांमध्ये प्रसिद्ध केलेल्या अधिसूचना,

बाबत व निवाडे बांध्यतिरिक्त) अधिसूचना, आदेश व निवाडे.

उद्योग, ऊर्जा व कामगार विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक १८ ऑक्टोबर १९९५

महाराष्ट्र माथाडी, हमाल व इतर श्रमजीवी कामगार (नोकरीचे नियमन व कल्याण) अधिनियम, १९६९.

भाग-१

क्रमांक यूडल्यूए.१५९३/(२३६७)/कामगार-५.—महाराष्ट्र माथाडी, हमाल व इतर श्रमजीवी कामगार (नोकरीचे नियमन व कल्याण) अधिनियम, १९६९ (महाराष्ट्र १९६९ चा ३०) (यापुढे "उपरोक्त अधिनियम" असे संबोधण्यात येईल) च्या कलम ४, उपकलम (१), तसेच वॉम्बे जनरल क्लॉजेस अक्ट, १९०४ (बीओएम. एक, १९०४) च्या कलम २४ च्या अनुषंगाने प्रदान करण्यात आलेल्या शक्तींचा वापर करून महाराष्ट्र माथाडी सल्लागार समितीशी विचारविनिमय केल्यानंतर महाराष्ट्र शासन याद्वारे उपरोक्त अधिनियमाच्या कलम ४(१) अन्वये पूर्वप्रकाशित पुणे माथाडी, हमाल व इतर श्रमजीवी कामगार (नोकरीचे नियमन व कल्याण) योजना, १९७४ (यानंतर "उक्त योजना" असे संबोधण्यात येईल) मध्ये सुधारणा करून पुढीलप्रमाणे सुधारीत योजना करित आहे :—

१. (१) या योजनेस पुणे माथाडी, हमाल व इतर श्रमजीवी कामगार (नोकरीचे नियमन व कल्याण) (सुधारीत) योजना, १९९५ असे संबोधण्यात येईल.

(२) ही योजना दिनांक १८ ऑक्टोबर १९९५ पासून अमलात येईल.

भाग एक-ल—३१

(१०३)

१. महाराष्ट्र शासन राजपत्र, असा., ऑक्टो. १८, १९९५/आश्विन २६, शके १९१७ [भाग एक-स]

२. उक्त योजनेच्या उपखंड (२) मध्ये दिलेल्या "पुणे येथे नोंदित मालक" ऐवजी या योजनेच्या अनुसूची १ मध्ये नमूद केलेल्या परिसरातील नोंदीत "मालक" असे वाचण्यात यावे.

३. उक्त योजनेच्या खंड ३ मध्ये पुढीलप्रमाणे दुरुस्ती करण्यात येत आहे :—

"३. सुरुवात.—ही योजना सोबतच्या अनुसूची २ मध्ये नमूद केलेल्या अनुसूचीत उद्योगासाठी त्या त्या उद्योगासमोर दर्शविलेल्या दिनांकापासून अमलात आली असे समजण्यात येईल."

४. उक्त योजनेच्या खंड १४ व १५ मध्ये पुढील दुरुस्ती करण्यात येत आहे :—

१४. मालकांची नोंदणी.—ही योजना लागू असणाऱ्या सोबतच्या अनुसूची २ मध्ये नमूद केलेल्या सेवांमधील माल प्रेषितांच्या इष्ट ठिकाणी जागारा माल घेणे, वजन, मापन, माल भरणे, रचणे, रचणे, मालाचा निपटारा करणे, अग्रेषण करणे, वा परिवहन करणे, मालाचा खरेदी-विक्री अथवा व्यापार करणे तसेच अनुसूची २ मध्ये दर्शविल्या-प्रमाणे एजंटचे काम करणारा यासारख्या कामांमध्ये गुंतलेला मुकादम, कमिशन एजंट, खरीद सप्लायर, निपटारा एजंट, खरेदीदार, आयातक निर्यातक यांसह प्रत्येक मालक या योजनेसह जोडलेल्या नमुना "ए" मध्ये अर्ज करून नियुक्त केलेल्या दिवसापासून १५ दिवसांच्या आत मंडळाकडून नोंदणी करून येईल.

परंतु नियुक्त केलेल्या दिवसानंतर कोणत्याही क्षेत्रात अस्तित्वात येणाऱ्या आस्थापनेचा मालक, कामकाजाला सुरुवात करतानाच नोंदणीसाठी अर्ज करील.

१५. विद्यमान व नवीन कामगारांची नोंदणी.—(१) (अ) ही योजना लागू असलेल्या क्षेत्रात योजनेची अंमलबजावणी होण्याच्या तारखेस, सेवायोजनात या पूर्वीच काम करीत असलेला कोणताही कामगार, या योजनेखालील नोंदणीकृत कामगार असेल;

(ब) स्थानिक परिस्थिती, शारीरिक पात्रता, क्षमता आणि/किंवा अनुभव लक्षात घेता मंडळाकडून विनिर्दिष्ट करण्यात येईल अशा अर्हतेवर नवीन नोंदणी करण्यात येईल. केवळ भारताचा नागरिक अशा नोंदणीसाठी पात्र असेल;

(क) मंडळ या बाबत विनिर्दिष्ट करील अशा कोणत्याही तारखेला उक्त सेवायोजनात काम करीत असलेल्या किंवा काम करीत होते अशा कामगारांमधून, कोणत्याही नवीन योजनेखालील कामगारांची नोंदणी करण्यात येईल. परंतु, अशा बाबतीत वैद्यकीय दृष्ट्या कामगार पात्र असेल आणि त्याचे वय ६० वर्षांपेक्षा अधिक नसेल.

(३) या योजनेत कोणत्याही तरतुदी समाविष्ट करण्यात आल्या तरी जर मंडळाच्या सत्ते कामगाराने त्याच्या अर्जात चुकीची माहिती देऊन किंवा त्यात आवश्यक असलेली माहिती उघड न करता नोंदणी मिळविली आहे, किंवा कामगारांची चुकीच्या पद्धतीने किंवा चुकीची नोंदणी करण्यात आली आहे तर मंडळाला नोंदवहीतून त्या कामगाराचे नाव काढून टाकण्याचा निदेश देता येईल.

परंतु असा निदेश देण्यापूर्वी, प्रस्तावित निदेश का देण्यात येऊ नये याबाबतची कारणे दाखविण्याची एक संधी मंडळ अशा कामगाराला देईल.

हदीती-हदीती

भाग एक-रु] महाराष्ट्र शासन राजपत्र, असा., ऑक्टो. १८, १९९५/आश्विन २६, शके १९१७-१०५

५. उक्त योजनेच्या सोबत जोडलेल्या अनुसूची १ मधील भाग ५ नंतर खालीलप्रमाणे समावेश करण्यात येईल --

" भाग ६

पुणे जिल्ह्याच्या हद्दीतील नमूद केलेले क्षेत्र

(१) पुणे शहरातील महानगरपालिकेच्या हद्दीतील क्षेत्र.

(२) पुणे जिल्ह्यातील भोर, बल्हा, शिरूर, दोंड, बारामती, पुरंदर आणि इदापूर तालुक्यांच्या हद्दीतील क्षेत्र.

(३) पुणे जिल्ह्याच्या हवेली तालुक्यातील, हडपसर, खेड, शिवापूर उरळी कांचन आणि वाघोळी मंडळाच्या हद्दीतील क्षेत्र.

(४) (अ) पुणे जिल्ह्याच्या हवेली तालुक्यातील कोथरुड मंडळामधील कोथरुड, शिवने, कांदवे, धावडे, वडजे, संगरूर, माळखोड, दोंजे आणि खानापूर सजाच्या हद्दीतील क्षेत्र.

(ब) पुणे जिल्ह्याच्या हवेली तालुक्यातील कळस मंडळामधील कळस, धनेरी, लोहगांव, खडी आणि वडगांव शेरी सजाच्या हद्दीतील क्षेत्र.

(५) पुणे जिल्ह्याच्या हवेली तालुक्यातील पुणे व खडकी ठावणी हद्दीतील क्षेत्र "

६. उक्त योजने सोबत जोडलेल्या अनुसूची २ ऐवजी पुढीलप्रमाणे समावेश करण्यात येईल --

" अनुसूची २

अनु- क्रमांक	उद्योगाचे नाव	लागू असलेले क्षेत्र	योजनेचा खंड १४ व १५ लागू होण्याचा दिनांक	योजनेचे उर्वरित खंड लागू होण्याचा दिनांक
(१)	(२)	(३)	(४)	(५)
१	माल भरणे, तो उतरविणे, रचणे, त्याची ने-आण करणे, त्याचे वजन व (मापन करणे, फायलिंग, शिवणे, पृथक्करण करणे, स्वच्छ करणे) किंवा अशा कामाच्या पूर्व तयारीची किंवा अनुषंगिक कामे घेऊन अशा प्रकारच्या इतर कामासंबंधातील किराणा वाजार किंवा दुकाने यातील नोकरी.	भाग-१ भाग-६	१ मे १९७४ १८ ऑक्टोबर १९९५	१ जून १९७४ १८ नोव्हेंबर १९९५

(१)	(२)	(३)	(४)	(५)
२	माल भरणे, तो उतरविणे, रचणे, त्याची ने-आण करणे, त्याचे वजन व (मापन करणे, फायलिंग, शिवणे, पृथक्करण करणे, स्वच्छ करणे,) किंवा अशा कामाच्या पूर्वतयारीची किंवा अनुषंगिक कामे धरून, अशा प्रकारच्या कामासंबंधात, महाराष्ट्र कृषि उत्पन्न खरेदी-विक्री (नियमन) अधिनियम, १९६३ अन्वये स्थापन करण्यात आलेल्या बाजारातील किंवा दय्यम बाजारातील नोकरी व किराणा बाजार आणि दुकाने यामधील नोकरी.	भाग-३	२९ डिसेंबर १९८१	१५ जानेवारी १९८२
३	माल भरणे, तो उतरविणे, रचणे, त्याची ने-आण करणे, त्याचे वजन व मापन करणे, किंवा अशा कामाच्या पूर्वतयारीची किंवा अनुषंगिक कामे धरून, अशा प्रकारच्या इतर कामासंबंधातील लोखंड व पोलाद बाजार किंवा दुकाने यातील नोकरी.	भाग-५ भाग-६	१ डिसेंबर १९८७ १८ ऑक्टोबर १९९५	१ जानेवारी १९८८ १८ नोव्हेंबर १९९५
४	सार्वजनिक वाहतुकीच्या वाहनात माल भरणे किंवा त्यामधून तो उतरविणे व त्या कामाशी आनुषंगिक व संबंधित असेल असे इतर कोणतेही काम या संबंधातील नोकरी.	भाग-५ भाग-६	१ डिसेंबर १९८७ १८ ऑक्टोबर १९९५	१ जानेवारी १९८८ १८ नोव्हेंबर १९९५
५	माल भरणे, तो उतरविणे, रचणे, त्याची ने-आण करणे, त्याचे वजन व (मापन करणे, फायलिंग, शिवणे, पृथक्करण करणे, स्वच्छ करणे) किंवा अशा कामाच्या पूर्वतयारीची किंवा आनुषंगिक कामे धरून अशा प्रकारच्या इतर कामासंबंधातील उपरोक्त अधिनियमाच्या अनुसूचीच्या इतर कोणत्याही नोंदीखाली न येणारी, बाजारातील आणि कारखान्यातील व इतर आस्थापनातील नोकरी.	भाग-५	१ मे १९९१	१६ मे १९९१

(१)	(२)	(३)	(४)	(५)
६	रेल्वे प्राधिकरणाकडून जे कामावर भाग-५ देवण्यात आले नसतील अशा कामगारां- कडून करण्यात येणारी, माल भरणे, तो उतरविणे, रचणे, त्याची ने-आण करणे, त्याचे वजन व मापन करणे किंवा अशा कामाच्या पूर्वतयारीची किंवा अनुषंगिक कामे धरून, अशा प्रकारच्या इतर कामांसंबंधातील, रेल्वे आबारा- तील किंवा गुड्स शेडसमधील नोकरी	भाग-५	१ मे १९९१	१६ मे १९९१.
७	माल भरणे, तो उतरविणे, रचणे, त्याची भाग-५ ने आण करणे, त्याचे (मापन करणे, भाग-६ फायलिंग, शिवणे, पृथक्करण करणे, स्वच्छ करणे) किंवा अशा कामाच्या पूर्वतयारीची किंवा अनुषंगिक कामे धरून त्या संबंधातील भाजीपाला बाजारातील (कांदे व बटाटा बाजार धरून) नोकरी.	भाग-५ भाग-६	१ मे १९९१, १६ मे १९९१, १८ ऑक्टोबर १८ नोव्हेंबर १९९५.	१९९५.
८	माल भरणे, उतरविणे, रचणे, त्याची भाग-५ ने आण करणे, वजनमापन करणे व भाग-६ त्या कामाशी अनुषंगिक व संबंधित असेल अशी खोका तयार करण्याच्या कामातील किंवा इमारती लाकूड बाजारातील नोकरी.	भाग-५ भाग-६	१ मे १९९१, १६ मे १९९१, १८ ऑक्टोबर १८ नोव्हेंबर १९९५.	१९९५.
९	माल भरणे, तो उतरविणे, रचणे, त्याची भाग-२ ने आण करणे, त्याचे वजन (मापन करणे, फायलिंग, शिवणे, पृथक्करण करणे, स्वच्छ करणे) किंवा अशा कामाच्या पूर्वतयारीची किंवा अनुषंगिक कामे धरून, अशा प्रकारच्या कामां- संबंधात, महाराष्ट्र कृषि उत्पन्न खरेदी विक्री (नियमन) अधिनियम, १९६३ अन्वये स्थापन करण्यात आलेल्या बाजा- रातील किंवा दुय्यम बाजारातील नोकरी.	भाग-२	१ मे १९७४. १ जून १९७४."	

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

सु. य. कुरसंगे,
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