

## Methodology / Procedure to Recover Penalty

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The methodology / procedure formulated to recover penalty for violation of safety norms / non-compliance / safety practices is as follows:

1. Scope - Any operation carried out in docks / outlying docks area / Bunders area / Container Freight Stations (CFS) / Pir Pau / Jawahar Dweep or any work carried through tender / Contract, where violation of safety norms / non-compliance of safe practices is carried out or unsafe conditions are created by doing unsafe act / unsafe practice, which pose danger to the man, property and environment.

2. Amount of Penalty -

a) For any pre-accident situation, where there is violation of safety norms / non-compliance / safe practices, then amount of penalty will be Rs. 1000/- for first violation, Rs. 2000/- for second violation and Rs. 3000/- for third violation to be paid by the violator. ;

b) For any violation of safety norms / non-compliance / safe practices due to which any accident or dangerous occurrence has occurred, then the amount of penalty to be paid by violator/ his employer/ firm/ contractor/ company is as follows:

i) For any Minor accident or dangerous occurrence - Rs. 10,000/- \*

ii) For any serious accident - Rs. 50,000/- \* and / or blacklisting of default firm / company / contractor

iii) | For any fatality - Rs. 1,00,000/- \* and / or blacklisting of default firm /company / contractor

\* These penal amount to be levied over and above the payment made through third party insurance and other expenditures.

3. Payment of Penalty Amount - Initially defaulter person will be ask to pay penalty amount with intimation to his employer/ firm/ contractor/ company and if he/she does not pay the amount within stipulated period, then his employer / contractor / company / firm, will be informed to deduct the amount through his pay/ remuneration and deposit it to the MbPA.

4. Safety Induction to be given to defaulter after violation - In addition to the levy of penalty, the defaulter along with his supervisor/contractor will have to again go through safety induction programme.

5. Repetition of violation with Periodicity - If any employer / contractor / company / firm, who has taken DEP for their employees / personnel, have been levied a penal amount on three occasions in a calendar year, then that employer / firm / contractor / company will be blacklisted on approval of the Competent Authority through the concerned department HoD under whose jurisdiction the violator is engaged.

6. Grievance Redressal - If any person / firm / contractor / company, who is aggrieved by the levy of penalty shall have a right of appeal to the HoD of the concerned tender awarding / contracting department or working under jurisdiction of MbPA departments, within seven days from the date of default. The Grievance Redressal Authority may take suitable action on justifiable grounds submitted by the aggrieved person within 30 days of application and his decision in the said matter will be final.