



सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA
पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING
नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

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F. No.CR Grievance(on board)/75/2012

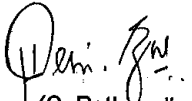
Dated: 30.01.2013

Merchant Shipping Notice No.04 of 2013.

Subject: - On board complaint/grievance redressal mechanism to be adopted for Indian flag vessels, as per the guidelines of the Maritime Labour Convention, 2006-reg.

1. The Maritime Labour Convention (MLC), 2006, under its Regulation 5.1.5 stipulates that each of its Member-State shall require that ships that fly its flag have their on-board procedures for the fair, effective and expeditious handling of seafarer complaints/grievances alleging breaches of the requirements of this Convention (including seafarers' rights).
2. In this context, the following complaint/ grievance redressal procedures are, therefore, prescribed for an adoption on board Indian flag vessels, in compliance of the requirements under the MLC, 2006;
 - 2.1 Any aggrieved seafarer serving on board an Indian flag ship shall, as soon as is feasible submit a written complaint to his Head of Department on board (deck/engine), which shall be immediately & formally acknowledged by that Head of Department to the seafarer concerned.
 - 2.2 If the Head of Department cannot resolve the seafarer's complaint to the satisfaction of the seafarer, within a prescribed time limit of 3 days [of receipt of the complaint], the Head of Department shall refer it to the Master of the ship, who shall handle the matter personally and settle the issue within 7 days[of receipt of complaint].
 - 2.3 A seafarer shall, at all times, have the unequivocal right to be accompanied and to be represented by another seafarer of his choice on board the ship concerned, while making the complaint or for the follow - up work thereon.
 - 2.4 All complaints and decisions on the complaint shall be duly recorded in the official record book and a copy of the decision taken, in each case, shall be provided to the seafarer concerned by the said issue resolving authority. A proper documentary record of all the complaints and actions taken on each complaint shall be kept on board the vessel and shall be available for an inspection by the authorities concerned for a period of at least three years [of receipt of complaint].

- 2.5 If the Master of the vessel cannot resolve the complaint on board, he shall take it up with to the shipowner concerned, under & due immediate intimation to the seafarer. The shipowner shall resolve the matter, without any delay, but not later than within a maximum period of 1 month [of receipt of complaint]. Contact details of the shipowner for resolving seafarer's complaints shall be made available onboard, by the Master of the vessel. The shipowner shall, in resolving the complaint, take the assistance of the Committee that may be set up by it, comprising the seafarers union(s) also.
3. If the complaint of the seafarer is not resolved by the RPS/shipowner within 1 month, [including the Committee also represented by the seafarers union(s)], the seafarer shall have the right to approach the competent authority, through the Grievance Redressal Mechanism as set out vide this Directorate General's M.S. Notice No.03 of 2013 [F. No. CR/Grievance Redressal/2013] dated 30.01.2013. The complaint so registered with the authority shall contain the copies of the complaint made by the seafarer to all his superiors [as mentioned above], including to the RPS/ Shipowner/union (if any) and the replies given thereto by them (if any).
4. A seafarer on board a vessel calling at a foreign port, in between a voyage shall also have the right to separately report his complaint alleging breach of the requirement(s) of, the MLC, 2006 (including seafarers' rights) to the authorized officer at that port, under the MLC on-shore seafarer complaint handling procedures.
5. In all such cases, seafarers shall also have the right to file their complaints directly with the Master or RPS provider or shipowner or any other legal entity that the seafarers may consider appropriate for the purpose.
6. This issues with the approval of the Directorate General of Shipping & ex-officio Additional Secretary to the Government of India.


(C. Rethmadhas)
Deputy Director General of Shipping (Crew)

To,

1. All Shipowners
 2. All RPS Providers
- Copy to
1. Shipping Master, Mumbai/Kolkata/Chennai
 2. All Principal Officer, MMD's
 3. All SIC, MMD's
 4. INSA /MASSA/ FOSMA
 5. NUSI /FSU
 6. NT /Eng. /Naval Architect Branches of the Directorate.
 7. Hindi Cell – Please translate in Hindi
 8. Sr. PS to DG (S) / Jt. DG (S)
 - ✓ 9. DG's Website - please display.
The Secretary to the Govt. of India, Ministry of Shipping, New Delhi.