

D.G. Shipping Order No 6 of 2006

Dated: 7th July, 2006

No.8(6)CR/2005

Subject: Course module for implementation of Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2005 Spreading awareness among Indian seafarers thereof.

1. The Government of India has promulgated Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2005 vide notification No. G.S.R. 182 (E) dated 18.3.2005, which was further amended by notification No. G. S. R. 580 dated 14th September, 2005.
2. These rules provide a mechanism of protection for Indian Seafarers working on Indian and Foreign Flag Vessels and the necessary safeguards for their repatriation in the event of their being stranded, or during such other exigencies, when the ship owner fails to discharge the duty of repatriating the seafarers to the home port of the seaman.
3. The said rules also provide a mechanism for necessary registration of the manning agents (agents for Indian and Foreign Flag Vessels).
4. In recent times, this Directorate has noticed a sudden rise in the casualty of Indian Seafarers on board foreign flag vessels, resulting in loss of life.
5. Accordingly, there is need to create an awareness among the Indian Seafarers, while they are undergoing training, in order to make them aware of their rights and also to sensitizes them to the need for following due procedure while taking up employment on board Indian / Foreign flag vessels, through registered manning agents only.
6. Therefore, all training institutes are directed to commence a new course module for all the Pre-Sea Training Courses, which are in session as on 1st August, 2006 and also those courses which commence on 1st August, 2006.
7. This Directorate has already undertaken a "training the trainers" for all training institutes located in the country. The course module, as enclosed, is required to be implemented by all the training institutes and it should be ensured that the time prescribed in the course module is incorporated in the regular training course and imparted effectively to all the trainees.

8. Further, suitable questions from the course module should be included as part of the Exit Examination for the ratings and as part of the final examination for the Deck and Engine Cadets.

9. The certificates issued to the candidates should carry the following endorsement on the face of the certificate :

"The candidate has undergone the course module implemented for implementation of Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2005, the relevant provisions of M.S. Act 1958 and Articles of Agreement."

9. Compliance with the above should be strictly adhered to by all the training institutes.

Sd/-

(Kiran Dhingra)

Director General of Shipping &

Ex.Officio Addl. Secretary to Govt.

DIRECTORATE GENERAL OF SHIPPING, MUMBAI
WALCHAND HIRACHAND MARG, MUMBAI – 400038

Title of the Course : Awareness on the M.S. (Recruitment and Placement of Seafarers), Rules, 2005

Aim :

India is one of the major seafarers supplying nation to the world shipping fleet. However, the terms and conditions of employment of Indian seafarers vary from flag to flag. Accordingly, the Directorate General of Shipping intends to make Indian seafarers aware of their rights and obligations. This model course aims to provide the information contained in the MS Act. 1958 and Merchant Shipping (Recruitment and Placement of Seafarer) Rules, 2005 to all its seafarer, and to include it as part of the regular course curriculum of the pre-sea training courses which are approved by the DG Shipping.

Objective :

To make Indian seafarers aware of his rights and duties under employment agreement.

To encourage seafarers to seek employment in their own interest only through registered recruitment and placement agencies.

Target group :

This course is intended for every seafarer who joins any DG Shipping approved Pre-sea training course.

Course certificates :

On successful completion of the Pre-sea training Course the certificate may be endorsed to state that “The candidate has undergone the course module implemented for implementation of Merchant Shipping (Recruitment and Placement of Seafarer) Rules, 2005, the relevant provisions of MS Act 1958 and Articles of agreements.”

Staff Requirements :

1. Permanent faculty of the training institute who hold Certificate of Competency as Master (Foreign Going) or Marine Engineer Officer Class 1 or recognized by Indian Administration or
2. Official from Inspecting Authority as a visiting faculty or
3. Official from Directorate General of Shipping or experts as visiting faculty as decided by Director General of Shipping
4. Any combination of faculty as in 1,2 and 3 above.

Time table :

The Course contents will be delivered during THREE hours of lecture with usual break between the lectures. The lectures shall be delivered at least one month before the completion of the course.

Course outline

The area of knowledge and understanding with regard to seafarers' rights to be imparted to a seafarer are detailed below. The duration of course is 3 hours, which is minimum time required and can be adapted (extended) to suit individual group of trainees. The formats of article of agreement (both Indian and foreign) and contract with recruitment and placement agency should be discussed with the trainees.

Course Outline :

Subject area	No. of Hours
1.0 MS Act 1958 1.1 Overview 1.2 Section 95 (registration of recruitment and placement agencies) 1.3 Part –VII (Employment of seafarers on Indian flag vessels)	0.5
2.0 Recruitment and placement rules – 2005 2.1 Introduction & definitions 2.2 Significance of the RPS, Rules, 2005 2.3 Purpose of the rule 2.4 Benefit to seafarers under the rule 2.5 Responsibilities of employer 2.6 Rights and responsibilities of the seafarer 2.7 How to access information regarding registered recruitment and placement agencies	1.0
3.0 Article of Agreement (Indian Ships) 3.1 Lecture on general content of agreement 3.2 Responsibilities of employer & seafarer 3.3 Discussion on the content	0.5
4.0 Article of Agreement (foreign flag ship) 4.1 Lecture on general content of agreement	0.5

4.2	Relevance of RPS, Rule 2005 on foreign ships	
4.3	Responsibilities of foreign employer & seafarer	
4.4	Discussion on the content	
Objective type test		0.5
Total		3.0

Teaching facilities and Equipment :

Requirements as stipulated in DGS Order/guidelines 1 of 2003 and the following.

1. Maximum batch strength -44
2. Study material : M.S. Act 58 relevant portions, Recruitment and Placement of Seafarers Rules, 2005, Articles of Agreement for employment of seafarers, copy of transparencies, list of registered recruitment agencies, model contract and articles of agreement.

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