



सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

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DGS Crew Branch Circular No. 02 of 2016

Sub: Non- uploading of Form-I (earlier Form-IIIA) by the RPS licensees-reg.

The Merchant Shipping (Recruitment and Placement of Seafarers) Rules 2016 have been notified by the Ministry of Shipping, Govt. of India [GoI] on 14.02.16. As per the said Rules, recruitment and placement of seafarers (RPS) agents are required to submit the details of the sea service of the seafarers recruited/placed by them on board Indian-foreign flag ships, by the 12th of every month. Facility for the upload of such details in the prescribed Form-I (earlier known as Form -IIIA) has been already provided for in the e-governance system of the Directorate General of Shipping, [DGS], GoI. The said sea service, as uploaded by the RPS, is referred to by the field offices of this office, at the time of the online processing of the applications for examination and certification. Therefore, it becomes imperative that the RPS entities [DGS approved] upload complete and correct data of sea service in the e-governance system of this office. Since September, 2015, the facility of uploading the back dated data of over three months has been withdrawn and the DGS approved RPS agencies have been instructed to regularly upload the sea service details thenceforth. It is has been brought to the notice of the DGS, GoI that even after repeated instructions, some RPS licensees [DGS approved] are not uploading the data of sea service, due to which the seafarers concerned are encountering problems at the time of the assessment/seat booking for the examination and certification

2. The Directorate General of Shipping, GoI has noted with concern the problems faced by the seafarers due to lapses by the RPS agencies [DGS approved]. It is, therefore, decided that from 01.07.16, the RPS agencies which do not upload the data of sea service of their respective seafarers would face immediate suspension of licenses. The Direct Seamens Employment Offices (DSEOs) are directed to take immediate action against such errant RPS, which fail to

upload sea service undertaken after 01.07.16. Any such omission by the RPS agencies post 01.07.16 may be noted and reported by the [Indian Register of Shipping] IR Class, during the annual inspection of the RPS entities. The RPS must upload the data by twelfth of every month. If due to any technical problems, the data cannot be uploaded in the same month, then the system would remain open for another two months, thus giving three months time to upload the same, which is quite sufficient. However the RPS agents are instructed that they should not wait till last moment, but complete the uploading in the first month itself.

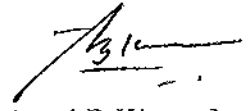
3. It is reported that the Mercantile Marine Departments (MMDs) have started rejecting the applications of the seafarers, just on the ground that the sea service details are not reflected in the e- Governance system. It is clearly unfair to penalise the seafarers for a mistake/lapse on part of the RPS. The MMDs are hereby directed that they should not reject the applications of seafarers merely on the ground that the sea service is not reflected in e- Governance database. In such cases, where the RPS has not uploaded the sea service before 01.07.16, the seafarers may produce his appointment letter or an original letter in support of sea service from the RPS along with other documentary evidence like his original CDC and original passport before the authorities in Mercantile Marine Department. The MMDs should examine the physical documents submitted by the seafarers and accept the sea service, if found in order.

4. It is also decided that post 01.07.16, if it is detected that a RPS[DGS approved] is found not to have uploaded the sea service, then the matter be referred to the Director Seamen's Employment office, Mumbai/Kolkata/Chennai for action against the RPS concerned. Seafarers are also informed that they have complete access to all the details uploaded against their INDOS number in the system. They are advised that they should regularly check the Master checker, particularly after their sign on and sign off and ascertain whether the RPS has correctly uploaded the details in the system. If not, they may immediately bring the same to the notice of RPS concerned. In spite of the above measures, if the RPS fails to upload the sea service post 01.07.16, the seafarer would be provided a facility to claim such missing sea service by uploading the relevant pages of CDC, Passport, letter in support of sea service from RPS and a self declaration on genuineness of the sea service in his profile on e- Governance. This facility is only for the sea service undertaken after 01.07.16 and found missing in the system. The MMDs shall examine the uploaded documents and accept the sea service, if found in order. Further the MMDs shall also report the defaulting RPS to the DSEO for necessary action against it.

5. It may be noted that the above arrangements are made purely for the benefit of the seafarer, under a bonafide belief that the sea service claimed by him is genuine. If, during the verification or anytime later, it is found that the seafarer has, with or without connivance of the RPS claimed false sea service, then strict action would be taken against such seafarer and/or RPS, as the case may be, in accordance with the extant provisions of the Merchant Shipping Act, 1958.

6. There are a few cases, wherein the permissions are granted to the Indian Ship owner to hire a foreign flag ship on a bare boat charter. In such cases, the Indian Ship owner is required to employ Indian crew and officers only. The details of sea service of such Indian seafarers cannot be uploaded in form-I, as no RPS is engaged and also cannot be uploaded in the Articles of Agreement as the ship concerned, is a foreign flag ship. A separate facility for uploading such data is not developed in the e-governance system of DGS. Such Indian Ship owners are instructed to submit the Articles of Agreement in a physical form in the office of DSEO. MMDs are instructed that they should not reject the application of the seafarers sailing on such vessels, on the ground that the sea service is not reflected in the system, but examine the physical documents such as passport, CDC, and copy of articles of agreement submitted by the Ship owner.

7. This issues with the approval of Director General of Shipping and Additional Secretary to Govt. of India.



[Dr. Amol B Kirtane]
Deputy Director General of Shipping (Crew)

Copy to

1. All Officers of DG Shipping
2. All Principal Officer, Mercantile Marine Departments/ All Surveyor-In-Charge, MMD,s
3. Director Seamens Employment Offices, Mumbai/Kolkata, Chennai
4. Govt. Shipping Office, Mumbai, Kolkata, Chennai.
5. All Recruitment and Placement agencies- Through e-mail
6. INSA, FOSMA, MASSA, ICCSA, NUSI, MUI
7. IR Class
8. Website of DG Shipping