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The Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Act, 1997

(ACT NO. 31 OF 1997)

[*As on the 1st June*, 2026]

LIST OF ABBREVIATIONS USED

S.O.	„	Statutory Order.
Notifn.	„	Notification.

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THE DOCK WORKERS (REGULATION OF EMPLOYMENT) (INAPPLICABILITY TO MAJOR PORTS) ACT, 1997

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Inapplicability of the provisions of the Dock Workers (Regulation of Employment) Act, 1948 to major ports.
4. Transfer of assets and liabilities of the Dock Labour Board, etc., to the Board.

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THE DOCK WORKERS (REGULATION OF EMPLOYMENT) (INAPPLICABILITY TO MAJOR PORTS) ACT, 1997

ACT NO. 31 OF 1997

[18*th August*, 1997.]

An Act to provide for inapplicability of the Dock Workers (Regulation of Employment) Act, 1948 to dock workers of major port trusts and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-eighth Year of the Republic of India as follows:—

1. Short title and commencement.—(*1*) This Act may be called the Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Act, 1997.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "appointed day", in relation to a major port, means the date specified under section 3 for that major port;

(*b*) "Board" has the same meaning as in the Major Port Trusts Act, 1963 (38 of 1963);

(*c*) "Dock Labour Board" means a Dock Labour Board established under section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948);

(*d*) "major port" has the same meaning as in the Indian Ports Act, 1908 (15 of 1908).

3. Inapplicability of the provisions of the Dock Workers (Regulation of Employment) Act, 1948 to major ports.—The Central Government may, after settlement is arrived at between the Dock Labour Board of any major port, its workmen and the management of that major port in accordance with the provisions of the Industrial Disputes Act, 1947 (14 of 1947), direct, by notification in the Official Gazette that the provisions of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), shall cease to have effect in relation to that major port with effect from the date specified in that notification.

4. Transfer of assets and liabilities of the Dock Labour Board, etc., to the Board.—(*1*) On the appointed day in relation to a major port,—

(*a*) all property, assets and funds vested in the Dock Labour Board immediately before such day, shall vest in the Board;

(*b*) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done, by, with or for the Dock Labour Board immediately before such day, for or in connection with the purposes of the Dock Labour Board, shall be deemed to have been incurred, entered into and engaged to be done by, with or for the Board;

(*c*) all sums of money due to the Dock Labour Board immediately before such day shall be deemed to be due to the Board;

(*d*) all suits and other legal proceedings instituted by or against the Dock Labour Board immediately before such day for any matter in relation to the Dock Labour Board may be continued by or against the Board.

1. 5th January, 1998, *vide* notifn. No. S.O. 22(E), dated 5th January, 1998, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

(*e*) every employee and worker serving under the Dock Labour Board shall hold office or service under the Board on the terms and conditions which are not in any way less favourable than those which would have been admissible to him if there had not been transfer of his services to the Board and shall continue to do so unless and until his employment in the Board is duly terminated or until his tenure, remuneration or terms and conditions of service are duly altered by the Board.

(*2*) Notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), or in any other law for the time being in force, the transfer of the services of any employee under this section to the Board shall not entitle such employee to any compensation under that Act or any other law, and no such claim shall be entertained by any court, tribunal or other authority.

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STATEMENT OF OBJECTS AND REASONS

There are millions of women agricultural workers in our country who earn their livelihood and of their families by working in the field of others. Though the employers of women agricultural workers are supposed to give them remuneration equal to the men agricultural workers but it is the hard fact that they are paid less. This fact has been agreed to by the Government in response to a parliamentary question. Even very progressive State like Maharashtra is not lagging behind in paying less remuneration to the women workers particularly those who are engaged in agricultural operations. This tendency of the employers has to be dealt with sternly by providing deterrent punishment for the violation of law and deliberate exploitation of women agricultural workers.

It has also been seen that the women agricultural workers, while pursuing agricultural operations, very often receive injuries leading to partial or total disablement and in some cases they also die in such operations. Sometimes they are bitten by snakes and other poisonous creatures or attacked by wild animals during the agricultural operation resulting in their disability or death.

Similarly the women agricultural workers do not get medical facilities for them and their children, maternity benefits and creches facility to look after their children. When they become old and infirm, there is neither any security nor any legal protection for them. They are left to fend for themselves and ultimately they die in harness. Since ours is a Welfare State, it is necessary in the national interest that the women agricultural workers are also given security of work and insurance against accidents, old age pension and other facilities for them and their children.

Hence this Bill.

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