

The Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001

UNION OF INDIA

India

The Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001

Rule

THE-MERCHANT-SHIPING-CONTINUOUS-DISCHARGE-CERTIFICATE of 2001

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The Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001Published vide Notification No. G.S.R. 440(E), dated 19th June, 2001Ministry of Shipping(Shipping Wing)G.S.R. 440(E). - In exercise of the powers conferred by section 457 of the Merchant Shipping Act 1958 (44 of 1958) and in supersession of the Merchant Shipping (Continuous Discharge Certificate) Rules, 1993, except as respects things are done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

1. Short title, commencement and application.

(1)These rules may be called the Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001.(2)The shall come into force on the date of their publication in the Official Gazettee.(3)They shall apply to persons who fulfil the eligibility conditions as specified under rules 4 and 5 of these rules for employment as seamen, [as defined under clause (42) of section 3 of the Act], on board ships (including foreign going ships and home trade ships of not less than 200 tons gross).

2. Definitions.

(1)In these rules, unless the context otherwise requires.(a)"Act" means the Merchant Shipping Act, 1958 (44 of 1958);(b)"Approved Institute" means a training institute approved by the Directorate

General of Shipping;(c)"C.D.C." means a Continuous Discharge Certificate-cum-Seafarer's Identity Document;(d)"compassionate grounds" means the cases of sons or dependant family members of deceased or physically incapacitated seaman where the death or physical incapacitation, as the case may be, of the seamen occurred prior to his retirement from sea service or attainment of superannuation. The applicant for issue of C.D.C. shall produce a certificate from the Revenue Authority within whose jurisdiction he ordinarily resides, regarding other earning members in his family and only one dependent son or family member of the deceased or as the case may be physically incapacitated seaman shall be considered for issue of C.D.C. as utility hand on compassionate grounds;(e)"Form" means a form appended to these rules;(f)"Shipping Master" means a Shipping Master of a port appointed under sub-section (1) of Section 11 of the Act;(g)"Deputy Director-General of Shipping" means the Deputy Director General of Shipping in charge of the Crew Branch in the Directorate General of Shipping;(h)"Sea service" means articulated period on a ship.(i)"S.T.C.W. (Code)" means the code referred to in Merchant Shipping (Standards of Training, Certification and Watchkeeping for Seafarers) Rules, 1998.(2)Words and phrases used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them.

3. Application for C.D.C.

(1)Any person who fulfils all the eligibility conditions as specified in rules 4 and 5 of these rules, for the issue of a C.D.C. may apply to the shipping master at Nau Bhavan, 10. R.K. Marg, Ballard Estate, Mumbai-400001 or shipping master at Marine House, Hastings, Calcutta-700022 or shipping master, Mercantile Marine Department, Anchorgate Building, 2nd Floor, P.B.No.5004, Rajaji Salai, Chennai-600001, by registered post.(2)Every such application shall be in the format as specified by the Director General of Shipping, from time to time, and shall be accompanied by two copies of the applicant's recent photograph, copies of relevant certificates or documents duly attested by a Gazetted Officer as proof of eligibility, and a signed declaration to the effect that the applicant has not previously been issued a C.D.C and has not submitted an application for C.D.C to any other shipping master, alongwith a fee of five hundred rupees(non refundable).

4. Eligibility conditions for applicant seaman other than Certificated Officers.

(1)The applicant should be a citizen of India:(2)Age limit-

(i) For Deck, Engine and Caering (Saloon) ratingtrainees	Between 18 and 25 years of age
(ii) For Utility Hand	Between 18 and 40 years
(iii) For Petty Officers [Carprenter, Chief Steward,Electrician, Fitter, Machinist, Pump man, Refrigeration Mechanic,Computer Operator, Mechanic (Motor Vehicle), AutomobileEngineering, Pipe Fitter, Motor Mechanic, Diesel Mechanic,General	Between 18 and 40 years of age

Mechanic, Maintenance Mechanic (Tool Engineering), Welder, Electrician, Turner, Boiler Attendant, Electronic Mechanic]

- | | |
|---|-------------------------|
| (iv) For ex-Naval ratings | Upto 45 years of age |
| (v) For non-certificated Officers such as Purser/Ship's clerk, Electrical officer and Electronic Officer. | Between 18 and 40 years |

Note 1 - The crucial date for determining the age-limit shall be the closing date for receipt of applications. Note 2 - Normally, the date of birth as mentioned in the School Leaving certificate shall be accepted as proof of evidence of date of birth of an applicant. In respect of ex-Naval applicants, the date of birth indicated in Form No. Indian Navy 271 shall only be the proper documentary proof to this effect. (3) Educational Qualifications:

- | | |
|---|--|
| For Deck, Engine and Catering (Saloon) Trainees | |
| (i) | Xth standard passed |
| (ii) For Utility Hands | |
| | VIII standard passed |
| (iii) For Petty Officer | |
| | Xth Std. Passed with respective trade Certificate (NT.C) or National Apprenticeship Certificate (NAC) or Diploma Certificate approved by the National Council for Vocational Training (NCVT) or All India Council for Technical Education (AICTE). The minimum duration of the courses from anyone of the above institutes shall be two years. |
| (iv) | For Purser/ship's clerk |
| | A graduate with knowledge of accountancy and computer operation. |
| (v) | For Electrical and Electronic Officer. |
| | A Diploma or Degree in respective Branch from a Government recognized university |

Note - C.D.C. in the category of Utility Hand shall be issued only if candidate is sponsored by a shipping company. (4) For medical fitness, the applicant should possess a certificate in the prescribed form issued in Annexures "F" and "F" of the Merchant Shipping (Medical Examination) Rules, 2000, to the effect that he is medically fit to be employed on board ships. (5) An applicant for issue of C.D.C as Deck, Engine and Catering (Saloon) Trainee shall have successfully completed the pre-sea training for ratings from an approved training institute as prescribed under sub-clause (b) of clause (ii) of sub-rule (2) of rule 28 of the Merchant Shipping (Standards of Training Certification and Watchkeeping for Seafarer's) Rules, 1998. (6) An applicant for issue of C.D.C shall have undergone the basic familiarization training and instructions as prescribed under sub-rule (1) of rule 33 of the Merchant Shipping (Standards of Training, Certification and Watchkeeping for Seafarer's) Rules, 1998. (7) An applicant shall not hold any C.D.C. issued earlier by any shipping master in India. (8) In case of issue of C.D.C on compassionate grounds the Director General of shipping may relax any or all of the provisions of this rule except sub-rules (5) and (6) of this rule in respect of all categories. (9) Notwithstanding anything contained in sub-rules (2) to (5) and (7) of this rule, an applicant, who is a member of any Scheduled Tribe, of the Union Territory of the Andaman and Nicobar Islands or the Union Territory of Lakshadweep and is of the age of not less than 18 years and not more than 40 years shall be eligible for obtaining a C.D.C if he-(i) has served as a seaman or a ship's crew or both in the capacity for which he seeks a CDC for not less than 3 years at sea within

the previous 7 years preceding the date of application:(ii)has produced evidence that he has performed such sea service for a period of not less than three years;(iii)is in possession of a certificate in the prescribed form set out in Annexures "E" and "F" of the Merchant. Shipping (Medical Examination) Rules 2000, to the effect that he is medically fit to be employed on ships; and(iv)has undergone the basic familiarization training and instructions as prescribed under sub-rule (1) of rule 33 of the Merchant Shipping (Standards of Training, Certification and Watch-keeping for Seafarer's) Rules, 1998.(10)Notwithstanding anything contained in sub-rules (2), (3) and (5) of this rule, an applicant who has been working on board foreign going vessels of any flag in any capacity without C.D.C issued by Indian authority during the period between the 1st January, 1982 and the date of notification of these rules in this Official Gazette, for a minimum period of not less than 3 years, shall be issued with a C.D.C. in the same capacity under these rules subject to the following conditions, namely:-(i)the applicant is a citizen of India.(ii)the applicant shall produce with his application his passport or his Seafarers Identity Document possessed by him giving details of the sea service rendered by him duly endorsed by the Master or owner or the owner's authorized agent of the vessel on which the seafarer had served or the owner's authorised agent.(iii)The applicant is in possession of a certificate in the prescribed form set out in Annexures "E" and "F" of the Merchant Shipping (Medical Examination) Rules 2000, to the effect that he is medically fit to be employed on board ships.(iv)The applicant has undergone the basic familiarization training and instructions as prescribed under sub-rule (1) of rule 33 of the Merchant Shipping (Standards of Training, Certification and Watchkeeping for Seafarer's) Rules, 1998.(v)Such application shall be submitted to the shipping master's Office within a period of one year from the date of notification of these rules in the Official Gazette.

5. Eligibility for Certificated Officers.

(1)A citizen of India who is in possession of a valid certificate of competency issued under section 78 of the Act or a Certificate recognised under section 86 of the Act or who has been declared successful in the final examination of the three years B.Sc. (Nautical Science) course approved by the Director General of Shipping or who has been declared passed or exempted in Marine Engineer Officer Class-II Part A Examination, is eligible for issue of a C.D.C.(2)The Trainee Marine Engineer, Trainee Radio Officers, and Deck Cadets, who have completed the prescribed pre-sea training and are eligible to proceed to sea shall also be eligible to apply for issue of C.D.Cs. specifying the incumbent's rank or category.(3)Navigational Watch-keeping officer(NCV), Marine Officer Class-IV and ex-Indian Naval Officer in possession of a Watch-keeping certificate, who have completed written examination and are required to undergo on board training for appearing in oral examination shall also be eligible to request for issue of C.D.Cs specifying the incumbent's rank or category.(4)A citizen of India who is in possession of a valid Certificate of competency issued by any foreign nation, is eligible to request for issue of a C.D.C.(5)All the applicants mentioned in sub rules (1) and (2) above shall have undergone the basic familiarization training and instructions as prescribed under sub-rule (2) of 33 of the Merchant Shipping (Standards of Training, Certification and Watchkeeping for Seafarer's) Rules, 1998.

6. Issue of C.D.Cs.

(1)The shipping master shall, after the described particulars of the applicant have been entered in and the photograph affixed to the C.D.C., affix his signature and official seal on the photograph and issue the same to the applicant, who fulfils all the conditions laid down in rules 4 and 5.(2)A C.D.C. issued under these rules shall be in Form-1 and shall be serially numbered.Note - Issuance of C.D.C. does not guarantee a job which is the prerogative of the employers.

7. Register of C.D.Cs.

(1)The shipping master shall maintain a register of C.D.Cs issued to seamen from his port, in Form-2, which shall contain all the particulars recorded in the C.D.C.(2)All subsequent entries in the C.D.Cs issued from the port shall also be recorded in the said register.

8. Period of Validity.

(1)A C.D.C. granted under these rules shall be valid for a period of ten years and may be renewed on expiry or within 6 months prior to date of expiry, on a request from the holder, for a further period up to ten years at a time if the holder is a serving Seaman and his C.D.C. has not been cancelled, withdrawn or suspended under these rules.(2)If the period of validity of C.D.C. of a Seamen expires during the voyage, it shall continue to be valid till the end of the voyage.(3)A recent photograph taken within the last three months should be affixed to the C.D.C. at the time of renewal while retaining the old photograph.

9. Report of desertion, etc.

- For the purposes of section 192 of the Act the proper officer shall be the shipping master.

10. Cancellation or suspension of a C.D.C.

(1)Where the Director General of Shipping is satisfied that a Seaman has committed a misconduct of a nature specified in section 190 of the Act or on a report received by him, the Director General is satisfied that a seaman has deserted his ship in the circumstances specified in section 192 or that he has been convicted of an offence of the nature referred to in sub-section (2) of section 195 of the Act he may direct to the shipping master that C.D.C. of such seaman shall be cancelled, withheld or shall be suspended for a specified period.(2)If a seaman lawfully engaged is guilty of an offence of committing any of the acts mentioned in section 194 of the Act or is convicted of an offence under any other law for the time being in force, the Director General may direct that C.D.C. of such seaman shall be cancelled or withheld or suspended for such period as may be specified in the direction.(3)If the shipping master has reasons to believe that the holder of a C.D.C. granted under this rule has obtained making a rules or erroneous information, he may cancel or suspend such C.D.Cs forthwith.(4)Where the C.D.C. has been cancelled or suspended as above, the reasons for the same shall be intimated to the person in writing to whom it is issued and a copy of the order of such

cancellation or suspension as the case may be shall be endorsed to all other shipping masters in India and the Director General of Shipping.(5)Before cancellation or suspension or to withhold the C.D.C., as the case may be, the C.D.C. holder shall be given an opportunity to represent his case before the shipping master. The shipping master shall also intimate the reasons of cancellation or suspension or withholding, as the case may be, to the C.D.C. holders if the same is decided upon.

11. Appeal.

(1)Any applicant aggrieved by any order made under these rules by the shipping master, may, within a period of 60 days of receipt of such order, prefer an appeal to the Deputy Director-General of Shipping dealing with C.D.C.(2)Any applicant aggrieved by any order made under sub-rule (1) of rule 11 by the Deputy Director General of Shipping, may prefer an appeal to the Director General of Shipping within a period of 60 days of receipt of such order by him. In such cases, the decision of the Director General of Shipping on such appeal shall be final.(3)No appeal shall be admitted if it is preferred after the expiry of the period prescribed under sub-rule (1) and (2); provided that an appeal may be admitted after the expiry of period prescribed therefor, if the applicant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within the prescribed period.

12. Register of cancelled C.D.C., etc.

- The shipping master shall maintain a register of C.D.Cs which have been withheld, cancelled or suspended under rule 10 of these rules.

13. C.D.C. not to be issued in certain cases.

(1)No C.D.C. shall be issued to an applicant under these rules whose application has been cancelled or suspended by a shipping master of one port and who applies to the shipping master of another port by suppressing this fact.(2)Where the request for the issue of C.D.C. is cancelled or suspended, the reasons for the such cancellation or suspension shall be intimated to the applicant and a copy of the such order shall be endorsed to all other shipping masters and the Director General of Shipping.(3)No C.D.C. shall be issued to a applicant against whom a written debarment order or orders have been passed by a shipping master unless the said order has been set aside by the Director General of Shipping.

14. Duplicate C.D.C.

- Where a C.D.C. of a person if he is a serving seaman, issued under these rules, is mislaid, destroyed, defaced or mutilated such seaman may apply to the shipping master of the port concerned along with a fee of rupees one thousand for issuance of a duplicate copy of the C.D.C., with all entries of the previous voyages or a summary of these recorded therein.

15. Returns of C.D.C.

- Every shipping master shall at the beginning of each quarter furnish to the Director General of Shipping a return in Form-3 of the number of C.D.Cs issued to Seamen from his port during the previous quarter.

16. Entry on Discharge.

(1)At the time of discharge, the Seaman shall, if he so desires, be granted, by the master of the ship on which he has been serving an entry in the C.D.C. specifying the particulars referred to in subsection (2) of section 120 of the Act.(2)The entries made in the C.D.C. shall be attested by the shipping master of the port of discharge and thereafter the C.D.C. shall be returned to the seamen concerned.
Form-I[see rule 6(2)]Government of IndiaEmblemContinuous Discharge CertificateCumSeafarer's Identity DocumentIssued under Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001.

Photograph	Photograph	Photograph	Photograph
official stamp	official stamp	official stamp	official stamp
Fresh Issue	1st Renewal	2nd Renewal	3rd Renewal

Note - The above photo should be authenticated by impressing the Shipping Office Stamp and the Signature of the shipping master partly on the photo and partly on the book.
Name of the Seaman
Code No. of Port and Registered No. of the Discharge Book
Notice to Seamen
(1)Seamen are informed that this Continuous Discharge Certificate-cum-Seafarer's Identity Document should be produced and handed over to the shipping master, or Consular when signing Articles of Agreement, so that the engagement column may be filled in and the certificate given into the safe keeping of the master of the Ship.
(2)If the seaman desert or fail to join, his book Will be deposited by the mater with the shipping master or Consular or the port where he left the ship, who shall forward it to the shipping master of the port of engagement.
(3)If this certificate become defaced or torn or filled up or if it get lost the shipping master will, on application, arrange for the of a duplicate.
(4)Seamen are warned not to correct, alter or In any way tamper with the entries on this certificate as they are liable to be prosecuted if they do so.
(5)Seamen are informed that the C.D.Cs should be revalidated after every ten years and affix an additional recent photograph at the time of revalidation.
(6)It may be ensured that the particulars mentioned in the CD.C. are correct and if any discrepancies are noted, the same has to be intimated to the issuing office along with the C.D.C for correction within 30 days from the date of receipt
Request for any corrections cannot be entertained after this deadline.
NoteIf this Certificate come into the possession of any person to whom it does not belong, it should be handed over to the shipping master, or the nearest Mercantile Marine Office, or may be transmitted to the Directorate General of Shipping, Mumbai.
Record of any award or commendation received by the seaman, the entry shall be signed by the Shipping Master, dated and stamped.
EmblemContinuous Discharge CertificateCumSeafarer's Identity DocumentIssued by the Government of India
Name of seamen in full and Name of Father
Date of Birth
DAY MONTH YEAR

Place of Birth:Nationality:Religion:Height in Centimeters:Colour of Eyes:Colour of
Hair:Complexion:Certificate of Competency, if any
Grade Number

Tattoo or other distinguishing marks:

(i)

(ii)

Issued at the Port of.....Date of Issue:.....Signature
of Seaman.....Shipping Master

1. Pre-Sea Training Certificate No. and Place of Issue:

2. PSSR Certificate No. and Place of Issue:

3. PST Certificate No. and Place of Issue:

4. FF and FP Certificate No. and Place of Issue:

5. EFA Certificate No. and Place of Issue:

6. Certificate of Competency in Cooking No. and Place of Issue:

Summary of former Certificate of Service

Name of the Ship Number of Voyages Category Number of voyages

Voyages not completedContinuous Discharge CertificateCumSeafarer's Identity Document

S.No.	*Name of Ship and official number, and tonnage	Date and place of Engagement	Category Discharge	Description of Voyage	Signature of Master and of Shipping Master, Consular Officer with official stamp	
1	2	3	4	5	6	7
1					1	(1)(2)
2					2	(1)(2)
3					3	(1)(2)

4	4	(1)(2)
5	5	(1)(2)
6	6	(1)(2)
7	7	(1)(2)
8	8	(1)(2)
9	9	(1)(2)
10	10	(1)(2)
11	11	(1)(2)
12	12	(1)(2)
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41	41	(1)(2)
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44	44	(1)(2)
45	45	(1)(2)
46	46	(1)(2)
47	47	(1)(2)
48	48	(1)(2)
49	49	(1)(2)
50	50	(1)(2)
51	51	(1)(2)
52	52	(1)(2)
53	53	(1)(2)
54	54	(1)(2)

*These columns are to be filled in at the time of engagement.# In Engineer's Books insert Kilo Watts. In Radio Officer's Books insert tonnage classification of Ship as per Merchant Shipping(Distress and Safety Radio Communication) Rules, 1955.Home Address of Seaman(To be entered by the SeamenNameVillagePost OfficeDistrictStatePincodeNext of Kin Seaman with AddressName and

Relationship.....Address.....Add

Pages for office use.....Issued under Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001 valid for a period of 10 years w.e.f..... If the period of validity expires during the voyage, it shall be continued to be valid till the end of the voyage.Shipping MasterIssued under Merchant Shipping (Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001 valid for a period of 10 years w.e.f..... If the period of validity expires during the voyage, it shall be continued to be valid till the end of the voyage.Shipping MasterIssued under Merchant Shipping(Continuous Discharge Certificate-cum-Seafarer's Identity Document) Rules, 2001 valid for a period of 10 years w.e.f..... If the period of validity expires during the voyage, it shall be continued to be valid till the end of the voyage.Shipping MasterAdditional Pages for Office UseForm 2(see rule 7)Register of Continuous Discharge CertificateCumSeafarer's Identity DocumentRegistered No. of Discharge Book.....Date of Issue of Certificate.....EmblemIssued byThe Government of IndiaPhotograph

1. Pre-Sea Training Certificate No. and Place of Issue:

2. PSSR Certificate No. and Place of Issue:

3. PST Certificate No. and Place of Issue:

4. FF and FP Certificate No. and Place of Issue:

5. EFA Certificate No. and Place of Issue:

6. Certificate of Competency in Cooking No. and Place of Issue:

Name of Seamen in full and Name of Father: Date of Birth:

DAY MONTH YEAR

Place of Birth: Nationality: Religion: Village Post Office District State Pincode Height in Centimeters Colour of Eyes Colour of Hair Complexion: Certificate of Competency, if any Grade Number

Tattoo or other distinguishing marks:

(i)

(ii)

Issued at the Port of..... Date of Issue: Signature of Seaman..... Shipping Master Record of any award or commendation received by the seaman, the entry shall be signed by the shipping master, dated and stamped) Signature of seaman Shipping Master Issued on: *Note: - Stop orders shall be written in red ink to draw attention, Stop orders and other orders are to be cancelled as soon as they cease to operate. All entries, additions and alterations in this register shall be initialed by the shipping master, and they shall not, otherwise be recognized. Any person is warned that he is liable to be prosecuted if he tamper unlawfully with this register.

S.No.	*Name of Ship official number and tonnage	Date and place of	Category	Description if Voyage Engagement Discharge	Name of Master	Shipping Master's initial	
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*In Engineer's Books insert Horse Power. In Radio Officer's Books insert gross tonnage and wireless classification of ship. Form-3 (See rule 15) Return in respect of Continuous Discharge Certificate-cum-Seafarer's Identity Document issued to seamen during the quarter ending.....at the port of.....

No. of Continuous Discharge Certificate-cum-Seafarer's Identity Document issued

Deck

Engine
room

Saloon Total

No of duplicate Continuous Discharge Certificates-cum-Seafarer's identity Document issued.....Shipping Master To The Director General of Shipping, Mumbai Annexure Name of ports and their code letters for purposes of issue of Continuous Discharge Certificate-cum-Seafarer's identity Document

Name of Port Code letters

- 1 MUMBAI MU
- 2 CALCUTTA CL
- 3 CHENNAI CH