

**GOVERNMENT OF INDIA
SHIPPING, ROAD TRANSPORT AND HIGHWAYS
LOK SABHA**

UNSTARRED QUESTION NO:1469
ANSWERED ON:29.10.2008
JAIN COMMITTEE REPORT ON PORT AND DOCK WORKERS
Acharia Shri Basudeb;Nayak Shri Ananta

Will the Minister of SHIPPING, ROAD TRANSPORT AND HIGHWAYS be pleased to state:

- (a) the salient features of the Jain Committee Report constituted to recommend on various issues relating to Port and Dock Workers;
- (b) whether a meeting between All India Port & Dock Worker's Federation and the Management of Indian Ports Association was held recently at the level of Bipartite Wage Negotiating Committee (BWNC);
- (c) if so, the details thereof alongwith the outcome of the meeting;
- (d) whether the Government proposes to privatize some major ports including Mumbai Port as reported in `Business Line` dated 27 June,2008;
- (e) if so, the details thereof,and
- (f) the action taken by the Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF SHIPPING,ROAD TRANSPORT AND HIGHWAYS (SHRI T.R. BAALU)

- (a): The salient features of R.K.Jain Committee Report on Port & Dock Workers are annexed.
- (b): 11th meeting of Bipartite Wage Negotiation Committee (BWNC) between five Labour Federations including All India Port & Dock Worker's Federation and the Management of Indian Ports Association was held at New Delhi on 21.10.2008.
- (c): During the meeting, the minutes of the 10th Meeting were ratified.The Federations also insisted that the issue of the periodicity of the settlement for 5 years may be settled.
- (d) to (f): There is no proposal to privatize major Ports.However, Government has approved some projects on BOT basis as per the guidelines on private sector participation issued in the years 1996 and 1998.

ANNEXURE TO UNSTARRED QUESTION NO. 1469

SALIENT FEATURES OF R.K. JAIN COMMITTEE REPORT ON PORT & DOCK WORKERS

The committee, during discussions and Ports` visits, got a general feeling that there are number of categories of employees where the existing strength is not adequate. The ports are managing with help of contract employment and outsourcing. These categories are existing in many departments and at different levels.Basically, the categories where there are shortages in one port or the other include Fitter, Motor Mechanic, Winch Operator, Crane Operator, Machinist, Jr. Engineers (both electrical and mechanical) etc. in Mechanical Department, Pilots, Marine Engineers, Lascars, Tug Staff, Serangs, Fireman, Berthing Master, Sr. Masters etc. in Marine Department; Doctors, X-Ray Technicians and Lab Technicians, Nurses, Pharmacists, First Aiders etc. in Medical Department; Loco Drivers, Signalman, Coupling Porters etc. in Port Railways; Tally Clerks, Shed Clerks etc. in Traffic Department.Similarly, there are vacancies in other departments. The Committee after considering the available material, discussions and its analysis as made in earlier Chapters, made the following recommendations:-

(1) There are certain technical and operational posts where it may not be possible to further abolish posts and meet the annual direct recruitment plan requirement of abolishing atleast 2/3rd of the vacancies. The Committee recommends that posts which are listed below, be excluded from the restrictions on filling up of posts and all need based vacancies arising in these categories be permitted to be filled up at port level:

- (i) Pilots;
- (ii) Marine Engineers;
- (iii) Tug Master;
- (iv) Dredge Master,

(v) Signaller in Control Station;

(vi) VTMS Operators;

(vii) Firemen.

(2) The requirement of abolishing at least 2/3rd of the vacancies may apply to all the posts other than those mentioned in Recommendation at (1) above. However, port may be empowered to fill up vacancies in Class II, III and IV posts through the mechanism of Screening Committee at the port level as and when the vacancies arise without seeking the approval of the Central Government provided the number of vacancies so filled up does not exceed the numbers as permissible under Annual Direct Recruitment Plan and ports inform the Ministry about such filling up on an annual basis or at such shorter intervals as may be decided by the Ministry.

(3) As regards Class-I posts the Committee feels that powers to fill up vacancies in certain technical and operational categories be also given to ports provided the number of vacancy so filled up does not exceed the numbers permissible under Annual Direct Recruitment Plan and ports inform the Ministry about such filling up on an annual basis or at such shorter intervals as may be decided by the Ministry. These categories are technical and operational Class I officers, if any, in :-

(i) operation of cranes and flotilla

(ii) Operation and maintenance of mechanized handling plants

(iii) Operation of port locos and railways

(iv) Medical services

(v) Security in custom bonded area

(vi) Manning of electric sub-station

(vii) Maintenance and operation of walkie talkie and communication system in ports

(viii) PCS Cell

(ix) ISPS Cell

(4) As per the existing instructions, the posts get lapsed if they are not filled up within one year of falling vacant. This time limit get exceeded in some cases due to various reasons. Keeping in view the overall limit of filling upto 1/3rd vacancies and subject to a limit of 1% of the sanctioned posts, further abolition due to posts lying vacant for more than one year need not apply to ports.

(5) The Committee recognizes that outsourcing has certain advantages and at times may be inevitable. However, it feels that in view of criticality, sensitivity and security implications, following activities of technical nature may generally be not outsourced:

(i) Operation of VTMS and Signal Station

(ii) Security in Custom bonded area.

(iii) Operation of Walkie Talkie Communication

It is clarified that the Committee is distinguishing between outsourcing and contract employment. Hence, while it is possible to employ say VTMS Operator on contract, VTMS operations as an activity need not be outsourced. It is also clarified that deployment of CISF and/or any other government agency is not intended to be excluded.

(6) Some staff may become surplus in the ports due to various reasons. Vacancies due to superannuation or otherwise of such surplus staff need not be filled up. In the past, many posts have been upgraded as personal to the staff in position at that time. Such posts, on vacation by the incumbents, be down graded, if not already done, unless continuation of such up-gradation has been approved by the competent authority.

(7) Abolition of posts, particularly due to Special VRS should not be done only at the lowest level but should be done at other levels also to ensure that adequate number of people get inducted at the entry level. Special VRS should be given only to those employees working against the identified surplus posts.

(8) The period of eligibility for appointment on compassionate grounds be enhanced by two years for persons waiting or who becomes eligible till September, 2009 as no vacancies will arise for next two years due to superannuation consequent on the enhancement of retirement age from 58 to 60 years.

(9) Notifications issued by Department of Labour prohibiting contract labour in different ports need to be re-visited to bring the prohibited activities in line with present day requirement.

(10) Ports while filling up vacancies, should keep in view the Award of the National Industrial Tribunal, Kolkata on manning scales. For categories not covered by the Award, port should see the reasonableness of requirement. Ports should also keep in mind likely impact of private sector participation or other factors like shift of cargo etc. while filling up of vacancies.