

The Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016

UNION OF INDIA

India

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Rule

THE-MERCHANT-SHIPING-RECRUITMENT-AND-PLACEMENT-OF-SEAFARERS-RULES-2016

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The Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016 Published vide Notification No. G.S.R. 169 (E), dated 15th February, 2016 Ministry of Shipping G.S.R. 169(E). - In exercise of the powers conferred by sub-section (3) of section 95 and section 457 of the Merchant Shipping Act, 1958 (44 of 1958), and in supersession of the Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2005, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules to regulate the issue of licences to recruitment and placement services, namely:-

1. Short title and commencement.

(1) These rules may be called the Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016. (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1) In these rules, unless the context otherwise requires,-(a) "Act" means the Merchant Shipping Act, 1958 (44 of 1958); (b) "advisory board" means the advisory board referred to in clause (a) of sub-section (3) of section 95 of the Act; (c) "collective bargaining agreement" means,-(i) an agreement signed, from time to time, between the seafarers' trade unions and the Indian ship owners for employment of seafarers on board Indian flag ships; or (ii) an agreement signed between the concerned trade unions and employers for an employment on board foreign flag ships, which is in conformity with the laws of the flag State concerned; (d) "Director" means the Director of the

seamen's employment office concerned, established under section 12 of the Act or any other officer authorised by the Director-General in this behalf;(e)"employer" means any person who assumes the responsibility of employing seafarer for,-(i)himself; or(ii)any other person in respect of a ship and who has agreed to take over all such duties and responsibilities as of the owner:Provided that where any recruitment and placement service does not disclose the name and details of the employer to the seafarer, whilst entering into the employment contract, such recruitment and placement service shall assume the entire responsibility of the employer or ship owner in this respect;(f)"Form" means a form appended to these rules;(g)"Inspecting authority" means any officer subordinate to the Director-General or any other person or body of persons professionally competent to carry out an inspection and authorised by the Director-General, in this regard;(h)"licence" means recruitment and placement service licence issued under sub-rule (1) of rule 10 of these rules;(i)"recruitment and placement service" means any person, company, institution, agency or other organisation, in the public or private sector, which is engaged in recruiting seafarers on behalf of employers or placing seafarers with employers.(j)"ship owner" means(a)the owner of the ship registered under the Act as an Indian flag ship; and(b)any organisation or any person such as a manager, agent or bare-boat charterer, other than the Indian flag ship, who has assumed the responsibility for the operation of the ship from such owner and who or which, on assuming such responsibility takes over all the duties and responsibilities of such owner regardless of whether any other organisations or persons fulfil certain duties or responsibilities on behalf of the ship owner.(2)Words and expressions used in these rules and not defined, but defined in the Act shall have the same meanings as assigned to them in the Act.

3. Applicability.

(1)These rules shall apply to the seafarers recruited through licensed recruitment and placement services.(2)They shall also apply to the Indian ship owners who are recruiting seafarers for any other employers, including recruitment for the foreign flag ships:Provided that nothing in these rules shall apply to the seafarers who seek any employment through unlicensed entities or any employment directly with the foreign ship owners or employers.

4. Registration of recruitment and placement service.

- No person shall, directly or indirectly, carry on the business, in India, of recruitment and Placement of any seafarer on behalf of an employer or ship owner of Indian or foreign ship, unless it is registered and licensed under these rules.

5. Responsibilities of a recruitment and placement service.

(1)The recruitment and placement service provider including the deemed Recruitment and Placement Services shall,-(a)maintain an up-to-date record of all seafarers recruited or placed through it, which shall be available for an inspection by the inspecting authority, as and when required;(b)ensure that its management and staff are adequately trained and have relevant knowledge of the maritime industry to the extent of the duties assigned to them in this context;(c)ensure that seafarers recruited or placed by it are informed of their rights and duties

under their employment agreements, prior to or in the process of their engagement and that proper arrangements are made for such seafarers to examine their employment agreements before and after they are signed on and also that they are provided with copies of the said agreements;(d)verify that seafarers recruited or placed by them are qualified and hold the documents necessary for the jobs concerned, and that the seafarers' employment agreements are in accordance with the applicable flag State laws and regulations and any collective bargaining agreement that forms part of their employment agreements;(e)ensure, as far as practicable, that the ship owner has the means to protect such seafarers from being stranded in a port; and in such an event shall make adequate provisions for the repatriation of a stranded seafarer along with his maintenance and required emergency medical assistance prior to repatriation and the transportation of the mortal remains of a seafarer in the event of his death, and it shall also furnish a bank guarantee to cover the cost of repatriation of the seafarer in an event of his abandonment and being stranded;(f)examine promptly and adequately and respond to any complaint concerning its activities and inform the Director-General about any unresolved complaint;(g)establish a system of protection, by way of a bank guarantee to compensate seafarers for any monetary loss that they may incur as a result of the failure of a recruitment and placement service and the relevant ship owner under the seafarers employment agreement to meet its obligation to them;(h)ensure that no means or mechanism or lists are used to prevent or deter seafarers from gaining an employment for which they are qualified;(i)ensure that no fees or other charges is borne, directly or indirectly, in whole or in part, by the seafarer, other than the cost to the seafarers in obtaining a medical certificates, seafarer's book and passport or other similar personal travel documents, provided that the cost of visa, and charges for pre-sign on and post - sign off medical examination, wherever required, shall be borne by the ship owner;(j)ensure that any incident or casualty on-board causing injury (excluding minor injuries) or death, disappearance, loss overboard or homicide by or of an Indian National, is reported to the Director-General, at the earliest and not later than twenty-four hours of the receipt of such information;(k)develop and maintain operational practices to verify the seafarers' medical examination, identity documents and such other items as may be required for seafarers to gain an employment;(l)maintain, with due regard to the right to privacy and need to protect confidentiality, full and complete records of the seafarers covered by their recruitment and placement system, which should include but not be limited to-(i)the seafarers' qualifications;(ii)record of employment;(iii)personal data relevant to employment; and(iv)medical data relevant to employment;(m)maintain up-to-date lists of the ships, owned by the ship owners for which the recruitment and placement service provides seafarers and ensure that there are reasonable means by which the ships can be contacted in an emergency, at all hours;(n)ensure that seafarers are not subject to exploitation by their personnel with regard to offer of engagement on particular ships or by particular companies;(o)put in place the procedures to prevent the opportunities for exploitation of seafarers arising from the issue of joining advances or any other financial transaction between the ship owner and the seafarer which are handled by the recruitment and placement service;(p)clearly publicise cost, if any, which seafarer is expected to bear in the recruitment process;(q)ensure that the seafarers are informed of any particular condition applicable to the jobs for which they are to be engaged and of the particular ship owners policies relating to their employment;(r)ensure that the procedures followed while dealing with cases of incompetence or indiscipline are consistent with the principles of natural justice, the law of the land and practice and, wherever applicable, with collective bargaining agreements;(s)ensure, that all mandatory certificates and documents

submitted for employment are up to date and have not been fraudulently obtained and that employment references are verified;(t)ensure that requests for information or advice by families of seafarers while the seafarers are at sea are dealt with promptly and sympathetically and at no cost to the seafarers;(u)verify that the labour conditions on ships where seafarers are placed are in conformity with applicable collective bargaining agreements concluded between a ship owner and a representative seafarers organisation;(v)ensure that the terms and conditions of employment to seafarers comply with applicable laws or regulations or collective bargaining agreements;(w)endeavour that the death compensation or disability compensation are paid by the ship owner without undue delay;(x)ensure that a copy of the licence granted under these rules is prominently displayed at the premises of the recruitment and placement service at a place accessible to public;(y)ensure that the number, date of issue and the validity period, of the licence are mentioned in all of their advertisements published and the licence number is mentioned in all its communications;(z)ensure that it sends the reminder to the Director for its annual inspection, three months before its due date and be prepared for the same.(2)The Recruitment and Placement Service shall furnish a monthly report in Form-I by the 12th of every succeeding month, in the manner specified by the Director General Shipping.(3)If the seafarer suffers death or injury, it shall be reported in Form-II in online mode or paper form by the recruitment and placement service to the Director, or any other person authorised by Director General, within forty eight hours of the incident.(4)If the recruitment and placement service fails to furnish the report referred in sub-rules (2) and (3), within the specified period, the Director may suspend or withdraw the registration granted and licence issued under these rules:Provided that no such licence shall be suspended or withdrawn without giving the aggrieved person an opportunity of being heard.

6. Welfare contribution to Seafarers Welfare Fund Society.

(1)The recruitment and placement service shall, for promoting the welfare of seafarers, pay to the Seafarers Welfare Fund Society, Mumbai, a welfare fund contribution of rupees six thousand per seafarer per annum, for every seafarer excluding trainees, engaged on board foreign flag ships, on the basis of the actual period of the seafarers employed.(2)The recruitment and placement service shall ensure that the Indian ship owner pays the welfare fund contribution for every seafarer engaged by them on-board Indian flag ships as per the Merchant Shipping (Levy of seamen's Welfare Fee) rules, 1974, as amended.(3)The contributions referred to in sub-rule (1) shall be paid by fifteenth of the month following the end of every quarter.(4)The Seafarers' Welfare Fund contribution amount mentioned in the sub-rule (1) shall be subject to revision by the Director-General.(5)The revision referred to sub-rule (5) may be carried out once in every three years: Provided that the amount so revised shall not exceed twenty-five per cent, of the contribution referred to in sub-rule (1).

7. Functions of seamen's employment office.

(1)The seamen's employment office shall,(a)issue or renew a licence referred to in rules 9, 10 and rule 11;(b)maintain a record of licences issued and assign a distinct licence numbers and display the details of licences on the website of the Directorate General of Shipping;(c)maintain a record of recruitment and placement services whose licences are suspended or cancelled and arrange to

display the details thereof on website of the Directorate General of Shipping;(d)maintain the details of complaints received from seafarers concerning working or living conditions on board a ship;(e)refer, wherever required, the complaints concerning the activities of the recruitment and placement services and the complaints received from recruitment and placement services against errant seafarers to the advisory board; and(f)maintain details of information received in case of death or disability of seafarers.(2)Where the recruitment and placement service fails to undertake its responsibilities referred under clause (e) and (g) of sub-rule (1) of rule 5, the bank guarantee referred to in rule 12 shall be invoked and utilised by the seamen's employment office for the said purpose.(3)If the amount available in the bank guarantee referred in sub-rule (2) is insufficient, the welfare contribution of the Recruitment and Placement Service to the Seafarers Welfare Fund Society, Mumbai shall be utilised for the purpose as an interim measure.(4)The amount so utilised under sub-rule (2) or (3) shall be recovered from the Recruitment and Placement Service within a period of one month from the date of such utilisation failing which the licence of the Recruitment and Placement Service concerned shall stand suspended till the payment is replenished along with interest as specified by the Director-General, but in any case not more than one and a half per cent per month from the date of such payment.(5)The Director may on receipt of a complaint from any seafarer or next of kin, conduct a detailed enquiry on it.(6)The Director, if deemed necessary, order for special inspection for the specific purpose by the inspecting authority or any person authorised by the Director-General.(7)The special inspection may be done in the office of the recruitment and placement service or any of its branches or subordinate offices, as deemed necessary.

8. Composition and functions of Advisory Board.

(1)The Advisory Board shall consist of the following, namely:-(a)Joint Director-General of Shipping - Chairperson, ex-officio;(b)Deputy Director-General of Shipping dealing with crew related matters - Member Secretary, ex-officio;(c)two representatives of the ship-owners, as appointed by the Director - General-Members;(d)two representatives of the recruitment and placement services, appointed by the Director-General-Members; and(e)two representatives of the seafarers, appointed by the Director - General-Members.(2)The tenure of the advisory board shall be two years.(3)The advisory board may advise on -(a)issues in the complaints referred to it; and(b)any related policy matter referred to it.

9. Procedure for issue of licence and its renewal.

(1)An application for licence shall be made in Form-III and for renewal the application shall be made in Form-IV.(2)The applications referred to in sub-rule (1) shall be accompanied by declarations in Form-V and form VI and an agreement in Form-VII and shall be made to the Director and with a copy to Inspecting authority. Any incomplete application shall not be processed and shall be returned to the applicant within ten days indicating the reason thereon.(3)Director, on receipt of the Inspection report from the Inspecting authority may issue the licence.(4)The licence shall be issued in Form-VIII.(5)An application for renewal shall be submitted within six months prior to the date of expiry of licence.(6)If the application is submitted after the expiry of licence, recruitment and placement service shall be liable to pay late fees of rupees three lakhs.(7)Before levy of late fee, the applicant shall be given an opportunity of being heard.

10. Period of licence.

(1)The licence under these rules shall be issued for a period not exceeding five years.(2)The licence issued under these rules shall not be transferable.

11. Duplicate licence.

- The recruitment and placement service provider shall apply for issuance of a duplicate licence for a valid reason with an application fee of rupees five thousand, payable to Seamen's Employment Office, together with a copy of first information report, where applicable, and such payment shall be made by a demand draft drawn on a scheduled bank or e-payment as may be specified by the Director-General.

12. Suspension or withdrawal of recruitment and placement service licence.

(1)The Jurisdictional Director, who has issued the licence, on receipt of a report by the inspecting authority, or a complaint by a seafarer concerned or otherwise, if he has a reason to believe that the activities of the recruitment and placement service are against the provisions of the Act or these rules or against the interest of the seafarer, may issue a show cause notice in Form-IX to the recruitment and placement service, requiring it to show cause within a period of thirty days from the date of issue of such notice, as to why the licence shall not be suspended or withdrawn.(2)The Jurisdictional Director, after considering the reply to the show-cause notice issued under sub-rule (1), shall as soon as possible, but not later than thirty days from the date of receipt of , if any, and after personal hearing, pass order of suspension or revocation as he deems fit and communicate the same to the recruitment and placement Service and forward a copy thereof along with a detailed report to the Principal Officer, Mercantile Marine Department and the Director-General, forthwith.(3)The information about the suspension or withdrawal of the licence shall be disseminated online.(4)Every order passed under sub-rule (2) shall be self-contained and give reasons for the conclusions stated therein for suspension or withdrawal of licence.

13. Inspection.

(1)The Director-General shall appoint an inspecting authority to conduct the inspection and also frame the procedure for carrying out such inspection.(2)The Director shall ensure that the inspection of the recruitment and placement services is carried out by the inspecting authority.(3)The Inspecting Authority shall conduct the inspection and submit its report to the Director within fifteen days from the date of receipt of application or such time as may be extended by the Director General.

14. Fees.

(1)The recruitment and placement services provider, for obtaining a licence or its renewal shall pay a fee of rupees forty thousand, which shall be non-refundable, payable to the Seamen's Employment

Office and the said payment shall be made by demand draft drawn on a scheduled bank or e-payment as may be specified by the Director-General.(2)The recruitment and placement service shall pay a non-refundable fee of twenty thousand rupees to the inspecting authority for every annual or renewal inspection.

15. Bank guarantee.

(1)The recruitment and placement service shall submit a bank guarantee to the Director in accordance with the following table:-Table

Serial number	Number of seafarers placed on foreign flag ships	Amount of Bank Guarantee in Indian rupees
1.	Up to 50	10 lakhs.
2.	51-250	15 lakhs.
3.	251-500	20 lakhs.
4.	501-750	25 lakhs.
5.	751-1000	30 lakhs.
6.	1001 and above	40 lakhs.

(2)The bank guarantee shall be drawn on a scheduled bank in India in favour of the Seamen's Employment Office concerned.(3)The bank guarantee shall be in commensurate with the number of jobs and shall be valid for the licence period.(4)In case of any change in the number of jobs, the recruitment and placement service shall furnish requisite bank guarantee along with the application.(5)Such bank guarantee shall cover the following, namely:-(a)the cost of the repatriation of a stranded seafarer, which includes the cost of such travel by appropriate and expeditious means normally by air and provision for food, clothing, accommodation of the seafarers until arrival at the seafarer's home, necessary medical care, passage and transport of personal effect, the transportation of the mortal remains of a seafarer in the event of his death;(b)the cost of repatriation of an abandoned seafarer, which includes the cost of such travel by appropriate and expeditious means, normally by air, and provision for food, clothing, drinking water supply, essential fuel for survival on board the ship, accommodation of the seafarers from the time of leaving the ship until arrival at the seafarer's home, necessary medical care, passage and transport of personal effect, the transportation of the mortal remains of a seafarer in the event of his death and any other reasonable costs or charges from the act or omission constituting the abandonment until the seafarer's arrival at home;(c)any monetary loss including the outstanding wages and other entitlements due from the ship owner to the seafarer that they may incur as a result of the failure of a recruitment and placement service or the relevant ship owner to meet its obligation under the seafarers employment agreement or the relevant collective bargaining agreement.(d)prior to making any such claims of monetary loss due to the non-payment of wages, the seafarer shall follow and exhaust the following procedure of complaint, namely :-(i)on the completion of a calendar month, if no wages have been paid to him / her, the seafarer may lodge a complaint on board with the Master or with the employer or ship-owner or with the Flag State or Port State Authorities, at the earliest opportunity; and(ii)at the earliest convenience, inform the Recruitment and Placement Service of all details regarding such non-payment of wages.

16. Intimation of any change in recruitment and placement service process.

- If any change in the agreement or the contract between ship owners or employer and recruitment and placement service, the recruitment and placement service shall intimate the same to the Director along with the copy of agreement as the case may be, along with requisite bank guarantee as specified in rule 12, within one month, failing which the Director may suspend or withdraw the registration granted and licences issued to the recruitment and placement service: Provided that no such licence shall be suspended or withdrawn without giving the aggrieved person an opportunity of being heard.

17. Intimation of change in place of business.

(1) The recruitment and placement service shall, from time to time, intimate in writing to the Director, of any change in its place of business, within seven days of such change, failing which the Director may suspend or withdraw the registration granted and licence issued to the recruitment and placement service: Provided that no such licence shall be cancelled without giving the aggrieved person an opportunity of being heard. (2) For change of place of business, the recruitment and placement service shall follow the procedure prescribed in sub-rules (1) and (2) of rule 9 for a renewal of licence.

18. Placing of seafarer.

- Without prejudice to the provisions of the foregoing rules, the recruitment and placement service provider shall ensure that a seafarer, with whom an employment agreement is entered, is put on board the ship, if the seafarer is ready and willing to do so and reports to the ship as directed.

19. Appeal.

(1) Any person aggrieved by any order passed under rule 18, may, within a period of thirty days of the date of receipt of such order, appeal to the concerned jurisdictional Principal Officer, Mercantile Marine Department. (2) The officer referred to in sub-rule (1), shall, after hearing both the parties, pass an order thereon within a period of sixty days from the date of receipt of such appeal. (3) Any person aggrieved by any order passed under sub-rule (2) may, within a period of thirty days of the date of receipt of such order, appeal to the Director-General, who shall after hearing both the parties, pass an order thereon, as far as possible within reasonable time. Form-I [See rule 5(2)] Monthly Report (To be Submitted by the 12th of the Succeeding Month

1. Name of the recruitment and placement service
2. Report for the period _____ From _____ To _____
3. Name of the seafarer
4. Indian National Database of seafarer (INDOS) number
5. Continuous Discharge Certificate (CDC) Number

6. Rank
7. Name of the vessel
8. Flag of the vessel
9. Date of commencement of contract
10. Date of sign off
11. Date of completion of contract/arriving in India
12. Remarks, if any.

Form-II[See rule 5 (3)]Report of Death or Disability of a Seafarer(To Be Submitted Within Forty Eight Hours Of Incident)

1. Name of seafarer
2. Sex
3. Age
4. Date of Birth
5. Continuous Discharge Certificate (CDC) Number
6. Certificate of Competency (CoC) details, where applicable
7. Next-of-kin details
 - (a) Name
 - (b) Relationship
 - (c) Address, Tel.No. andE-mail/Fax
8. Nature of accident / incident including damages /casualtiessuffered(use additional sheet if required)
9. Details of ship involved in marine casualty / incident
 - (a) Name of Ship and InternationalMaritime Organization (IMO)Number.
 - (b) Tonnage
 - (c) Location of ship
 - (d) Flag
 - (e) Coastal state(s) involved
 - (f) Name of Protection andIndemnity(P&I) Club
 - (g) Name of Captain
 - (h) Details of owners
10. Details of recruitment and placement service in India
 - (a) Name
 - (b) Address, Tel.No. and Email /Fax address
 - (c) Licence No.
11. Details of Assistance given to the seafarer
12. Insurance Coverage of the seafarer

Place: Name and Designation of Authorised Signatory

Date: Signature and Seal

Form-III[See rule 9 (1) and rule 17 (2)]Application for Recruitment and Placement Service Licence

1. Name
2. Status[person/company/institution/agency or otherorganisation].
3. Date of incorporation.
4. Name, designation and address of the authorised signatories.
5. Telephone Number.
6. Fax Number.
7. Website and e-mail id.
8. (a) Registered office address
(b) Address of all branches
9. Whether the office is owned/leased/hired.
10. Residential address of the authorised signatories.
11. Name and address of all the Bankers.
12. Permanent Account Number along with a copy of the previousyears income-tax returns.
13. Details of business during the last five years(enclose profitand loss account and balance sheet).
14. Experience, if any, in recruitment of seafarer, number ofyears.
15. Whether any authorised signatory has been associated with anyrecruiting agency in the past, if so, give details.
16. If previously in the business of recruitment of seafarerstotal number of seafarers deployed year wise, country-wise andcategory-wise during the last five years.
17. Whether there are any complaints pending in respect ofseafarers recruited, if so, details thereof.
18. Whether there i s any criminal or civil case pending in anycourt. If so, details thereof
19. Whether any authorised signatory has been convicted. If so,details thereof.
20. Total number of agreements or contracts with employer withdetails thereof.
21. Number of seafarers proposed to be recruited.
22. Other Shipping related activities carried out, if any.

UndertakingI/we do hereby undertake that whatever stated above is true and correct to the best of my/our knowledge, information and belief and in the event of any of the information furnished above is found false or incorrect in any respect, I/we shall abide by any decision of the Director, seamen's employment office.

Date:Name and designation of the applicantSignature and SealList of enclosures:-(i)Prescribed fee(ii)Agreement with the ship owner or employer(iii)Copy of certificate of incorporation(iv)Profit and Loss account and Balance Sheet for last five years(v)Certificate of the assets and liabilities by a chartered accountant(vi)List of ships, with IMO Nos. on which seafarers are recruited or proposed to be recruited against each Form-VII.(vii)List of authorised signatories, with specimen signatures and contact details with e-mail address.(viii)Filled in Form-V, VI and VII.

Form-IV[See rule 9(1)]Form of Application for Renewal of Licence

1. Name
- 2.

- Status [person/company/institution/agency or other organisation]
3. Licence number and date of issue
 4. Validity period of licence
 5. Total number of seafarers employed during the period of licence - category wise Pending complaints of seafarers recruited and if so, details thereof.
 6. Whether there is any criminal or civil case pending in any court. If so, details thereof.
 7. Whether any authorised signatory has been convicted. If so, details thereof.
 8. Details of change of registered office / branch
 9. Total number of agreement / contracts signed with employers. Please give the details Flag-wise and ownership-wise.

Undertaking I/we do hereby undertake that whatever is stated above is true and correct to the best of my/our knowledge, information and belief and in the event of any of the information furnished above is found false or incorrect in any respect, I/we shall abide by any decision of the Director Seamen's Employment Office. Date: _____ Name and designation of the applicant _____ Signature and Seal _____ List of enclosures:-(i) Prescribed fee (ii) Agreement with the shipowner / employer (iii) Copy of Certificate of Incorporation (iv) Profit and Loss Account and Balance Sheet for last five years (v) Certificate of the assets and liabilities by a Chartered Accountant. Form-V [See rule 9 (2)] Declaration I/We, person/company/institution/agency or other organisation of hereby declare that:

1. I/We shall conduct the business at

2. I/We shall carry out the business during the period of the validity of the licence.

3. I/We shall conduct the business under signatures and seal of the authorised signatories.

4. I/We shall not transfer the licence.

5. I/We shall display the licence at a place accessible to public in the registered office and also the attested copy of the licence at a place accessible to public in the branch office.

6. I/We shall not charge any fee from the seafarers for the purpose of recruitment or for providing employment.

7. I/We shall maintain the following permanent records at the Registered Office as under:

(i)a register of name and address of seafarers.(ii)a register containing charges for travel documents, medical examination etc. collected from the seafarers;(iii)bio-data (giving full particulars including name, address, age, skill, experience and address of next of kin) of each seafarer recruited;(iv)copies of employment contract of each seafarer;(v)originals of all MoUs/contracts/agreements with the employers;(vi)all documents relating to recruitment of seafarers, including office copies of all advertisements issued, letters of interviews, where applicable, and correspondence with applicants, original award sheet leading to the selection, names and addresses of persons involved in the selection process, copies of letters of appointments and other particulars, etc, for a minimum period of five years.(vii)a register of claims for compensation for injury or details of death of the seafarers along with the details of the next of kin of the seafarer, passport number, country of employment, nature of injury or death, as the case may be, date of accident, name and address of the employer and the details of compensation paid;(viii)such other records as may be required to be maintained.

8. I/We shall furnish a monthly report of the preceding month by the 12th of the succeeding month.

9. I/We shall not charge the repatriation expenses from the seafarer in the event of his being stranded and also will not charge for transportation of the mortal remains of a dead seafarer.

10. I/We shall ensure that all seafarers recruited are in possession of valid documents for the job for which they are recruited (i.e. Passport, Visa, CDC, COC required qualification certificates etc.).

11. I/We shall ensure that all ships on which seafarers are recruited and placed are covered adequately by the Protection and Indemnity insurance.

12. I/We shall ensure that all seafarers recruited and placed with the ship owners are adequately covered by insurance coverage.

13. I/We ensure that all the personnel in our office are adequately trained and have relevant knowledge of the maritime industry.

14. I/We declare that I/we are not convicted under any law and that no criminal proceedings are pending.

15. I/We declared that I/we have valid contracts with all ship owner's/agent's for whom we recruit seafarers.

16. I/We shall ensure that all rights of seafarers will be duly protected and all seafarers shall enter into valid contracts of employment and sign article of agreements.

17. I/we shall abide by the provisions of the Merchant Shipping (Recruitment and Placement service) Rules as amended from time to time.

I/We declare that to the best of my/our knowledge, belief and information the above particulars are correct and complete. I/We am/are aware that any false statement or information shall render the application cancelled. Signature of person/company/institution/agency or other organisation, Name, designation and seal Date: Form-VI [See rule 9(2)] Declaration of Qualification and Experience of Management Personnel Name of the recruitment and placement service

.....Address.....

1. Designation _____ Name _____

Responsibilities _____ Educational
Qualification _____ Professional Qualification

Experience

2. Designation _____ Name _____

Responsibilities _____ Educational
Qualification _____ Professional Qualification

Experience

3. Designation _____ Name _____

Responsibilities _____ Educational
Qualification _____ Professional Qualification

Experience

4. Designation _____ Name _____

Responsibilities _____ Educational
Qualification _____ Professional Qualification

Experience

5. Designation _____ Name _____

Responsibilities _____ Educational
Qualification _____ Professional Qualification

Experience

Directorate General of
Shipping approval number (For medical practitioner) _____ Signature

of person/company/institution/agency or other organisation, Name, designation and
seal. Date: Form-VII [See rule 9(2)] Agreement between recruitment and Placement Service Provider
and the Employer/ Ship Owner Name, Address, Tel. No., Fax No., E-mail and full style of the
Employer/Ship
owner: _____

Address, Tel. No., Fax No., E-mail and full style of the recruitment and placement
service: _____

as the above-named recruitment and placement service has entered into an agreement on this day of
with the above-named employer/ship owner for the recruitment and placement of seafarers on
board for and on behalf of the employer as agent only. The employer/ship owner undertakes to
repatriate the seafarers so employed if stranded at any place as well as to look after his reasonable
maintenance and to transport the mortal remains of the seafarer, if permissible under local laws, in
case of death. Signed, stamped and delivered: (For and on behalf of the employer/ship owner) Signed,
stamped and delivered: (For and on behalf of the recruitment and placement service
provider) Form-VIII [See rule 9(4)] Recruitment and Placement Service Licence

1. Name of the recruitment and placement service provider -----

2. Address of the registered office -----

3. Address of branch -----

4. Status (person/ company/ institution/ agency or other organisation.)

5. Licence number -----

This is to certify that thehas presented the requisite documents and has complied with the procedures prescribed under Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016. Subject to the conditions referred to in the rules, and unless the licence is suspended or withdrawn in writing, this licence is valid fromto.....Signature of the Director, Seamen's Employment Office
Stamp and Seal
Date: Form-IX [See rule 12 (1)]
Show Cause Notice to Recruitment and Placement Service Provider To, ----- Sir, Whereasa recruitment and placement service has been issued a licence bearing numberfor the periodtoby the Director, Seamen's Employment Office under Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016.

2. Whereashas failed to comply with the following provisions for the following reasons:

(a)(b)(c)(d) Now, therefore, the Director Seamen's Employment Office under rule 18 of the Merchant Shipping (Recruitment and Placement of Seafarers) Rules, 2016 hereby directs to show cause within a period of thirty days from the date of issue of this notice, as to why the recruitment and placement service Licence bearing No.should not be suspended/withdrawn. Yours faithfully, Place: Director Seamen's Employment Office