



## DEENDAYAL PORT TRUST

(AN ISO 9001:2008 & ISO 14001:2004 CERTIFIED PORT)

(आईएसओ 9001:2008 एवं आईएसओ 14001:2004 प्रमाणित पोर्ट)

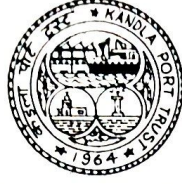


Telegram: PORT TRUST

तार : पोर्ट ट्रस्ट

टेलीफोन : 02836-270625

फैक्स : 02836-270475



यातायात प्रबंधक का कार्यालय

कंडला पोर्ट ट्रस्ट

पी एंड सी बिल्डिंग

नया कंडला (कच्छ) 370210

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

Date: 30/05/2020

### TRADE NOTICE

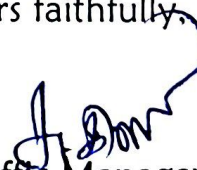
#### Sub: Assessment of Safety Performance of Employers of Dock Workers-reg.

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.



सत्यमेव जयते

भारत सरकार श्रम और रोजगार मंत्रालय,  
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT  
कारखाना सलाह सेवा एंव श्रम संस्थान महानिदेशालय  
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

क्रमांक 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.





सत्यमेव जयते

भारत सरकार श्रम और रोजगार मंत्रालय,  
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT  
कारखाना सलाह सेवा एंव श्रम संस्थान महानिदेशालय  
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

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 employees, carries on the dock work, as the case may be.

Name of the Dock, Ship, Lifting Appliances, Loose Gears, Lifting Device, Transport Equipment, Ladders and Stagings	Where situated, laying/used	Port of Registry	Official No. (if any) of ship
(1)	(2)	(3)	(4)
Deendayal Port Trust, Kandla	Across the port w.r.t. 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





भारत सरकार श्रम और रोजगार मंत्रालय,  
GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT  
कारखाना सलाह सेवा एवं श्रम संस्थान महाविद्यालय  
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

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

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.
2. 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 05<sup>th</sup> 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.





भारत सरकार श्रम और रोजगार मंत्रालय,  
 GOVERNMENT OF INDIA, MINISTRY OF LABOUR & EMPLOYMENT  
 कारखाना सलाह सेवा एवं श्रम संस्थान महानिदेशालय  
 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

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
2. 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 at .....this.....day of .....2018

To

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























Annexure - 7

**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: \_\_\_\_\_

Name of Foreman/Supervisor: \_\_\_\_\_ Cargo: \_\_\_\_\_

Sl. No.	Item/Description	Compliance status	Remarks
1.	Whether the register for Lifting Appliances and Loose Gears for India is as per statutory provisions with valid initial/periodic load test certificates and annual thorough examinations entries?		
2.	Whether test certificates and entries of annual thorough examination of lifting appliances and loose gears owned by the vessel have been checked for its validity?		
3.	Whether the crane operators have checked the respective cranes and filled the "Checklist for cranes prior to put in operation"?		
4.	Whether any remarks have been made in the checklist indicating issues needs to be addressed prior to operation 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 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 indicating issues needs to be addressed prior to operation starts?		
12.	Whether Master of the vessel has been notified in writing 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

for M/s \_\_\_\_\_

(Name and Stamp of Stevedore)