

FORM X

ABSTRACT OF DOCK WORKERS (SAFETY, HEALTH AND WELFARE) ACT, 1986

(See Regulation 113)

3. (1) The appropriate Government may by notification in the Official Gazette, against such person as it thinks fit to be the Chief Inspector of Dock Safety and such persons as it thinks fit to be Inspectors subordinate to the Chief Inspector for the purposes of this Act at such ports as may be specified in the notification.

(2) The Chief Inspector shall also exercise the powers of all Inspector.

(3) The Chief Inspector and all the Inspector's shall be deemed to be public servants within the meaning of the Indian Penal Code.

4. An Inspector may at any port for which he is appointed.

(a) enter with such assistance (if any) as he thinks fit, any ship, dock, warehouse or other premises, where any dock work is being carried on, or where he has reason to believe that any dock work is being carried on;

(b) make examination of the ship, dock, lifting machinery, cargo gear, staging, transport equipment, warehouses or other premises used or to be used, for any dock work;

(c) require the production of any register, muster roll or other document relating to the employment of dock workers and examine such document;

(d) take on the spot or otherwise such evidence of any person which he may deem necessary:

PROVIDED THAT no person shall be compelled under this section to answer any question or give any evidence tending to incriminate himself;

(e) take copies of registers, records or other documents or portions thereof as he may consider relevant in respect of any offence which he has reason to believe has been committed or for the purpose of any inquiry;

(f) take photograph, sketch, sample, measure or record as he may consider necessary for the purpose of any examination or inquiry:

(g) hold an inquiry into the cause of any accident which he has reason to believe was the result of the collapse or failure of lifting machinery, transport equipment, staging or non-compliance with any of the provisions of this Act or the regulations;

(h) issue show-cause notice relating to the safety, health and welfare provisions arising under this Act or the regulations;

(i) prosecute, conduct or defend before any Court any complaint or other proceeding arising under this Act or the regulations:

(j) exercise such other powers as may be conferred upon him by the regulations.

5. If it appears to an Inspector that any place at which any dock work is being carried on is in such a condition that it is dangerous to life, safety or health *of* dock workers. He may, in writing, serve on the owner or on the person in charge *of* such place an order prohibiting any dock work in such place until measures have been taken to remove the cause *of* the danger to his satisfaction.

6. The owner or the person in charge *of* the place at which any dock work is being carried on, shall afford the Chief Inspector or the Inspector all reasonable facilities for making any entry, inspection, survey, measurement, examination or inquiry under this Act or regulations.

13. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or Intended to be done under this Act.

14. (1) Whoever.

(a) Willfully obstructs an Inspector in exercise of any power conferred by or under this Act or fails to produce on demand by an Inspector any register or other documents kept in pursuance *of* the regulations or otherwise in connection with any dock work or conceals or prevents ,or attempts to prevent any person from appearing before. *of* being examined by. an Inspector; or

(b) unless duly authorized or in case *of* necessity, removes any fencing, gangway, gear, ladder, lifesaving, means or appliance, light, mark, stage or other thing required to be provided by or under the regulations; or

(c) having in case *of* necessity removed any such fencing, gangway, gear, ladder, life-saving means or appliance, fight, mark, stage or other things, omits to restore it at the end *of* the period for which its removal was necessary:

shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both.

(2) If any person, being a person whose duty is to comply with any *of* the regulations, contravenes such regulations and such contravention results

(a) in any fatal accident to a dock worker, or

(b) an accident which incapacitates a dock worker from earning his full wages for more than a fortnight, such person shall be punishable with imprisonment for a term which may extend *to* six months or with fine which shall not be less than two thousand rupees in case falling under. Cl. (a) and five hundred rupees in a case falling under Cl. (b) but which may extend, in either case, to five thousand rupees, or with both, and the Court may order the whole or part *of* the fine to be paid to the dependent *of* the deceased dock worker or. as the case may be, to the injured dock worker.

Explanation:- The provisions of this sub-section shall be in addition to any provisions which may be made under sub-section (4) *of* Sec. 21

FORM XI
ABSTRACT OF THE DOCK WORKERS (SAFETY, HEALTH AND WELFARE) REGULATIONS, 1989
(See Regulation 113)

PART I

GENERAL

2. Definition. -

1) "Inspector" means a person appointed by the Central Government under Sec. 3 of the Act and includes the Chief Inspector.

3. Powers of Inspector- a) An Inspector may, at any port for which he is appointed,--

(i) enter, with such assistance, (if any), as he thinks fit, any ship, dock, warehouse or other premises, where any dock work is being carried on, or where he has reason to believe that any dock work is being carried on;

(ii) make examination of the ship, dock, lifting appliance, loose gear, lifting device, staging, transport equipment, warehouse or other premises, used or to be used, for any dock work;

(iii) require the production of any register, muster roll or other document relating to the employment of dock workers and examine such document;

(iv) take on the spot or otherwise such evidence of any person which he may deem necessary:

Provided that no person shall be compelled under sub-regulation 3 (a) (iv) to answer any question or give any evidence tending to incriminate himself;

(v) take copies of registers, records or other documents or portions thereof as he may consider relevant in respect of any offence which he has reason to believe has been committed or for the purpose of any inquiry;

(vi) take photograph, sketch, sample, weight, measure or record as he may consider necessary for the purpose of any examination or inquiry;

(vii) hold an inquiry into the cause of any accident or dangerous occurrence which he has reason to believe was the result of the collapse or failure of any lifting appliance, loose gear, transport equipment, staging or non-compliance with any of the provisions of the Act or the regulations;

(viii) issue show-cause notice relating to the safety, health and welfare provisions arising under the Act or the regulations;

(ix) prosecute, conduct or defend before any court any complaint or other proceedings arising under the Act or the regulations; and

(x) direct the Port Authority, Dock Labour Board and other employers of dock workers for getting the dock workers medically examined if considered necessary;

(b) A person having general management and control of the premises or the owner, master, officer in-charge or agents of the ship, as the case may be, shall provide such means as may be required by the Inspector for entry, inspection, examination, inquiry, or otherwise for the exercise of his powers

under the Act and the regulations in relation to that ship or premises which shall also include the provision of launch, or other means of transport.

4. Notice of Inspection. -

(1) An Inspector may notify any defects or deficiencies which may come to his notice during his inspection and examination which he wishes to point out together with any orders passed by him under the Act or the regulations in Form IX to: -

(i) the owner, master, officer-in-charge or agents of the ship, or

(ii) the port authority, or

(iii) the owner of lifting appliances, loose gears, lifting devices and transport equipment, or

(iv) the employer of dock workers

(2) When an Inspector serves notice, under sub-regulation 4 (1) above in relation to any dock, lifting appliance, loose gear, lifting device, transport equipment, ladder or staging, he may, in the notice prohibit the dock work where conditions are dangerous to life, safety or health of dock workers and the use of the same in connection with the dock work, and such dock, lifting appliances, loose gears, lifting devices, transport equipment, ladders or staging shall not be used until the defect or defects specified in the notice have been remedied and the Inspector has withdrawn the prohibitory order.

6. Penalties-

Save as is otherwise expressly provided in these Regulations, whoever being a person responsible to comply with any of the regulations commits a breach of such Regulations shall be guilty of an offence and punishable with imprisonment for a term which may extend to six months or with fine which may extend to five thousand rupees or with both, and if the breach is continued after conviction, with a further fine which may extend to one hundred rupees for each day on which the breach is so continued.

PART II

RESPONSIBILITIES

7. Responsibilities. -

(5) It shall be the duty of every dock worker to comply with the requirements of such of these regulations as relate to the performance, of or refraining from, an act by him and to co-operate in carrying out requirements of these regulations and if he discovers any defects in the lifting appliance, loose gear, lifting device, conveying and transport equipment or other equipment to report such defects without unreasonable delay to his employer or foreman or other person in authority.

(6) No person, shall, unless duly authorized or in case of necessity, remove or interfere with any fencing, gangway, gear, ladder, bath covering, lifesaving appliance, lighting, or other thing whatsoever required by the Act and these regulations to be provided of the period during which their removal was needed. If removed, such things shall be restored at the accessory, by the persons last engaged in that work who necessitated such removal.

(9) Every dock worker shall use the means of access provided in accordance with these regulations, and no person shall authorize or order another to or off nor shall any person authorize or order in accordance therewith.

(10) No person shall go upon any hatch beam for the purpose of adjusting the gear for lifting them on or off nor shall any person authorize or order another to do so.

PART III

Safety

A. Working Places

9. Surfaces. -

(1) Every regular approach over a dock which the dock workers have to use for going to or from a working place and every such working place inside the dock shall be.-

(a) kept clean and free from objects that can cause slipping, stumbling or falling,

(b) maintained in good repair with due regard to the safety of the dock workers.

(2) All areas of a dock shall be kept properly drained and graded in order to facilitate safe access to sheds, warehouses and store places and safe handling of cargo and equipment.

(3) Drain pools and catch basins shall be properly covered or enclosed.

(4) All areas of a dock and all approaches on which lifting appliances and transport equipment are used shall be soundly constructed, surfaced with good wearing material and sufficiently even and free from holes and cracks to afford safe transport of cargo shall be properly maintained.

(5) Any working area in a dock which is damaged or under repair shall be effectively blocked off from other areas and when necessary, warning lights shall be provided at night.

(6) All landing places used by dock workers for embarking or disembarking from crafts meant for transport by water, shall be maintained in good repair with due regard to the safety of the persons using them.

10. Fencing of dangerous places. -

(1) The following part of a dock and approaches shall, as far as practicable having regard to the traffic and working be securely fenced so that the height of the fence shall be in no place less than one metre and the fencing shall be maintained in good condition:

(a) all breaks, dangerous corners, and other dangerous parts or edges of a dock;

(b) both sides of such foot ways, over bridges, caissons, and dock gates as are in general use by dock workers and each side of the entrance at each end of such foot way for sufficient distance not exceeding 4.5 metres: Provided that in case of fences which were constructed before the date of commencement of this regulation, it shall be sufficient if the height of the fence is in no place less than 75 cm.

(2) The ditches, pits, trenches for pipes and cables and other hazardous openings and excavations shall be securely covered or adequately fenced.

(3) Where wharves of quays slope steeply towards the water, the outer edge shall be protected as far as practicable.

11. Passages to be kept clear. -

(1) Cargo shall not be so stored or transport equipment or lifting appliances so placed on any areas of a dock where dock workers are employed so as to obstruct access to ships, cranes, lifesaving appliances, firefighting equipment and welfare facilities provided under these regulations.

(2) Where any space is left along the edge of any wharf or quay, it shall be at least 90 cms. wide and shall be kept clear of all obstructions other than fixed structured, plant and appliances in use.

(3) Where working areas of a dock are enclosed and the traffic warrants, a separate gate or passage shall be provided for pedestrians.

12. Railings and fencing. -

(1) All railings for the fencing of Hatchways accommodation ladders, gangways, stairway for embarking, disembarking, and any other dangerous place shall be of sound material, good construction and possess adequate strength and unless specified in these regulations:

(a) be at least one metre in height; and

(b) consist of two rails or two taut ropes or chains supporting stanchions, and toe boards.

(2) Intermediate rails, ropes or chain shall be 50 centimetre high.

(3) Stanchions shall not be more than two metre apart and shall be secured against inadvertent lifting out

(4) The toe board shall be at least 15 centimetre high.

(5) Railings shall be free from sharp edges.

(6) Temporary fencing of hatchways, elevated platforms, etc. shall be as far as reasonably practical extend to a height of one metre and consist of either:

(a) two taut ropes or chains with stanchions; or

(b) a properly rigged and securely fastened safety net.

(7) Stairs giving access to transport vessel shall be equipped with wooden or rubber treads so that the gap of more than 30 centimetre is maintained between the side of the steps and side of the vessel.

15. Life-saving appliances-

Provision for the rescue from drowning of dock workers shall be made and maintained and shall include: -

(a) a supply of life-saving appliances, kept in readiness on the wharf or quay, which shall be reasonably adequate having regard to all the circumstances; and

(b) means at or near the surface of the water at reasonable intervals for enabling a person in water to support himself or escape from the water which shall be reasonably adequate having regard to all the circumstances.

16. Illumination. -

(1) All areas in a dock and on a ship where the dock work is carried on and all approaches to such areas and to places to which dock workers may be required to go in the course of their employment, shall be safely and efficiently lighted in an appropriate way.

(2) The general illumination in areas on the dock where dock workers have to pass, shall be at least 10 lux and at places where dock workers are employed, the illumination shall be at least 25 lux without prejudice to the provision of any additional illumination needed at particularly dangerous places.

(3) The means of artificial lighting shall, so far as is practicable, be such and so placed as to prevent glare or formation of shadows to such an extent as to cause risk of accident to any dock worker.

(4) The portable lights shall be maintained in good condition and shall-

(a) be equipped with substantial reflectors and guards; and

(b) be equipped with heavy duty electric cords with connection and insulation maintained in safe condition.

18. Excessive noise, etc.-

Adequate precautions shall be taken to protect dock workers against the harmful effects of excessive noise, vibrations and air pollution at the work place. In no case the noise levels shall exceed the limits laid down in Schedule VII.

B. Warehouse and Store Places

27. Fencing of and means of access to lifting appliance shall be provided. -

(1) Safe means of access to every part of a lifting appliance shall be provided.

(2) The operator's platform on every crane or tip driven by mechanical power shall be securely fenced and shall be provided with safe means of access. In particular, where access is by a ladder, -

(a) the sides of the ladder shall extend to a reasonable distance beyond the platform or some other suitable handheld shall be provided;

(b) the landing place on the platform shall be maintained free from obstruction and slipping; and

(c) in case where the ladder is vertical and exceeds six metres in height, a resting place shall be provided, after every six metres and part thereof.

D. Decks, Hatchways, Etc.

29. Bulwarks or Rails.

(1) All upper decks to which dock workers may have access for the purpose of carrying on dock work shall be provided on the outer edge up to a height of one metre above the deck with a bulwark or guard rails so designed, constructed and placed, as to prevent any dock worker from accidentally falling overboard.

(2) The bulwark or guard rails shall be continuous except where sections have to be removed for the purpose of dock work and such sections shall not extend beyond the minimum distance necessary.

33. Fencing around hatchways. -(1) Every hatchway of a hold exceeding 1.5 metres in depth, which is not protected by coming to a clear height of 75 centimetres shall, when not in use, either be effectively fenced to a height of one metre or to be securely covered to prevent dock workers from falling into the hold.

(2) If in any hatch, dock work is carried on simultaneously at two docks, the open end of the hatch in the higher deck shall be protected to a height of one metre by means of planks or nets or in some other suitable manner to prevent fall of dock workers or cargo and the safety nets when rigged shall not be secured to the hatch covers.

(3) When an edge of a hatch section or of stowed cargo more than 2.5 metre high is so exposed that it presents a danger to dock workers falling, the edge shall be guarded by a taut rope, safety net or railing to a height of one metre.

(4) Dock workers employed in a hold on a partly covered hatch or on a stack shall be protected by spreading a net or in some other suitable way, against the danger of falling down.

34. Hatch coverings, hatch beams, etc.-

(1) All fore and aft beams and thwart ship beams used for hatch covering shall have suitable gear for lifting them on and off without it being necessary for any dock worker to go upon them to adjust such gear.

(2) All hatch coverings and beams shall be kept plainly marked to indicate the deck and hatch to which they belong and their position therein.

(3) All hatch coverings and beams shall be replaced according to their markings:

Provided that this regulation shall not apply in cases where all the hatch coverings and beams of a ship are interchangeable or, in respect of marking of position, where all hatch coverings of a hatch are interchangeable.

(4) All fore and aft beams and thwart ship beams including sliding beams and the tracks used for hatch coverings and all hatch coverings shall be maintained in good condition.

(5) Adequate handgrips shall be provided on all hatch coverings, having regard to their size and weight, unless construction of the hatch or the hatch covering is of a character rendering the provision of handgrips unnecessary.

(6) Hatch coverings shall not be used in the construction of stages or for any other purpose which may expose them to damage.

(7) Hatch covers and beams shall not be removed and replaced while dock work is in progress in the hold under the hatchway. Before loading or unloading take place any hatch cover or beam that is not adequately secured against displacement shall be removed.

(8) Only an authorized person shall be permitted to open or close power operated hatch covers.

(9) Folding hatch covers shall be fitted with locking devices to prevent covers; from folding back.

(10) Hatch covers shall not be opened or closed in such manner as is likely to cause injury to any dock worker.

37. Securing of hatch covering and hatch beams. -

- (1) Where an hatch beam is fitted with a permanent device for securing It in position In the hatch that device and its corresponding fitting in the coaming shall be effectively and properly maintained.
- (2) The beams of any hatch in use for the dock work shall, if not removed be adequately secured to prevent their displacement.
- (3) Any sliding or rolling hatch beams supporting hatch coverings which are left in position in a partly opened hatch shall be adequately secured to prevent any horizontal movement of the hatch beams.
- (4) Every sliding or rolling hatch beam and its guides shall be so constructed and maintained that the hatch beams is not liable to be accidentally displaced from its guides.
- (5) Mechanically operated hatch coverings shall, when stowed, be adequately secured to prevent movement.

E. Lifting Appliances and Gear

41. Test and periodical examination of lifting appliances. -

- (1) Before being taken into use for the first time or after it has undergone any alternations or repairs liable to affect its strength or stability and also once at least in every five years, all lifting appliances including all parts and gears thereof, whether fixed or moveable shall be tested and examined by a Competent Person in the manner set out in Schedule I.
- (2) All lifting appliances shall be thoroughly examined by a Competent Person once at least in every 12 months. Where the Competent Person making this examination forms the opinion that the lifting appliance cannot continue to function safely, he shall forthwith give notice in writing of his opinion to the owner of the lifting appliance or in case of lifting appliance carried on board a ship not registered in India to the Master or Officer-in-charge of the ship.
- (3) Thorough examination for the purpose of this regulation shall mean a visual examination, supplemented if necessary by other means such as hammer test, carried out as carefully as the conditions permit, in order to arrive at a reliable conclusion as to the safety of the parts examined and if necessary for this purpose, parts of the lifting appliance and gear, shall be dismantled.

48. Ropes. -

- (1) No rope shall be used for dock work unless-
 - (a) it is of suitable quality and free from patent defects, and
 - (b) as regards wire rope slings, either they are examined by a competent person in the manner set out in Schedule-I.
- (2) Every wire rope of lifting appliance or loose gear used in dock work shall be inspected by a responsible person once at least in every three months, provided that after any wire has broken in such rope, it shall be inspected once at least in every month.
- (3) A thimble or loop splice made in any wire rope shall conform to the following standard, -

(a) wire rope or rope sling shall have at least three tucks with full strand of rope and two tucks with one-half of the wires cut out of each strand and strands in all cases shall be tucked against the lay of the rope;

(b) protruding ends of strands in any splice on wire rope and rope slings shall be covered or treated so as to leave no sharp points;

(c) fibre rope or rope sling shall have at least four tucks tail of such tuck being whipped in suitable manner; and

(d) synthetic fibre rope or rope sling shall have at least four tucks with full strand followed by further tuck with one-half filaments cut out of each strand and final tuck with one-half of the remaining filaments, cut-out from strand. The portion of the splices containing the tucks with the reduced number of filaments shall be securely covered with suitable tape or other material:

Provided that this sub-regulation shall not operate to prevent the use of another form of splice which can be shown to be as efficient as that laid down in this regulation.

52. Marking of safe working load. -

(1) Every lifting appliance and every item of loose gear shall be clearly marked with its safe working load and Identification mark by stamping or where this is Impracticable, by other suitable means.

(2) (a) Every ship's derrick (other than derrick crane) shall be clearly marked with its safe working load when the derrick is used:

(i) in single purchase;

(ii) with a lower cargo block, and

(iii) in union purchases in all possible block positions.

(b) The lowest angle to the horizontal, that the derrick may be used shall also be legibly marked.

(3) Every lifting appliance (other than ship's derrick) having more than one safe working load shall be fitted with effective means enabling the operator to determine the safe working load under each condition of use.

(4) Means shall be provided to enable any dock worker using loose gears to ascertain the safe working load for such loose gears under such conditions as It may be used and such means shall consist:

(a) as regards chain slings, of marking the safe working load in plain figures or letters upon the sling or upon a tablet or ring of durable material attached securely thereto; and

(b) as regards wire rope slings, either the means specified in Cl. (a) above or a notice or notices so exhibited as can be easily read by any concerned, dock worker stating the side working load for the various sizes of the wire ropes slings used.

(5) No lifting appliance or loose gears shall be used unless marked in accordance with the provisions of this regulation.

54. Pulley blocks. -

No pulley blocks shall be used in dock work unless the safe working load and its identification marks are clearly stamped upon it.

56. Knotting of chains and wire ropes. -

No chain or wire shall be used in dock work with a knot in it.

F. Transport Equipment and Operations

58. Use of internal combustion engines in the holds. -

(1) Internal combustion engines shall not be used in connection with the dock work in the holds or cargo spaces unless. -

(a) adequate means of ventilation and, where necessary mechanical ventilation is provided;

(b) suitable firefighting equipment is readily available;

(c) exhaust pipes, connections and mufflers are kept tight;

(d) exhaust is so directed as not to cause inconvenience to the operators and dock workers;

(e) it is ensured that no explosives, inflammable liquids, gases or similar dangerous cargo are present;

(J) a spark arrestor is fitted on the exhaust of the engine and the bare heated surfaces of the engine, that are liable to ignite spilled fuel, are suitably protected;

(g) the engine is refueled above deck; and

(h) the exhaust does not contain the carbon monoxide above TIN prescribed in the national standards.

(2) The internal combustion engine shall be switched off when not in use in connection with the dock work.

(3) Operators of internal combustion engines in cargo spaces or cargo holds shall not work alone.

(4) Whenever internal combustion engines for use in dock work are to be brought on board, the Master or the Officer-in-charge of the ship shall be notified.

G. Handling of Cargo

65. Loading and unloading operations. -

(1) No cargo shall be loaded or unloaded by a fall or sling at any Intermediate deck unless either the hatch at that deck is securely covered or a secure landing perform of a width not less than that of one section of hatch coverings has been placed across it:

Provided that this regulation shall not apply to any loading or unloading work the whole of which may be completed within a period of half an hour.

(2) No loose gear or any other object shall be thrown in or out of the holds.

(3) During the loading and unloading of bulk cargo a record of all dock workers employed in the hold shall be maintained and produced on demand to the Inspector.

(4) Where necessary cargo shall be secured or blocked to prevent its lifting or falling. In breaking down precaution shall be taken where necessary to prevent the remaining cargo from falling.

(5) (a) Dragging of cargo shall be done with the ship's winches only when the runner is led directly from the derrick heel block; and

(b) pulley blocks shall be used to provide a fair lead for the runner so as to prevent it from dragging against obstructions.

(6) If the head room in the hold of a ship for the purpose of stacking and unstacking is less than 1.5 metres, suitable measures shall be taken or guard against accident.

(7) Loads shall be safely slung before being hoisted. Loose dunnage or debris hanging or protruding from loads shall be removed and suitable means shall be adopted to prevent cargo from falling out.

(8) Cargo handling bridles, such as pallet bridles, which are to remain attached to the lifting appliance while hoisting successive sling loads, shall be attached by shackles, or other positive means shall be taken to prevent them from becoming accidentally disengaged from the hook of the lifting appliance.

(9) When lifting appliance is operating without a load on the slings:

(a) slings or chains shall be hooked securely to the appliances before the operators are given signal to move;

(b) sharp hooks, multiple hooks, and claws shall not hang at one end but shall be reeved through slings; and

(c) the operators shall raise the appliance sufficiently to keep clear off dock workers and objects.

(10) Effective measures shall be taken, by the use for suitable packing or otherwise, to prevent edges of any load from coming in contact with any rope or chain sling which is likely to cause any damage to the rope or chain sling.

(11) Buckets, tubs and similar appliances shall not be loaded above their rims.

(12) No loads shall be lifted at strappings unless such strappings are approved as proper and safe slinging points. Movements of such loads is allowed only if everybody has left the danger zone.

(13) When working with lifting appliances, slope pulling, horizontal dragging and intentional swing of loads and lifting devices are prohibited.

66. Stacking and unstacking. -

(1) Where stacking, unstacking, stowing or unstowing, stuffing or destuffing of cargo or handling in connection therewith cannot be safely carried out unaided, reasonable measures to guard against accidents shall be taken by shoring or otherwise.

(2) Stacking of cargo shall be made on firm foundation not liable to settle and the weight of the cargo shall be such as not to over-load the floor.

(3) Cargo shall not be stacked against partition or walls of warehouses or store places unless it is known that the partition or the wall is of sufficient strength to withstand the pressure.

(4) Cargo shall not be stacked to such a height and in such a manner as would render the pile unstable.

(5) Where the dock workers are working on stacks exceeding 1.5 metres in height, safe means of access to the stack shall be provided.

(6) Stacking and unstacking work shall be performed under the supervision of authorized person.

68. Hooks for bales, etc.-

When the working space in a hold is confined to the square of the hatch, hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny bags or other similar goods, nor shall hooks be used for raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe.

70. Restrictions on loading and unloading operations. -

(1) No other work, for example, maintenance or repair work such as sand-blasting or welding shall be performed at places where dock work is in progress if it is likely to endanger or obstruct the person carrying out dock work.

(2) When more than one gang of dock workers is employed in dock work simultaneously in a hold, it shall be ensured that-

(a) the operation of loading or unloading is harmonized to avoid dangers to the working gangs from one another;

(b) the slung cargo of one gang will not endanger the dock workers of the other gang;

(c) where gangs are working at different levels, a net shall be rigged and securely fastened to prevent dock workers from falling down or cargo falling on to dock workers below;

(d) over crowding of gangs in a section of the hold is avoided.

71. Dock work at midstream-

No dock workers shall be employed to handle cargo on any ship anchored in midstream whenever, the working conditions are considered to be dangerous.

72. Work during berthing and shifting of ships. -

(1) While ships are being berthed or shifted, no dock work shall be carried out by dock workers in the holds or hatches and on decks.

(2) When ships are being moored, dock workers shall be kept clear of the mooring ropes and, in particular, shall not be allowed to stand in the bights of ropes being hauled by capstans.

73. Protective equipment. -

Where other means of protection against harmful agents are impracticable or insufficient, dock workers shall be provided with adequate protective clothing and personal protective equipment to shield them from the effects of such agents.

(2) Protective clothing and personal protective equipment shall be of suitable quilting and maintained in good condition and shall be cleaned and disinfected at suitable intervals.

(3) Where protective equipment and clothing may be contaminated by poisonous or other dangerous goods, it shall be stored in a separate accommodation where it will not contaminate the dock workers clothing and other belongings.

(4) Suitable protection equipment shall be issued to the dock workers employed in the reefer holds or chambers or reefer containers for affording complete body protection.

H. Handling of Dangerous Goods

77. General precautions. -

(1) Dangerous goods shall be loaded, unloaded, handled and stored under the supervision of a responsible person who is familiar with the risks and the precautions to be taken. In case of doubt as to the nature of the risk or the precautions to be taken, necessary instructions shall be obtained from the Safety Officer appointed under these regulations.

(2) Dangerous goods shall not be loaded, unloaded or stored unless they are suitably packed and labeled showing the danger therefrom. The dock workers shall be given adequate information concerning the nature of the cargo and special precautions to be observed in handling them.

(3) Special precautions, such as provision of mats, sling nets, boxes and high sided pellets shall be taken to prevent breakage or damage to containers of the dangerous goods.

(4) Dock workers employed in loading or unloading or otherwise handling dangerous goods shall be provided with suitable protective equipment's.

(5) Dock workers handling dangerous goods shall thoroughly wash their hands and faces with soap or some other cleaning agent before taking any food, drink, pan and supari or tobacco.

(6) Only specially trained dock workers shall be employed for cleaning, sweeping or handling spillages or sweepings of dangerous goods.

79. Other dangerous goods. -

(1) Before fumigated cargo such as grain is loaded or unloaded, adequate measures shall be taken to ensure that the cargo is safe to handle.

(2) Where caustic and corrosive substances are handled or stored, special precautions shall be taken to prevent damage to the containers and to render any spillage harmless.

(3) If skins, wool, hair, bones, or other animal parts have not been certified by competent authority as having been disinfected, especially against anthrax, the dock workers concerned shall be:

(a) instructed about the risk of infection and the precautions to be taken;

(b) provided with suitable type of personal protective equipment; and

(c) subjected to special medical supervision.

81. Broken or leaking containers. -

(1) When there is danger from broken or leaking containers of dangerous goods, dock workers shall be evacuated from the area involved and the following steps taken before dock work is resumed-

(a) if the cargo produces dangerous gases or vapours:

(i) suitable respiratory protective equipment shall be made available for dock workers who are to remove the defective containers;

(ii) the area shall be ventilated if necessary and tested to ensure that the concentration of gases or vapours in the atmosphere is safe for dock work;

(b) if the cargo is a corrosive substance-

(i) suitable personal protective equipment shall be made available to the dock workers engaged in the removal of damaged containers; and

(ii) suitable absorbent or neutralizing materials shall be used in cleaning the spillage.

82. Toxic solvents. -

Before any solvents are used, the toxic properties of such solvents shall be ascertained and adequate means to safeguard the health of the dock workers exposed to toxic solvents shall be provided.

I. Miscellaneous

87. Fencing of motor, etc.-

(1) All motors, cogwheels, chains and friction gearing, flywheels, shaftings, every dangerous and moving parts of machinery (whether or not driven by mechanical power) and steam pipes shall be securely fenced or lagged.

(2) The fencing of dangerous parts of machinery shall not be removed while the machinery is in motion or in use, but if removed, shall be replaced before the machinery is taken into normal use again.

(3) No part of any machinery which is in motion and which is not securely fenced shall be examined, lubricated, adjusted or repaired except by persons duly authorized.

(4) Machine parts shall only be cleaned when the machine is stopped.

(5) When machinery is stopped for servicing or repairs, adequate means shall be taken to ensure that it cannot inadvertently be restarted.

88. Electrical equipment. -

(1) Only duly authorized person shall be permitted to install, adjust, examine, repair, displace or remove electrical equipment or circuits.

(2) Efficient and suitably located means shall be provided for cutting off all pressure from every part of the system as may be necessary to prevent danger.

(3) All portable electrical equipment shall be maintained in good working order and inspected by a responsible person at least once every day before it is taken in to use.

(4) Portable electric light or equipment used in a confined space shall be of twenty-four volts or less.

(5) Only flame proof electric equipment shall be used in confined space where flammable gas, fume or dust is likely to be present.

(6) All non-current carrying metal part of electrical equipment shall be earthed or other suitable measures shall be taken to prevent them from becoming live.

(7) Portable or flexible electric conductors shall be of heavy duty type and shall be kept clear of loads, running gear and moving equipment.

(8) All live conductors shall be adequately insulated or fenced to prevent danger by accidental contact of dock workers or non-current carrying parts of lifting appliances, conveyors, transport and machinery.

89. Transport of dock workers on land. -

Suitable means of safe transport shall be provided for the dock workers for their movement from their place of booking to the working area or between the two working areas when the distance between the points exceeds two kilometers.

90. Transport of dock workers by water. -

(1) When any dock worker has to proceed to or from a ship by water for the purposes of carrying on a dock work, proper measures shall be taken to provide for his safe transportation. Vessels used for this purpose shall be in charge of a responsible person, and shall be properly equipped for safe navigation and maintained in good condition.

(2) The means of transport referred to in sub-regulation (1) shall conform to the following:

(a) adequate protection is provided to the dock workers from inclement weather;

(b) the vessel shall be manned by adequate and experienced crew, duly authorized by a competent authority;

(c) if the bulwarks of the vessel are lower than 60 centimetres, the open edges shall be fitted with suitable fencing to a height of at least one metre above the deck. The post stanchions and similar parts used in the fencing shall not be spaced more than two metres apart;

(d) The number of life buoys on deck shall be at least equal to the number of persons in the crew and shall not be less than two;

(e) all life buoys shall be kept in good state of maintenance and be so placed that if the vessel sinks they remain afloat, one of the said buoys shall be within the immediate reach of the Steerman and another shall be situated as far as apart; and

(f) the position of the Steerman of the vessel shall be such that he has a reasonably free view of all sides.

(3) Maximum number of person that can be safely carried in the vessel shall be certified by a competent authority and marked plainly and conspicuously on the vessel and such number shall not be exceeded.

PART-IV

Health

95. Cleanliness. -

(1) Every place in the ship, dock and all areas which are in proximity to the place in the dock, where dock workers are employed, shall be kept clean and free from rubbish or effluvia arising from any drain, privy or other nuisance.

(2) All the accumulated garbage from the ships and the dock area shall be disposed off by burning in an incinerator or by other suitable means.

(3) All the damaged or deteriorated cargo posing hazards to safety or health or nuisance shall be removed or disposed off from the work place where the dock workers are employed.

96. Drinking water. -

(1) (a) On board every ship and in every dock, effective arrangement shall be made to provide and maintain at suitable points conveniently situated for all dock workers employed therein, sufficient supply of wholesome drinking water:

Provided that the drinking water point is available within 100 metres of the place where dock workers are employed.

(b) Effective arrangement shall be made to provide and maintain adequate supply of wholesome drinking water on board every ship in mid-stream for all dock workers employed thereon.

(c) The water provided for drinking shall be supplied from the public water supply system or otherwise from any other source approved in writing by the Health Officer of the Port.

(2) All such points shall be legibly marked "Drinking Water" in a language understood by a majority of the dock workers, and no such point shall be situated within six metres of any washing place, urinal or latrine unless a shorter distance is approved in writing by the Chief Inspector.

(3) In every dock, the drinking water supplied to the dock workers shall, during hot weather, be cooled by ice or other effective means:

Provided that if ice is placed in the drinking water, the ice shall be clean and wholesome and shall be obtained only from a source approved in writing by the Health Officer of the Port.

(4) Every drinking water centre shall be maintained in a clean and orderly condition and if necessary shall be in charge of a suitable person who shall distribute the water. Such a person shall be provided with clean clothes while on duty.

(5) The drinking water centres shall be sheltered from the weather and adequately drained.

(6) Storage tanks or containers for drinking water shall always be kept in clean and hygienic condition.

(7) The Inspector may, by order in writing, direct the Port Authority to obtain, at such time or at such intervals as he may direct a report from the Health Officer of the Port as to the fitness for human consumption of the water supplied to the dock workers and in every case to submit to the Inspector a copy of such report as soon as it is received from the Health Officer.

97. Latrines and urinals. -

(1) In every dock, latrine and urinal accommodation shall be provided in the scale given in Schedule VIII and shall be conveniently situated and accessible to dock workers at all times while they are at work. Such accommodation and access to it shall be adequately lighted and ventilated.

(2) Separate latrines shall be provided where female dock workers are employed.

(3) The floors and internal walls of the latrines and urinals and the sanitary blocks shall be laid in glazed tiles or otherwise finished to provide a smooth polished impervious surface up to a height of at least 90 centimetre.

(4) All such accommodation shall be maintained in a clean and sanitary condition at all times. The floors, side walls and the sanitary pans of latrines and urinals shall be thoroughly swept and cleaned at least once in a day with suitable detergents or disinfectants or with both.

(5) Every latrine shall be under cover and so partitioned off as to secure privacy and shall have a proper door and fastenings.

(6) The walls, ceilings and partitions of every latrine and urinal shall be whitewashed or colour-washed and the white-washing or colour-washing shall be repeated at least once in four months and record maintained.

(7) Where piped water supply is available, sufficient number of water taps, conveniently accessible shall be provided in or near such latrine accommodation.

(8) Where piped water supply is not available, provision shall be made to store adequate quantity of water near the latrine.

99. Ventilation and temperature in dock area including reefer holds on ships. -

Effective and suitable provision shall be made in every dock for securing and maintaining in every building or an enclosure or a reefer hold or chamber or reefer container where dock workers are employed, adequate ventilation by the circulation of fresh air and such temperature and air movement as will secure to dock workers therein reasonable conditions of comfort and prevent injury to health.

PART V

WELFARE

100. Washing facilities. -

(1) In every dock, rest shed, call stand and canteen, adequate and suitable facilities for washing shall be provided and maintained for the use of the dock workers and such facilities shall be conveniently accessible and shall be kept in clean and orderly condition. Washing facilities shall include glazed basins with taps attached thereto.

(2) Where dock workers are exposed to skin contamination by poisonous, infection or irrigation substances or oil, grease or dust, adequate number of shower-baths enclosed in individual compartments, with entrances suitably screened shall be provided.

(3) These facilities shall be provided in every dock on the scale laid down in Schedule VIII.

(4) The floor or ground under and in the immediate vicinity of every wash basin, stand pipe and shower shall be so laid or finished as to provide a smooth impervious surface and shall be adequately drained.

(5) The water supply to the washing facilities shall be adequate having regard to the number of dock workers employed in the dock, and shall be from a source approved in writing by the Health Officer of the Port.

101. First-aid boxes. -

(1) In every dock and on board every ship there shall be provided and maintained so as to be readily accessible during all working hours, sufficient number of first-aid boxes or cupboards:

Provided that the distance of the nearest first-aid box or cupboard shall not be more than 200 metres from any working place.

(2) Nothing except appliances or requisites for first-aid shall be kept in the boxes and cupboards. All such boxes and cupboards shall be so kept that they are protected against contamination by dust or other foreign matters and against penetration of moisture. They shall be kept in the charge of a responsible person who is trained in first-aid treatment and who shall always be readily available during working hours.

(3) Each first-aid box or cupboard shall be distantly marked 'First-Aid' and shall be equipped with the articles specified in Schedule VI.

103. Ambulance carriage. -

There shall be provided for use at every dock a suitably constructed motor ambulance carriage and launch which shall be maintained in good condition for the purpose of removal of serious cases of accident and sickness.

104. Stretchers. -

A sufficient number of suitable stretchers including a Neil Robertson Stretcher or any other suitable sling stretcher shall be provided at every dock at convenient places so as to be readily available in an emergency.

105. Shelters or rest sheds and lunch rooms. -

(1) In every dock wherein more than 150 dock workers are ordinarily employed, adequate and suitable shelters or rest sheds and suitable lunch rooms with provision for drinking water and washing facilities, where dock workers can eat meals brought by them, shall be provided at convenient places and maintained for their use:

Provided that any canteen maintained in accordance with regulation 106 shall be regarded as part of the requirement of this regulation:

Provided further that, where a lunch room is provided no dock workers shall eat any food in the precincts of the dock except in such lunch rooms.

(2) Covered receptacles shall be provided and used for disposal of food and litter in every rest shed. These receptacles shall be emptied at least once in every shift.

(3) The shelters or rest rooms and lunch rooms to be provided under sub-regulation (1) shall be sufficiently lighted and ventilated and shall be maintained in a cool and clean condition.

106. Canteens. -

(1) In any dock or in any part of a dock wherein more than 250 dock workers are ordinarily employed, or are waiting to be employed, adequate canteen facilities in or near the work area shall be provided and maintained by the Port Authorities and Dock Labour Boards for the use of all dock workers, the canteen shall function at all times when twenty-five or more dock workers are employed at a time.

(2) The canteens shall conform to the requirements laid down in Schedule IX.

(3) An adequate number of mobile canteens shall be provided at every dock with provision for serving tea and light refreshments.

PART VI

Special Provisions

111. Training of dock workers, responsible persons, etc.-

(1) Initial and periodic training shall be imparted to all categories of dock workers, responsible and authorized persons depending upon their nature of work and skill required for performing their duties. Safety aspects and precautions to be taken in pursuance of the provisions under the Act and the regulations shall be covered in the training.

(2) All first-aid personnel shall be imparted training including refresher courses by a qualified medical officer authorized for the purpose.

112. Emergency action plans-

All the ports shall have an approved emergency action plan acceptable to the Chief Inspector to handle the emergencies like-

(a) fires and explosions;

(b) collapse of lifting appliances, buildings, sheds, etc.;

(c) gas leakages and spillage of dangerous goods;

(d) drowning of dock workers, sinking of vessels, retrieval of transport equipment from dock basins;
and

(e) floods, storms and other natural calamities.
