



THE ROAD TRANSPORT WORKERS ORDINANCE, 1961



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THE ROAD TRANSPORT WORKERS ORDINANCE, 1961

¹ORDINANCE No. XXVIII OF 1961

[4th July, 1961]

An Ordinance to regulate the hours of work and other conditions of employment of road transport workers in Pakistan.

WHEREAS it is expedient to regulate the hours of work and other conditions of employment of road transport workers in Pakistan;

Now, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

1. Short title and commencement.—(1) This Ordinance may be called the Road Transport Workers Ordinance, 1961.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.— In this Ordinance, unless there is anything repugnant in the subject or context,—

(1) “day” means a period of 24 hours beginning at midnight ;

¹This Ordinance has been applied to the Provincially Administered Tribal Areas to the Parts of those areas to which it does not already apply see Regulation No. 1 of 1972, s. 2 and Sch.

- (2) "employer" means the owner of any road transport service in which workers are employed, and where the business of such service is not directly managed by the owner, means the Manager, Agent, or Representative of such owner in the said service, and where the owner is a minor, the guardian of such minor, and in relation to any vehicle which is the subject of hire-purchase agreement, the person in possession of the vehicle under that agreement ;
- (3) "Government" means the Provincial Government ;
- (4) "hours of work" means the time during which the workers employed are at the disposal of the employer excluding any interval allowed for rest and meals ;
- (5) "prescribed" means prescribed by rules made under this Ordinance ;
- (6) "public place" means a road, street, way or other place, whether a thoroughfare or not, to which the public have a right of access, and includes any place or stand at which passengers are picked up or set down by a vehicle;
- (7) "road transport service" means a service carrying passengers or goods or both by road in vehicles for hire or reward ;
- (8) "vehicle" means any mechanically propelled vehicle, used or capable of being used for the purpose of road transport and includes a tramcar, a trolley-vehicle and a trailer;
- (9) "week" means a period of seven days;
- (10) "worker" means a person engaged on mobile duty, and includes drivers, cleaners, conductors and checkers employed by or is a road transport service ;
- (11) "year" means a period of twelve months starting from the date a worker is employed in a road transport service and ending on the date immediately preceding in the following calendar year.

3. Age limit.—(1) No person, other than a driver, shall be employed in any road transport service unless he has attained the age of eighteen years.

(2) No person shall be employed in any road transport service for the purpose of driving a vehicle unless he has attained the age of twenty-one years.

¹[3A. **Order of appointment etc.** An employer—

- (a) who has employed a worker before the commencement of the Road Transport workers (Amendment) Act, 1975, shall within one month of such commencement, and
- (b) who employs, transfers or promotes a worker after such commencement shall on the day of such employment, transfer or promotion, furnish such worker with an order in writing in such form as may be prescribed specifying the terms and condition of his employment, transfer or promotion, as the case may be.]

4. Hours of work and rest.—(1) No worker shall be employed on a vehicle—

- (a) for more than five hours at a time before he has had an interval for rest of at least half an hour nor for more than ²[seven] hours before he has had at least two such intervals ;
- (b) for more than ³[eight] hours in a day ; and
- (c) for more than ⁴[forty-eight] hours in a week.

⁵[**Explanation.**—A worker who is required to wait for not less than 30 minutes to be employed on a vehicle shall be deemed to be employed on a vehicle during the time he is so required to wait]

(2) Every worker shall be entitled to have at least twenty-four hours of consecutive rest in a week.

(3) The Government may, by rules made under section 10, grant such exemptions from the provisions of sub-section (1) and sub-section (2) as it thinks fit, to meet cases of emergency or of delay by reason of circumstances which could not be foreseen:

Provided that—

- (a) no worker shall be employed overtime in any year in excess of one hundred and fifty working hours ; and
- (b) the worker employed overtime shall be paid remuneration at twice the rate of his normal wages calculated by the hour.

¹Ins. by the Road Transports Workers (Amdt.) Act, 1975 (12 of 1975) s.2.

²Subs. *ibid.*, s. 3, for "eight".

³Subs. *ibid.*, for "nine".

⁴Subs. *ibid.*, for "fifty-four".

⁵Ins. *ibid.*, s.3.