

DEENDAYAL PORT TRUST



(AN ISO 9001:2008 & ISO 14001:2004 CERTIFIED PORT) (आईएसओ 9001:2008 एवं आईएसओ 14001:2004 प्रमाणित पोर्ट)

Telegram: PORT TRUST

तार : पोर्ट ट्रस्ट

टेलीफोन : 02836-270625

No.TF/SH/Dock Safety/2019/271

फैक्स : 02836-270475





यातायात प्रबंधक का कार्यालय कंडला पोर्ट ट्रस्ट पी एंड सी बिल्डिंग

नया कंडला (कच्छ) 370210

Date: 30/05/2020

TRADE NOTICE

Sub: Assessment of Safety Performance of Employers of Dock Workers-reg.

Sir,

With reference to above cited subject, please find herewith enclosed copy of mail dated 18/05/2020 received from the Assistant Director (Safety), Inspectorate Dock Safety, Kandla, which is self explanatory.

All Dock Workers working under their establishment at Deendayal Port are hereby advised to comply with all the observations raised by Assistant Director (Safety) and submit a compliance report latest by 30/06/2020.

Yours faithfully

Traffic Manager
Deendayal Port Trust

To,

All Port Users/Trade Associations.



भारत सरकार श्रम और रोजगार मंत्रालय,
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT
कारखाना सलाह सेवा एवं श्रम संस्थान महाानिदेशालय
DIRECTORATE GENERAL FACTORY ADVICE SERVICE & LABOUR INSTITUTES
"गोदी सुरक्षा निरीक्षणालय, कांडला पोर्ट "
"INSPECTORATE DOCK SAFETY, KANDLA PORT"
बन्दर गेट के पास, कांडला पोर्ट— 370210, भारत
NEAR BUNDER GATE, KANDLA PORT—370210, INDIA

कमांक सं./Ref No. 5/5/2017-18/IDK/ 29

दिनांक/Date: 18.05.2020

To

The Chairman Deendayal Port Trust Kandla - 370210.

Sub: Assessment of Safety Performance of employers of dock workers - reg.

Sir,

Reference is made to your letter Ref No. - TF/SH/STEV-2100/2019-22/D.S./1399 dated 29/10/2019 and Ref. No. - TF/SH/STEV-2100/2019-22/D.S./1409 dated 30/10/2019 on the subject matter. Further, please refer to our e-mail dated 24/04/2020 on the subject matter wherein deficiencies observed during inspection has been indicated and it has been advised to convey the deficiencies to employers of dock workers in order to rectify the same. It has been also advised to convey to employers of dock workers to submit compliance report latest by 30/06/2020 and to extend the license of the employer of dock workers for three months.

Deficiencies as referred above in the system are the contributing factors to unsafe conditions & unsafe acts resulting to incidents/accidents and ultimately leading to poor safety performance/culture. These deficiencies are brought to the notice of the Port & employers of dock workers repetitively during various meetings held and advised with the corrective measures to overcome the said deficiencies. However, no fruitful results could be achieved and status is unchanged.

In view of the above, action from this Inspectorate cannot be withhold any further. Therefore, an Improvement Notice to employers and principal employers as defined under Section 2 (f) & (g) of the Dock Workers (Safety, Health and Welfare) Act, 1986 has been issued and enclosed herewith for circulation of the same to every employer of dock workers operating inside the Deendayal Port Trust.

Yours faithfully

(Samir Pandey) Assistant Director (Safety)

Encl.: As above.



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NEAR BUNDER GATE, KANDLA PORT — 370210, INDIA

Part - II

IMPROVEMENT NOTICE

DOCK WORKERS (SAFETY, HEALTH & WELFARE) REGULATIONS, 1990

(Regulation 4)

Inspector's Notice on Inspection of Dock, Ships, Lifting Appliance, Loose Gear or similar other Gear, Equipment, Ladders and Stagings.

Inspector's Notice to Owner, Master, Office In-charge, or Agent of the Ship, Port Authority, Owner of Lifting Appliances, Loose Gears and Lifting Devices or the person, who, by himself, his agents or his employers, carries on the dock work, as the case may be.

Name of the Dock, Ship, Lifting Appliances, Loose Gears, Lifting Device, Transport Equipment,	Where situated, laying/used	Port of Registry	Official No. (if any) of
Ladders and Stagings	*		ship
(1)	(2)	(3)	(4)
Deendayal Port Trust, Kandla	Across the port w.r.t.	1_	
	Employers/Principal Employer as defined under Section 2 (f) & (g) of the Dock Workers (Safety, Health and Welfare) Act, 1986.	•	

An inspection of the above named Dock, Ship, Lifting Appliances, Loose Gears, Lifting Devices, Transport Equipment, Ladders and Stagings was made every time inspection is conducted for dock work carried out onboard and across the Port.

The following contraventions were observed. You are required to remedy the said contraventions and send the compliance report in writing latest by 30/06/2020.

. This notice is being issued without prejudice to any legal action which may be taken for these contraventions.

On hearing from you that the requirements have been complied with the Dock/Ship/ Lifting Appliances/Loose Gear or similar other/Transport Equipment/ Ladders/Stagings will again be visited with a view to the inspection being completed.

CONTRAVENTIONS

Regulation 93: Safety Officer has not been appointed by the employers of dock workers as required under the provisions of Regulation 93 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990.

Regulation 109: Welfare Officer has not been appointed by the employers of dock workers as required under the provisions of Regulation 109 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990.

Regulation 65(3) & 110: Record of dock workers employed in the hold for dock work is not maintained. Consolidated record of dock workers employed per shift or in a day is not maintained by any employer. Hence, correct reporting of total number of dock workers engaged in a shift/day in monthly statement required to be submitted in Form XIII cannot be ensured. Some employers are not even submitting the statement. This leads to the contravention of the



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provisions under Regulation 65(3) & 110 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990.

NEAR BUNDER GATE, KANDLA PORT – 370210, INDIA

Regulation 13(2)(b)&(3)(b), 28(4), 47(2), 48(2), 57(1)&(2), 77(1), 88(9) and 90 read with Regulation 2(c) & (u): Authorized person and responsible person required to be appointed by the employer for respective specific duties/task has not been appointed or declared. No records of inspections carried out by them are maintained. This leads to the contravention of the provisions under Regulation 13(2)(b)&(3)(b), 28(4), 47(2), 48(2), 57(1)&(2), 77(1), 88(9) and 90 read with Regulation 2(c) & (u) of the Dock Workers (Safety, Health and Welfare) Regulations, 1990.

Regulation 107 & 111: Most of the dock workers employed for dock work inside the Port are neither medically examined nor trained as required under the provisions of Regulation 107 & 111 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990.

REQUIREMENTS

Following actions are required to be taken for ensuring compliance to the provisions of the Dock Workers (Safety, Health and Welfare) Act, 1986 and Regulations 1990 against the aforesaid contraventions:

- 1. Appointment of Safety Officer along with suitable assistants and staff as per requirements specified under Regulation 93 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990 and Schedule III.
 - Appointment of Welfare Officer as per requirements specified under Regulation 109 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990 and Schedule X.
- 3. Record of workers employed shall be maintained in the format enclosed as Annexure -1. A data based on these records shall be reflected in Form XIII and shall be submitted to the Inspectorate by 05th of every month for compliance of provisions under Regulation 65(3) & 110 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990. Date and shift wise compiled date of employment of dock workers based on the records so maintained shall be submitted to the Port monthly or any such shorter period as prescribed by the Port for determination of daily average employment.
- 4. Authorized person and responsible person shall be appointed/declared fulfilling the requirements of statutory provisions under Regulation Section Regulation 2(c) & (u) of the Dock Workers (Safety, Health and Welfare) Regulations, 1990 and shall be notified to this Inspectorate. Records of inspection carried out by the responsible person so appointed shall be maintained in the formats enclosed in Annexure 2, 3, 4, 5 & 6, as applicable.
- 5. Ensure only medically examined and adequately trained dock workers are employed for dock work as per Regulation Section Regulation 107 & 111 of the Dock Workers (Safety, Health and Welfare) Regulations, 1990.
- 6. Implement a check list for compliance prior to the commencement of cargo handling for ensuring that compliance to the respective statutory requirements needs to be checked prior to the commencement of cargo handling operation. Format of the check list is enclosed herewith as Annexure 7...



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NEAR BUNDER GATE, KANDLA PORT – 370210, INDIA

On compliance with all or any of the requirements, the Inspector should be informed in the manner prescribed hereunder, of the date and place at which the dock, ship, lifting appliance, loose gear, transport equipment, ladders and stagings can be re-inspected.

Inspector under the Dock Workers (Safety, Health &Welfare) Act, 1986

No. 5/5/2012-13/IDK/ Dated: 18/05/2020

To,

All Employers/Principal Employers falls under Section 2 (f) & (g) of the Dock Workers (Safety, Health and Welfare) Act, 1986 carrying out dock work inside Deendayal Port Trust, Kandla.

Copy to:-

- 1. The Director General, DGFASLI, Sion, Mumbai 400022
- Director (Safety) & In-charge Dock Safety Inspectorate (HQ), DGFASLI, Sion, Mumbai - 400022

FORMAT FOR INFORMATION OF COMPLIANCE

(for compliance report to be submitted by the addressee to whom this notice is served) Sir,

The requirements noted by you have been effectively fulfilled. The dock, ship, lifting appliance, loose gear, transport equipment, ladders and stagings will be ready for inspection on the date and place named below:-

.Date of Inspection		Place
	,	

Signature of addressee to whom this notice is served

Dated atthis.....day of2018

To

Inspector under the Dock Workers (Safety, Health &Welfare) Act, 1986 IDS Kandla, Near Bunder Gate, New Kandla-370210

Details of workers employed

Date: Shift:			Location in Port:						
Nam	e of Vessel:								
	e of firm/company:	Name of Foreman/Supervisor:							
SI No.	Name	ID No.	. Work Allotted	Time In	Time out	Tick (V) if employed in the hold			
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Format of checklist for periodic check of Deck/Shore Cranes

Data	0:1	C			•	T	T		1 1
Date	· Oil level	Controls	Condition	Condition	Condition.	Condition	Condition	Remarks*	Signature
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			WITE	wire	cabin and	zuiela	Grabs and		responsible person
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^{*} Any sign of defect shall be recorded in Remarks column.

Format of checklist for periodic check of Mobile Cranes

Date	Oil level	Condition of Operator's cabin and seat	Condition of Wind shield	Controls	Condition of tires and outriggers	Blow horns & reverse buzzer	Condition of runner & luffing wires	Remarks*	Signature of responsib person
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^{*}Any sign of defect shall be recorded in Remarks column. The defect should be immediately rectified.

Format of checklist for periodic check of loose gears and ropes

Date	Item Description inspected including Unique identification Number	Condition	Details of defects, if identified	Action Taken if defect identified	Remarks*	Signature of responsible person
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^{*} Any sign of defect shall be recorded in Remarks column.

· Format of checklist for periodic check of Mobile Equipments

Date	Tires/ travel system [#] & breaks	Reverse Blow horn	Controls	Condition of Wind shield	Hend lights and reflectors	Condition of Operator's cabin and seat	Ventilation system of Operator's cabin	Remarks*	Signature of respondible person
	Dicars		Andrews of the second of the s	And or the state of the state o	· · · · · · · · · · · · · · · · · · ·	5691	entatoriani proprio de la compania del compania del la compania del compania de la compania de la compania de la compania del compania	en e	Control of the Contro
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^{*} Any sign of defect shall be recorded in Remarks column.

[&]quot;Travel system means system of the mobile equipments for its travel from one place to other.

Format of checklist for periodic check of Transport vehicle

Date	Meter reading (kms)	Condition of tires and breaks	Condition of Driver's cabin and seat	Condition of Wind shield	Reverse blow horn	Head light and turning/ parking indicators	Reflectors .	Controls [#]	Remarks*	Sign of resp per
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^{*} Any sign of defect shall be recorded in Remarks column.

[#] Applicable for transport equipments like dumpers with cargo handling/securing mechanism.

Check list for compliance prior to commencement of cargo handling operation (for all types of cargoes except liquid cargo)

Name of	employer:	Date:	
Location	/Name of Vessel:	Shift:	
•	Foreman/Supervisor:	Cargo:	8
SI. No.	Item/Description		()
1.		Compliance status	Remarks
,	Whether the register for Lifting Appliances and Loose Gears		
	for India is as per statutory provisions with valid		1 ' '
	initial/periodic load test certificates and annual thorough examinations entries?		
2.			*
	Whether test certificates and entries of annual thorough		
4 "	examination of lifting appliances and loose gears owned by		
3.	the vessel have been checked for its validity?		-
٥.	Whether the crane operators have checked the respective		1
	cranes and filled the "Checklist for cranes prior to put in operation"?		
4.	Whether any remarks have been made in the checklist		
1	indicating issues needs to be addressed prior to operation		
1	starts?		
5.	Whether all loose gears and accessories to be used for cargo		
	handling has been inspected and are in good condition?		
6.	Whether the crane operator and signaller are trained and hold valid training card?		
7.	Whether all other dock workers are trained and hold valid		
•	training card?		
8.	Whether all dock workers are provided with and wearing		
	relevant Personal Protective Equipments (PPEs)?		
. 9.	Whether the illumination level at all workplaces and	120	
: : .	passage/walkways are as per statutory provisions?		
10.	Whether operator of mobile equipments have checked their		
	respective equipments and filled the "Checklist for mobile	×	
-	equipments"?	,	
11.	Whether any remarks have been made in the checklist	,	
1	indicating issues needs to be addressed prior to operation	,	
12.	starts?		
12.	Whether Master of the vessel has been notified in writing		3
, ,	for use of internal combustion engine (i.e. pay loader) in cargo hold?		
13.	Whether spark arrester has been fitted on the exhaust of the	,	
	engine and is in satisfactory condition?	*	
14.	Whether register for list of workers employed has been		
	maintained in prescribed format?		

Signature of Foreman/Supervisor In-charge during the shift

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