

9. (a) Any firm or company holding a stevedoring licence shall immediately communicate to the Traffic Manager any change in Director, Managing Director or Partners as the case may be.

(b) Any change in the name title or constitution of a firm or a company holding stevedoring licence shall be communicated to the Traffic Manager forthwith. The firm or company undergoing such change shall submit a fresh application for the grant of licence provided that the Traffic Manager may with the sanction of the Chairman allow the firm or company to carry on business till such time as a decision is taken on such fresh application. The fresh licence required to be issued, in such cases, will, however, attract the same charges as are payable for the issue of a new licence.

10. The Chairman shall report any violation of the terms and conditions of the stevedoring licence by the stevedore to the Government and may pending enquiry, suspend for a period not exceeding three months, licence issued to the stevedore if he finds it expedient and necessary to do so in the interest of the Port.

11. The Chairman may at any time suspend for such a period as he may deem fit or cancel the licence issued to stevedore for violation of any of the terms of licence or for any of the reasons listed below.—

- (i) Violation of safety regulations & Mandatory Dock Safety Measures.
- (ii) The firm handles less than the minimum guaranteed throughput / the prescribed parameters as fixed by the port.
- (iii) Lack of supervision over the stevedoring work.
- (iv) Adopts improper and unsafe handling of packages.
- (v) Misrepresentation or mis-statement of material facts.
- (vi) Stevedore being adjudged insolvent or going in liquidation causing obstruction to any work in the Port.
- (vii) Transfers the Stevedoring operations or Sublets the licence to any other individual or party.
- (viii) Making payment of illegal gratification by whatever name called or in form of illegal inducement to the workers.
- (ix) Any Misconduct which in the opinion of the Board warrants such cancellation or suspension.
- (x) Violates security related rules & instructions like ISPS code compliance etc.
- (xi) Indulges in illegal / corrupt practices.
- (xii) **The CEO of the Stevedoring Firm has been convicted by the Court of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months, and a period of five years has not elapsed from the date of expiry of the sentence :**

Provided that no such licence shall be cancelled or suspended, as the case may be, until holder of the licence has been given a reasonable opportunity for showing cause why his licence should not be cancelled or suspended as the case may be.

12. A licence shall be cancelled, if after the grant thereof it is discovered that the application for licence contained any misrepresentation of material facts or if the licensee shall have been adjudged insolvent or shall have gone into liquidation, as the case may be.

13. Upon these regulations coming into force the Docks Bye Law Nos.66,66A and 67 of the Bombay Port Trust Docks Bye Laws shall stand repealed.

14. **Appeal :—**

- (1) Any person aggrieved by any order under these regulations may prefer an appeal, in writing to the **Chairman or any other higher authority** within thirty days of the communication of the order appealed against.
- (2) **The Chairman or any other higher authority** shall pass such order on the appeal as it deems fit after giving an opportunity of being heard to the appellant.
- (3) Notwithstanding anything contained in sub-regulation 1, an appeal may be admitted after the period of thirty days if the appellant satisfies the **Chairman or any other higher authority** that he had sufficient cause for not making an application within such period.