

DOCK LABOUR BOARD SYSTEM

1.1 The Statutory Provisions:- The Dock Workers (Regulation of Employment) Act, 1948, was enacted to regulate employment of dock workers to ensure their greater regularity of employment and efficient performance of dock work.

1.2 Dock Labour Boards are statutory bodies, with equal representation for dock workers, employers (or users) including shipping companies and the Central Government, set up under the Dock Workers (Regulation of Employment) Act, 1948. They are a corporate entity with perpetual succession and common seal and have the power to acquire, hold and dispose of properties and to enter into contracts.

1.3 The full Board is a policy making body. It administers schemes for dock workers for specific port framed under the Act and decides on levy as well as the benefits to be given to the workers.

1.4 Unity of command in the port area is provided by making the Chairman of the Port Trust as the Chairman of the Dock Labour Board. He has full administrative and executive powers to deal with the day to day administration of the scheme. He is assisted by a Deputy Chairman, who is usually an officer on deputation from the organisation of the Central Labour Commissioner, and other officers of the Board. Their duties are laid down in the scheme.

1.5 The functions of the administrative body are also mentioned in the scheme. It carries on the day to day administration of the scheme as the booking of workers, collecting their wages and levy, keeping work records and output sheets, payment of wages to workers, keeping accounts of the

schemes etc.

1.6 The benefits extended to the workers are earmarked wages, minimum guaranteed wages, attendance allowance, disappointment money, pension or contributory provident fund, gratuity, ex-gratia in lieu of bonus and some welfare measures. The funds for meeting the cost of the scheme including its administration are collected from the employers in the form of levy which is mostly a percentage of the time-rated wages of the workers booked for employment.

1.7 After the initial few years of the working of the scheme, it was felt necessary to include some provision in the legislation to reduce the surplus labour force and under this provision some of the Dock Labour Boards have adopted voluntary retirement schemes.

2.1 The working of the Schemes:-

The schemes have so far been introduced in the seven major ports of Calcutta, Visakhapatnam, Madras, Cochin, Mormagoa, Bombay and Kandla and the question of applying it to the major ports of Haldia, Paradip, Tuticorin and New Mangalore has been under the active consideration of Shipping and Transport Ministry for about an year.

2.2 There are one and more schemes in operation in a port covering some categories of workers. Each port has besides the workers registered by the Dock Labour Board some casual labourers also to enable the users to meet the peak demands. The categories of workers covered in different ports vary and can be seen in Appendix - I.

2.3 The benefits extended to the workers under the schemes came gradually over a number of years. The schemes began with 12 days as the lowest minimum guaranteed wage in a month in the beginning and provided for annual review of this provision. The attendance allowance varied from Re.1/- to Rs.1.75/- for various ports in the beginning and was raised to 1/60th of the monthly wage from 1.1.74. Pension scheme for dock workers was introduced from 1.1.79. At present, the dock workers get the following benefits:

- i. Minimum guaranteed wage for 21 days in most cases and for 14 to 18 days in a few cases.
- ii. Attendance allowance @ 1/60th of the monthly wage.
- iii. Weekly off with wages.
- iv. Leave with wages.
- v. Holiday with wages
- vi. Pension or Contributory Provident Fund.
- vii. Gratuity
- viii. Ex-gratia payment in lieu of bonus
- ix. Full medical aid
- x. Housing facility/House rent allowance.
- xi. Canteen facility
- xii. Uniform
- xiii. Sports and Recreation facilities
- xiv. Children Education Allowance
- xv. Reimbursement of tuition fees.
- xvi. Educational facilities and grant of scholarships
- xvii. Washing allowance

2.4 The rates of levy started with a modest percentage initially have tended to rise over the years with increase in benefits and also of the administrative costs. The rates of levy existing at present are shown in Appendix - II. The high rates of levy prevailing at present reduced 10 out of 14 schemes working in major ports in red. The high rates of levy are due to initial over-

registration of workers and subsequent inability to reduce the strength of the workforce with the result that average employment seldom exceeded 15 days a month on an average in any port and consequent payment of minimum guaranteed wage and attendance allowance adding substantially to the cost per ton of the cargo handled.

2.5 The Dock Labour Board schemes were applied mainly to the dock workers working on board the vessels with the result that the other workers were organised under the direction of the Port Trusts or informal pools and the system lacked the flexibility of giving work for longer duration to the registered workers both on board the vessels and on shore.

3. The Merits and Demerits of the Systems-

3.1 The first advantage of the system is the labour participation in management in its full sense because it has been given equal representation on the Dock Labour Board. Secondly, the implementation of schemes by the Dock Labour Boards have secured for certain exploited classes of dock workers a number of social security and welfare benefits which otherwise would not have been forthcoming from the employers. This is extremely significant for a workforce which was believed to have a short working life prior to the introduction of this system. Thirdly, the levy reflects the full labour cost and the economic viability or otherwise of the scheme can be assessed. Fourthly, the introduction of Dock Labour Boards also brought significant reduction to a number of wildcat strikes and prevalence of serious crimes on port waters as well as waterfront. Lastly, the system gives an identity to the workers and helps them in getting organised. The system has become so ingrained in port working that even the four major ports which do not have Dock Labour Boards have pools and advance some benefits to the workers.

3.2 The working of the system has demonstrated some disadvantages also. Firstly, the workforce should be just adequate to ensure greater regularity of employment but nearly all Dock Labour Boards are saddled with substantial surplus labour force. Secondly, the representatives of the workers have been instrumental in getting a very large number of workers registered initially and in thwarting any subsequent attempt to reduce the workforce. Thirdly, such a surplus has led to a high rate of levy leading to an increase in the cost of cargo handling. Fourthly, the introduction of more than one scheme in most of the major ports having Dock Labour Boards has resulted in creation of schemewise staff resulting in high cost of administration which vary from 5.7% of the levy in Kandla to 19.3% of the levy in Cochin and ratio of administrative staff to workers varying from 1:5 in Madras to 1:19 in Kandla. Fifthly, unloading of cargo from ship to the shore and its movement from shore to delivery point should be a single continuous operation but while the first part of the job is performed by the labour registered with the Dock Labour Boards, the second part is performed by labour engaged by the Port Trust or public sector agencies like the Food Corporation of India or other private sector agencies. Lastly, the system restricts entry into the registered workforce and the ageing workforce becomes complacent and inefficient over a period of time.

APPENDIX - I

STATEMENT INDICATING DESCRIPTION OF DOCK WORK AND DOCK WORKERS COVERED UNDER DOCK WORKERS (REGULATION OF EMPLOYMENT) SCHEMES AT VARIOUS PORTS

<u>Name of Dock Labour Board and Scheme</u>	<u>Description of Dock Work covered</u>	<u>Description of Dock Workers Covered</u>
<u>I. Bombay Dock Labour Board</u>		
(1) Bombay Dock Workers' (Regulation of Employment) Scheme, 1956	Stevedoring work other than coal, passenger baggage and mail work	<ol style="list-style-type: none"> 1. Foreman 2. Chargeman 3. Stevedore Tindal 4. Winch Driver 5. Hatch Foreman 6. Khalasi 7. Stevedore Worker Senior 8. Tally and Sorting Clerk 9. Tindal of General Purpose Mazdoor 10. General Purpose Mazdoor 11. Cargo Supervisor 12. Asstt. Cargo Supervisor 13. Dock Clerk
(2) Bombay Dock Clearing & Forwarding Workers (Regulation of Employment) Scheme, 1956	Dock work handling of Import and Export goods for clearing in Bombay Docks	<ol style="list-style-type: none"> 1. Muccadams 2. Clearing and Forwarding Mazdoors
(3) Bombay Food-grain Handling Dock Workers (Regulation of Employment) Scheme, 1974	Dock work handling of (a) Foodgrains and Fertilizers and (b) other cargoes imported or exported on Food Corporation	<ol style="list-style-type: none"> 1. Mukadams 2. Tindals 3. Loaders 4. Fillers 5. Stitchers 6. Palawalas 7. Palawalis

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of India's account

8. Machine Mazdoors
9. Tank Mazdoors
10. Dock Mazdoors

- (4) Bombay Chip- Chipping and painting 1. Tindal
ping & Pain- work and cleaning of 2. Chipping and
ting Workers tanks to carry Painting
(Regulation edible oil. Mazdoors
of Employment)
Scheme, 1969

II. Calcutta Dock Labour Board

- (1) Calcutta Stevedoring work 1. Deck Foreman
Dock Workers including salt 2. Hatch Foreman
(Regulation (other than coal 3. Winch Driver
of Employ- stevedoring, coal 4. Sirdar
ment) Scheme bunkering, passenger 5. Mate
1970. baggage and mail 6. Stevedore
work) Mazdoor (Senior)
7. Stevedore
Mazdoor (Junior)
8. Signaller
9. Rigger Fitter
10. Tally Clerk
11. Salt Worker,
Bagger and
Stitcher
12. General Mazdoor
(Cargo)
13. General Purpose
Mazdoor
14. Carpenter
- (2) Calcutta 1. Chief Clerk
Dock Clerical 2. Assistant Clerk
and Supervis- 3. Junior Clerk
ory Workers 4. Assistant
(Regulation of Supervisor
Employment) 5. Junior
Scheme, 1970 Supervisor
- (3) Calcutta 1. Sirdar or Sorang
Chipping & (Monthly worker
Painting mainly)
Workers 2. Tindal
(Regulation of 3. 'A' Mazdoor
Employment) 4. 'B' Mazdoor
Scheme, 1970 5. 'BB' Mazdoor
6. D(L) Mazdoor
Special

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III. Cochin Dock Labour Board

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| (1) Cochin Dock workers (Regulation of Employment) Scheme, 1959 | Stevedoring work including handling of passenger baggage (other than cabin baggage) and mail stowed in holds | 1. General Foreman (Serang)
2. Tindal
3. Winch man
4. Stevedore Mazdoor
5. Tally/sorting Clerks and Table Clerks
6. Rigger or Rigger-cum-Chargeman
7. Signaller |
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IV. Kandla Dock Labour Board

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| (1) Kandla Dock Workers (Regulation of Employment) Scheme, 1969 | Stevedoring work | 1. Workers
2. Tindals
3. Winchmen
4. Hatch Foreman
5. Signallers
6. Tally Clerks |
| (2) Kandla Unregistered Dock Workers (Regulation of Employment) Scheme, 1968 | Unregistered Dock Workers | workers working in port for handling foodgrains, fertilizers, and other cargoes imported, exported or cleared by Food Corporation of India |

V. Madras Dock Labour Board

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| (1) Madras Dock workers (Regulation of Employment) Scheme, 1956 | Stevedoring work including handling of passenger baggage and mail stowed in the holds. | 1. Foreman (Serang)
2. Tindal
3. Winch Driver
4. Ste edore Mazdoor
5. Tally Clerk
6. Signaller |
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(2) Madras
Unregistered
Dock Workers
(Regulation of
Employment)
Scheme, 1957

1. Chipping & Painting
Workers. These shall
include workers
engaged in:-
 - (a) Boiler cleaning
on ships
 - (b) Ships hatch
cleaning (in
respect of chip-
ping & painting
work only)
 - (c) Painting washing
on the other side
of the ship and
cleaning
 - (d) Tank top cleaning
 - (e) Caulking wooden
decks with Oakum
and pitch
 - (f) Deep tank cleaning
 - (g) Bilge cleaning
 - (h) Mast Cleaning &
Washing
 - (i) Funnel cleaning
 - (j) Deck washing with
hold stones
 - (k) Boot-topping,
scrubbing; and
 - (l) Rater tank clean-
ing and cementing
2. Shore labour employ-
ed in handling chem-
ical manure (includ-
ing rock phosphate)
in bulk
3. Shore labour employ-
ed in handling coal
(including bunker
coal)
4. Shore labour employ-
ed in handling ores
5. Shore labour employ-
ed in handling scrap
iron.

APPENDIX - I

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6. Shore labour employed in handling sulphur in bulk
7. Labour employed in handling iron and steel, billets and timber at such places other than those declared as transit area under the Customs Act, 1962 (52 of 1962) and for such of the services relinquished by the Madras Port Trust in handling these cargoes in the transit area, including the loading and/or unloading of any vehicles like wagons or lorries.
8. Labour employed to work as machine mazdoors and tank sweepers.

VI. MORMUGAO Dock Labour Board

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| <p>(1) Mormuga-o Stevedoring work
Dock Workers and cargo handling
(Regulation from wharf to
of Employment) transit shed
Scheme, 1965</p> | <ol style="list-style-type: none"> 1. Gang Workers 2. Winch Drivers |
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VII. Visakhapatnam Dock Labour Board.

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| <p>(1) Visakhapatnam Stevedoring work
Dock Workers excluding coal
(Regulation of work.
Employment)
Scheme, 1959</p> | <ol style="list-style-type: none"> 1. Foreman 'A' & 'B' 2. Tindal 3. Winch Driver 4. Signaller-cum-Tipper 5. Loading Mazdoor-cum-Stitcher
Maistry 6. Mazdoor-cum-Stitcher 7. Tally Clerk |
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(2) Visakhapatnam Unregistered Dock Workers (Regulation of Employment) Scheme, 1968		<p align="center"><u>Category 'B'</u></p> <ol style="list-style-type: none"> 1. Iron and Steel Handling Workers (Mechanical): <ol style="list-style-type: none"> (i) Tally Clerk (ii) Maistry (iii) Tindal (iv) Carpenter (v) Mazdoor 2. Mineral and Pig-iron Handling Workers <ol style="list-style-type: none"> (i) Maistry (ii) Mazdoor 3. Boat Handling Workers / Export General Cargo, Bulk Import Cargo, (Unhooking slings), temporarily landed cargo not handled by Port Trust labour and import overside delivery cargo handled in Lighters/ <ol style="list-style-type: none"> (i) Maistry (ii) Mazdoor 4. Deck Sweepers/Hatch Cleaners: <ol style="list-style-type: none"> (i) Maistry (ii) Mazdoor 5. Gunny/Tally Clerks 6. Supervisors/Receipt Clerks (employed by steamer agents, stowadores, shipping agents, clearing & Forwarding Agents and Mineral Handling Employers) 7. Sampling workers 8. Workers employed by Clearing & Forwarding Agents: <ol style="list-style-type: none"> (i) Maistry (ii) Mazdoor

CATEGORY 'B-1'

1. Drums loading and Unloading Workers:
 - (i) Maistry
 - (ii) Mazdoor
2. Bulk Rock Phosphate Handling Workers (including filling the bags), Bulk Sulphur Handling Workers (including filling the bags), Bulk Phosphate and Sulphur slinging workers, bagged rock phosphate and bagged sulphur handling workers:
 - (i) Maistry
 - (ii) Mazdoor
3. Casuals listed by the Mineral Wagon Unloading Pool:
 - (i) Maistry
 - (ii) Mazdoor
4. Goods shed workers (tarpuline and cargo handling), casuals listed by the Iron and Steel Handling Pool and Iron and Steel Handling Labour (Manual)
 - (i) Maistry
 - (ii) Mazdoor
5. Deck Sweepers/Hatch Cleaners
6. Gunny/Tally Clerks

CATEGORY 'C'

1. Iron & Steel (Miscellaneous) Workers:
 - (i) Maistry
 - (ii) Mazdoor
2. Women Sweepers:
 - (i) Maistry
 - (ii) Sweepers.

APPENDIX II

Rates of Levy as charged by various Dock Labour Boards

Sl. No. of Dock Labour Board and Schemes.	General Levy	Welfare Levy.
<u>1. Calcutta Dock Labour Board</u>		
1) Registered Scheme	255% (including Spl. levy 920%)	20%
ii) Clerical & Supervisory Scheme.	120% (workers in the monthly register of employers)	20%
iii) Clerical & Supervisory Scheme.	215% (reserve pool workers) plus special levy of 20% plus 20% for payment of ex-gratia)	20%
iv) Salt Workers	340% (including Spl. Levy of 20%)	
<u>2. Bombay Dock Labour Board</u>		
1) Registered Scheme	180%	18%
ii) Chipping & Painting Scheme	200%	20%
iii) Clearing & Forwarding	150%	-
<u>3. Madras Dock Labour Board</u>		
1) Registered Scheme	135%	35%
ii) Unregistered Scheme	Rs.6 per tonne for bulk cargo Rs.8.80 per tonne (Ore)	
<u>4. Cochin Dock Labour Board</u>		
Registered Scheme	175%	60%
<u>5. Kandla Dock Labour Board</u>		
Registered Scheme	150%	30%
<u>6. Visakhapatnam Dock Labour Board.</u>		
1) Registered Scheme	200%	45%
ii) Unregistered Scheme	200% average	-
<u>7. Mormugao Dock Labour Board.</u>		
Registered Scheme	200% plus Re.1 per tonne in respect of all cargoes.	30%
<u>Iron ore handled by grab cranes of ships</u>	400% on actual employment of one set of winch drivers and on notional EMPLOYMENT of two gangs per hook.	60%

APPENDIX II

STATEMENT INDICATING FINANCIAL RESULTS OF THE WORKING OF VARIOUS REGULATION OF EMPLOYMENT SCHEMES FRAMED UNDER THE DOCK WORKERS (REGULATION OF EMPLOYMENT) ACT, 1948 FOR THE YEAR 1982-83.

Sl. No. of the DLB	Name of the Scheme	Surplus (Rs. in lakhs)	Deficit
1.	2.	3.	4.
1.	Bombay (1) Bombay Dock Workers (Regulation of Employment) Scheme, 1956.	--	24.09
	(2) Bombay Chipping & Painting Workers (Regulation of Employment) Scheme, 1969.	--	3.65
	(3) Bombay Foodgrain Handling Workers (Regulation of Employment) Scheme, 1975.	--	9.82
	(4) Bombay Unregistered Dock Clearing and Forwarding Workers (Regulation of Employment) Scheme, 1983	--	1.72
2.	Calcutta (1) Calcutta Dock Workers (Regulation of Employment) Scheme, 1970	67.76	--
	(2) Calcutta Chipping and Painting Workers (Regulation of Employment) Scheme, 1970.	--	6.92
	(3) The Calcutta Dock Clerical & Supervisory Workers (Regulation of Employment) Scheme, 1970.	58.40	--
3.	Cochin (1) Cochin Dock Workers (Regulation of Employment) Scheme, 1959.	10.87	--
4.	Kandla (1) Kandla Dock Workers (Regulation of Employment) Scheme, 1969.	--	7.30