

4.2 No stevedore shall be allowed to work on board any vessel in the Port except under such licence.

4.3 No licence to work as a stevedore shall be granted unless the applicant **produces**-

- (a) evidence that a Shipping Company/Charterer of Ship/Owner of cargo be prepared to enter into a contract for stevedoring with him.
- (b) evidence that he has maintained/would maintain the input/output norms of handling different commodities as may be laid down from time to time.
- (c) proof of his financial stability to meet the obligation to labour and staff employed on account of wages and compensation under Workmen's Compensation Act, 1923, the payment of Wages Act, 1936, the Industrial Dispute Act, 1947 and/or any other law in force at that time.
- (d) **proof of having in his employment at least 4 Supervisory Personnel with minimum two years of cargo handling/stowage experience** and have in his possession such minimum gear and equipment as may be specified by the Board from time to time.
- (e) a Bank Guarantee for Rupees **Five Lakhs** so as to meet any contingency.

5. *Duties and Responsibilities of a Stevedore.*— During the currency of a stevedoring licence issued by the Chairman the following obligations and responsibilities shall be fulfilled by the Stevedore, viz. :—

(1) He shall be responsible for the due observance and performance by all staff and labour employed by him during the operation of landing and shipping or transshipping goods or work incidental thereto of the provisions in all the relevant acts, rules, regulations and orders relating to such operations for the time being in force.

(2) He shall ensure that all such operations conform in all respects to the requirements prescribed by the rules and regulations and schemes framed under the Dock Workers (Regulations of Employment) Act, 1948 (9 of 1948) or any other law in force from time to time.

(3) Such operations shall be carried out with his own gear, or gear arranged by him.

(4) He shall be solely responsible for any accidents or damage resulting from the use of defective gear.

(5) He shall comply with all accepted safe practices in relation to such operations.

(6) He shall indemnify the Board against all third party claims arising out of such operations.

(7) Whenever the Board has to pay compensation to any of its employee or workman **whether registered or otherwise** or his dependents under the provisions of the Workmen's Compensation Act, in consequence of any accident arising out of and during the course of work performed by a stevedore or any employees or workers employed by him for the time being, the stevedore shall reimburse the Board any sum so paid. For such purpose, the amount of the compensation as determined under the Workmen's Compensation Act shall be taken as binding and conclusive as between the Board and the Stevedore.

(8) **Whenever casual workers are deployed, the stevedore should ensure that such workers are covered by the Insurance Policy.**

(9) if any gear, plant or other property of the Board is damaged in the course of any such operation, the stevedore shall compensate the Board for such loss or damage, the extent of such compensation being decided by the Chairman.

*Note:—* For the purpose of sub-regulation 7 above, the term employee or worker shall include a registered or casual worker of the Dock Labour Board.

(10) Every stevedore shall employ at least one experienced Foreman and Tindal to superintend the loading or unloading of cargo or bunkering at each hatch-way at which loading/unloading or bunkering is being carried on. The Tindal shall supervise the slinging or unslinging of goods in the hold and whenever a vessel is loading cargo in between decks alone, shall see that the between-deck hatches that are provided with cross beams and fore and aft beams have all such beams fixed in their proper places, and that the hatch covers are properly put on and effectively secured to prevent their displacement before commencing the work; the Foreman shall remain on deck and see that the crane chain is not taken out of the square of the hatch-way, and that the hook does not catch the coamings or foul any of the ship's gear or damage any structure or erection ashore. The Foreman shall give correct signals to the crane driver and shall superintend the taking off and putting on the beams and hatch covers and shall see that persons keep out of danger on deck and do not stand under any hoist. It shall also be the duty of the Foreman when work is stopped for the day or night, to search and satisfy himself that no one is remaining in the hold and the stevedore shall be solely responsible to the owners of the ship and to the Board in the event of any injury or damage being caused to any person or property in the course of loading, unloading or bunkering operations.