

The Merchant Shipping (Shipping Office Forms) Rules, 1963

UNION OF INDIA

India

The Merchant Shipping (Shipping Office Forms) Rules, 1963

Rule

THE-MERCHANT-SHIPING-SHIPING-OFFICE-FORMS-RULES-1963 of 1963

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The Merchant Shipping (Shipping Office Forms) Rules, 1963Published vide Notification Gazatte of India, 1963, Part 2, Section 3(i), Page 437.

1795.

[4th March, 1963.]In exercises of the powers conferred by section Merchant Shipping Act, 1958 (44 of 1958) and in super session of all previous rules and orders on the subject, the Central Government hereby makes the following rule namely :-

1. Short Title and Commencement.

(1)These rules may be called the Merchant Shipping (Shipping Office Forms) Rules, 1963.(2)They shall come into force at once.

2. Definitions.

- In these rules ---(a)"Act" means the Merchant Shipping Act, 1958;(b)"Form" means a form set out in t he schedule to these rules.

3. Change in Crew.

- The statement of changes in the crew of a ship referred to in section 105 of the Act shall be in Form I.

4. Inward and outward clearances.

- The certificates mentioned in sub-sections (1) and (4) of sections 106 of the Act shall be in Forms II and III respectively.

5. Register of Young Persons.

- The register of young persons referred to in section 112 of the Act to be kept by the master in the case of every Indian ship and every other ship which engages young persons in India, where there is no agreement with the crew, shall be in form IV.

6. Wages and Property of Seamen left behind.

- whenever a seaman or apprentice is left behind, the form of the statement of the amount due to the seaman or apprentice, the property left on board and the expenses incurred by the master or owner as a result of the absence incurred by the master or owner as a result of the absence of such seamen or apprentice referred to in sub-section (2) of Section 122 of the Act and the form of the receipt of the Shipping Master referred to in sub-section (3) thereof shall be as sent out in Forms V and VI.

7. Account of Wages.

- The account of wages of seamen and of the deductions to be made there from to be delivered under section 125 of the Act shall be in Form VIII.

8. Release.

- The release referred to in sub-section (1) of section 130 of the Act shall be in Form VIII.

9. Allotment Note.

- The form of the allotment note referred to in section 136 of the Act shall be in Form IX.

10. Wage and Property of Deceased Seamen.

- The statement of the property of a deceased seaman or apprentice to be given to a consular officer or shipping master in accordance with section 153 of the Act shall be in Form X.

11. Official Log Book.

- The official log book which shall be kept by every Indian ship except a home-trade ship of less than two hundred tons gross shall be in Form IX. Schedule

Eng. 2 Form No. 1 Master are requested to fill up the form and return it without delay to the Shipping Master at any port where changes have taken place in their crews.

Account of Change Made in the Crew of a Foreign-Going Ship or A Home-Trade Ship of two Hindered Tons Gross or More [See rule 3 of the Merchant Shipping (Shipping office forms) Rules 1963]

Name of Ship Official Number Port of Registry

Name and Address of Master and No. of his Certificate.

Shipping office at which Agreement was first opened and the date Description of Voyage of Employment

Date Place

I hereby declare to the truth of the entries in this account of changes in the crew which is this day of 19... Forwarded to the Shipping Master at Signature of Master Notice The continuous Discharge Certificates of men who have left the ship no to be forwarded to the Shipping Master with this form. No entries or marks of any kind are to be made in the certificates.

Part I – Seamen who have failed to join, deserted or otherwise left the ship.

Name in full	Date and place of signing Agreement Date	Place	Capacity in the case of Mate, or Engineer, also the No. of Certificate	No. of Continuous Certificate of discharge and Registration Number
1	2	3	4	5
Particulars of leaving the ship Report of character	If the Continuous Discharge Certificate is not forwarded with this form, state the reason			
Date	Place	Cause	Ability	Conduct
6	7	8	9	10
				11

PART II – Deaths of members of the crew

Date and Place of Death	Name in full	Sex	Age	Rating	
12	13	14	15	16	17
Nationality (stating birth place)	Last place of Abode	Cause of Death*			
18	19	20			
PART III—Substitutes engaged					
Name in full	Age	Nationality (if citizen of India state birth place)	ADDRESSES (1) Name and relationship of next-of-kin (2) Home address (3) Address of Next-of-kin.	Ship in which he last served and year of discharge therefrom	
Year		Name and Official No. and port to which he belonged			
21	22	23	24	25	26
		(1)(2)(3)(1)(2)(3)			
Date and place of signing agreement	In What capacity engaged	No. of certificate (if any) and C.D.C. and Reg. No.	Amonut of wages per calender month	Advances	Amount of monthly allotment (i) Name of Allotee (ii) Relationship (iii) Postal address
Date	Place				
27	28	29	30	31	32

1. If the cause of death is from disease, the name or nature of the same should be stated.

2. When the cause of death is accidental the circumstances attending the accident should full stated.

3. If at the time of an accidental death the ship sustained any damage, loss of gears, cargo etc., the nature of such damage or loss should be stated; if no damage or loss was sustained, it should be so stated.

4. When the death is occasioned by any other cause, e.g., suicide, murder, etc. full particulars of the same should be stated, and copy of log entries attached. If a citizen of India, state place of birth, and if born in a foreign country, state whether a natural born citizen of India or naturalized. The capacities of Engineers not employed on the Propelling Engineers and Boilers should be described here and in the certificate of discharge as Engine Drivers, Donkey men, Refrigerating Engineers, Electrical Engineers or Winchmen, and not merely as Engineers; boys entirely employed in connection with the work of Cooks and Stewards should be described as Cabin Boys, not merely as boys.

-----Merchant Shipping Act, 1958 (44 OF 1958)Changes in crew to be reportedSection 105. - The master of every foreign-going Indian Ship and of every home-trade Indian ship of two hundred tons gross or more, the crew of which has been engaged before a shipping master, shall before finally leaving the port where the engagement took place, sign and send to the nearest shipping master a full and accurate statement in the prescribed form, of every change which has taken place in his crew, and that statement shall be admissible in evidence. Note. - If a master fails without reasonable cause to comply with the requirements of Section 105, he shall be liable to a fine which may extend to fifty rupees - vide Section 436(2) of the Merchant Shipping Act, 1958.

FORM NO. II

No.....

FOREIGN-GOING OR HOME-TRADE SHIP OF TWO HUNDRED TONS GROSS OR MORE

[Seerule 4 of the Merchant Shipping (Shipping Office Forms) Rules, 1963]

Name of Master.....

Name of Ship.....

Name of Owner/Agents.....

Official Number.....

Port of Registry.....

Gross

Tonnage.....

FORM No. II

No.....

FOREIGN-GOING OR HOME-TRADE SHIP OF TWO HUNDRED TONS GROSS OR MORE

Certificate for Clearing Outwards [Seerule 4 of the Merchant Shipping (Shipping Office Forms) Rules, 1963.]

Name of Master

Net

Next port of call.....

Date.....

Shipping Master.

FORM NO. III

No.....

FOREIGN-GOING OR HOME-TRADE SHIP OF TWO HUNDRED TONS GROSS OR MORE

[Seerule 4 of the Merchant Shipping (Shipping Office Forms) Rules, 1963]

Name of Master.....

Name of Ship.....

Name of Owner/Agents.....

Official Number.....

Port of Registry.....

Gross

Tonnage.....

Net

Next port of call.....

Date.....

Description

of Voyage-----

I Certify that the Master of this has complied with the provisions of the Merchant Shipping Act, 1958

Dated at..... 19...

Shipping Master

FORM NO. III

No.....

FOREIGN-GOING OR HOME-TRADE SHIP OF TWO HUNDRED TONS GROSS OR MORE

Certificate for Clearing Outwards [Seerule 4 of the Merchant Shipping (Shipping Office Forms) Rules, 1963.]

Name of Master

Port of Discharge

Description

of Voyage-----

I Certify that the above-named Master has this day deposited with me his Agreement, Official Log Book, also a list of his crew, and other documents required in accordance with the provisions of the Merchant Shipping Act, 1958 (44 of 1958).

Dated at.....

.....19...

ShippingMaster

ShippingMaster.

FORM NO. IV Register of Young Persons (See rule of the Merchant Shipping (Shipping Office Forms) Rules, 1963) List of young persons under eighteen years of age employed as members of the crew of on a voyage from to

Serial No.	Name in full	Date of Birth	Nationality stating birth-place	Capacity	Date of Joining	Date of discharge
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Signed by Master,

on the day of 19.

Note. - Under the Merchant Shipping Act, 1958, every Master of an Indian Ship and every master of any other ship which engages young persons in India is required (under a penalty of Rs. 200/- for failure) to keep, if there is no agreement with the crew, a register of young persons with particulars of the dates of their birth and of the dates on which they became or ceased to be members of the crew. Form V Port of Account of wages and effects of a deserting seaman or a seaman Left behind [See rule 6 of the Merchant Shipping (Shipping office form Rules, 1963)]

Name of Ship	Official Number	Port of	Registry	Name of Master	Description of Voyage or employment
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Name of Seaman C.D.C./Registration No. and capacity	Reference No. in Agreement	Date of Port of Engagement	Time of Desertion or leaving behind	Place of Desertion or leaving behind
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Birth-place & Nationality	Age	Married or single	If married name and Residence of wife	If any children their names and age	Name and residence of Father and Mother or of the nearest known Relation
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*If the Seaman's name is not on the articles, in the space must be entered the date of his being sent on

board the ship; and in
suchcase, here state by
whom and where he was
sent on board, and
anyother particulars.

DEDUCTIONS:

Wages, Money, Cloths and other effects	Amount	Notice to master :For all deductions made reasons must be given to the satisfaction of the Shipping Master; and when possible, they should be proved by receipts or entries the Official Log Book.	
		Particulars of deductions	Initials of Shipping Master against each item checked. Amount
Wages at			
Rs.			
Per			
Months Days For			
Money in possession of the Seaman			
Total			
Deductions as per Account			
Net Amount.....			
Total.....			

I HEREBY declare that the above is a true and correct account of the Money, Wages and Effects of the above named seaman and that a full inventory of his effects delivered to the Shipping Master is entered on the reverse of this form. Dated this Day of 19.....
Signature of the Master of the ship I HEREBY certify that I have examined the above account, and compared the Inventory with the official Log Books, which is attested by the Master (and/or) one of the Crew and that the above is a true copy thereof. The balance of the account has been said and the articles have been delivered to me. This Day of 19.....
Shipping Master Inventory of Effects belonging to Delivered to

The above mentioned Articles are contained in [*] [Here state the number and description of packages.] Master S.S./M.V. Note. - valuables and foreign currency should be kept in a separate cover and handed over to the Shipping Master by the Ship Master personally. Form No. VINO..... Receipt for wages, effects, etc. Port of [See rule 6 of the Merchant Shipping (Shipping Office Forms) Rules, 1963]
Name of Ship and Official No.

Name of
Master/Agents

RECEIVED the sum of Rupees np. in respect Of the under mentioned seaman :-

Seaman's Name. CDC and Registration No. and other details of credit	Rating	Amount	Where left or discharge	Particulars of effects (if any) delivered to the Shipping Master
	1	2	3	4

Total

Shipping Office Port of 19 Shipping Master. [Form VII [Substituted by G.S.R. 1005, dated 24th June, 1976.]] (See rule 7) Statement of Seamen's Accountant of Wages, Etc. (Provisional) From :
Commencement of Voyage OR from 1st April..... Until : Termination of Voyage OR
until 31st March

Ship's name and Official Number

Name of Seaman and Category

Master's name

Ref. No. in A/-Agreement

EARNINGS (A)

1. Wages :

(a) @Rs.....for.....months.....days.....Rs.	1. Joining Advance.....
(b) @Rs.....for.....months.....days.....Rs.	2. Cash advances during the voyage.....Rs.
(c) @Rs.....for.....months.....days.....Rs.	3. Monthly Allotments of

(d) @Rs.....for.....months.....days.....Rs.	4. Special Remittances (listed overleaf)
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2. Leave Pay :

(a) @Rs.....for.....months.....days.....Rs.	5. Value of Supplies during the voyageRs.
(b) @Rs.....for.....months.....days.....Rs.	6. Fines and forfeituresRs.
(c) @Rs.....for.....months.....days.....Rs.	7. Excess baggage chargesRs.
	8. S & D Fees.....Rs.

(d) @Rs.....for.....months.....days.....Rs.	9. P.F. Contribution in respect of wages as at 3Rs.
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3. Total Wages for Provident Fund Contribution

*10. Income Tax.....Rs.

4. Subsistence Allowance :

(a).....for.....months.....days.....Rs.

(b).....for.....months.....days.....Rs.

5. Bonus :

(a).....for.....months.....days.....Rs.

(b).....for.....months.....days.....Rs.

(c).....for.....months.....days.....Rs.

(d).....for.....months.....days.....Rs.

6. Supplements(including O.A.D.S.) :

(a).....for.....months.....days.....Rs.

(b).....for.....months.....days.....Rs.

(c).....for.....months.....days.....Rs.

(d).....for.....months.....days.....Rs.

7. Overtime or Payment in Lieu of overtime :

(a).....hrs/days
@Rs.....Perhr/month..... Rs.

(b).....hrs/days
@Rs.....Perhr/month..... Rs.

(c).....hrs/days
@Rs.....Perhr/month..... Rs.

(d).....hrs/days
@Rs.....Perhr/month..... Rs.

8. Payment For Work on National Holiday.

11. Any other deductionsRs.

Total Deductions.....Rs.

ASSESSMENT OF INCOME TAX FOR THE PERIOD

(C) :.....

Total Gross Earnings Rs..... (i

Contribution Rs.....

Less : Total of Income Tax

Relief Gross Earnings for Income Tax.

(iv) Other item attracting Income Tax Relief
Rs.....

Total Rs.....

9. Other Earnings: (a)

.....(b).....

10. Total of Gross Taxable Earning

Add : Balance brought forward from previous Account ended
31-3-

11. Total of Gross Wages for Voyage

12. Loss Deductions As per Contra

13. Balance Due to Seaman

Record of previous earnings during the same financial year ended 31st March.....

Ship's name

Category

Date

Date

Total

of commencement of after termination of gross earnings

wages

of Wages

(C) Gross earnings for
Income Tax during the
financial year ended
31st March.....
Rs.

(D) Previous Taxable earning in
the same financial year Rs.
Aggregate taxable earnings
during financial Rs.
year 19...../19.....
Aggregate total earnings
during financial Rs.
year 19...../19.....
Income Tax payable Rs.
Income Tax already deducted
(E) Balance of Income Tax Rs.
payable
Date at the Port of
This.....
day of.....19.....
SIGNATURE OF THE
MASTER

Each seaman is required to
retain this statement of
account and produce it, with
Life Insurance premium
receipt (s), if any, at his
next engagement, in his own
interest.]

Form NO. VII To be returned to the Shipping Master witnessing the discharge of the seaman (See
rule 8 of the Merchant Shipping (Shipping Office Forms) Rules 1963) Release on Termination of
Service With Note of Excepted Claims (IF ANY) Port

Name of ship and port of registry	Name of Master	Name of Owner and Local Agent	Description of Articles
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Official Number	Date of Place of Opening Agreement	Date of Termination of Voyage	Place of Termination of Voyage	Cause of discharge
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I/We the undersigned member/members of the crew of the above named ship, do hereby release the said ship and the master and owner or owners thereof, from all claims for wages or otherwise, in respect of the above-named voyage except as regards the claims or demands which are specified on the back hereof and identified by my

signature.-----the signatures of respective seamen notifying such excepted claims or demands. And I, the master, do hereby release the said undersigned Member/members of the Crew from all claims in respect of the said voyage. Date the day of 19....Master.

Referenc No. inAgreement	Number of Seamanwith CDC/Regn. Certificate No.	Signature ofSeaman	Nationality ifIndian, State birth-place	Balance of wagespaid	Character Report
Ability Conduct					

I attest the execution of the above case in my presence subject to the exception above referred to (if any). (signed) Signature of official before when release was signed with official seal. Note of specified claims or demands excepted from and entered by the respective seamen whose signature appear below, upon signing the release on the preceding pages hereof.

Reference No. inAgreement	Name of Seaman	Signatures ofSeaman	Claims or Demandsreferred to above	Signature ofOfficial Witnessing release
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Form NO. IX Seaman's Allotment Note [See rule 9 of the Merchant Shipping (Shipping Office Forms) Rules, 1963]

A. ship in which Seaman is engaged Name, Port of Registry and Official No. of Ship	B. Name etc. of Seaman by whom Allotment is made Full Name of Seaman C.D.C. and Registration No.
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Rating

C. Relation in whose favour or purpose
for which this Allotment Note is given.

Name and address of Relation	Degree of Relationship
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Purpose

Towhom payable

D. Amount and Particulars of Allotment

Amount in Rs. _____ If Allotment is to be remitted by _____ Date when first
M.O. state particulars here _____ Payment is to be made

Figures..... Words..... The Seaman named in division B above, having entered into an Agreement to serve in the ship named in division A above, and having required that a stipulation be inserted in the Agreement for the allotment of note, and such stipulation having been inserted pursuant to section 136 of the Merchant Shipping Act, 1958, I, the undersigned, being the Master of the said ship, give this Allotment Note for the amount named in division D above in favour of the relative/purpose named in division C above. Payable by Master Seaman Witness Shipping Master Form NO. X Port Of Account of wages and effects of a Deceased Seaman Issued by the Govt. of India (See Rule 10 of the Merchant Shipping (Shipping Office Forms) Rules, 1963)

Name of Ship	Official Number	Port of Registry	Name of Master	Description of voyage or Employment
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Name of Seaman and C.D.C./Registration No. and Capacity	Reference No. in Agreement	Date and Port of Engagement	Time of Death	Place of Death	Cause of Death
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Birth place and Nationality	Age	If any will has been made, Name and address of Executor	Married or Single	If married, name and Residence of Wife	If any children their names and ages	Name and residence of father and Mother or of the nearest known Relation.
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DEDUCTIONS

Wages, Money, Clothes and Other Effects	Amount	Notice to Masters: For all deductions made reasons must be given to the satisfaction of the Shipping	Amount	Initials of shipping Master against each item checked.
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Master; and
when possible,
they should be
proved
by receipts or
entries in the
Official Log
Book. Particulars
of Deductions

Wages at
Rs.
Per
For
Months Days
Money in possession
of the Seaman
Total
Deductions as
per Account
Net Account

Total

I HEREBY declare that the above is a true and correct money, wages and effects of the above-named Seaman and that a full inventory of his effects delivered to the Shipping Master is entered on the reverse of this form. Dated this day of 19____ Signature of the Master of the ship. I HEREBY certify that I have examined the above Account, and compared the Inventory with the Official Log Book, which is attested by the Mate and one of the Crew and that the above is a true copy thereof. The balance of the account has been paid and the articles have been delivered to me. This day of 19____ Shipping Master Inventory of Effects belonging to delivered to. The above mentioned articles are contained in [*] [Here state the number and description of packages.] Master, S.S./M.V. Note. - Valuable and foreign currency should be kept in a separate cover and handed over to the Shipping Master by the Ship-Master personally. FORM NO. XII Issued by the Govt. of India Official Log Book for either A Foreign-going or a Home-trading Ship of 200 Tons Gross and Above [See rule 11 of the Merchant Shipping (Shipping Office Forms) Rules, 1963.]

Name of Ship	Official No.	Port of Registry	Registered Tonnage Gross Net	Name of Master	No. of his Certificate
Port at which and date when voyage commenced	Nature of the voyage of employment	Port at which and date when voyage terminated			

Port..... Date..... Delivered to the Shipping
Master at the Port of on day of

.....19.....Countersigned.....Shipping

Master.....Master.....AddressImportant Note :- Directorate

as to keeping official logs and extracts from the Merchant Shipping Act, 1958 are printed at the beginning and at the end of this book and also at the top and/or bottom of each page where applicable.DIRECTIONS AS TO KEEPING OFFICIAL LOGSThe importance of keeping this book properly, and duly making all the entries at the proper time, and with the strictest regard to form, cannot be too strongly impressed on shipmasters. By neglecting to do so shipmasters render themselves liable to heavy penalties, and their owners to serious loss whilst members of their crew will suffer inconvenience from not being able to obtain records of their services. The absence of proper entries will also prevent fines or forfeitures from being enforced and will tend to prevent the maintenance of discipline.Care must be taken whenever there is a change of master to see that documents handed over are up-to-date.Entries must be made in order of date, and no blanks should be left.If any entry in the Official Log relates in any way to a member of the crew the page number is to be entered against the man's name in the Official Log and Index.Note. - it is very desirable that the following entries should be made in the Official Log Book :-

- 1. Every case in which the allowance of provisions is reduced, together with the quantity, or quantities, of the article, or articles so reduced.**
- 2. Every case in which a member of the crew is promoted to a higher grade of service with the date of such promotion, the grade and the rate of wages which the seaman is to receive.**
- 3. in cases of illness, frequent entries (daily if possible) showing the progress and treatment of patient.**
- 4. Every case of drunkenness or misconduct on the part of any certificated Mate or Engineer, whether the Master wishes the case to be investigated or not.**
- 5. Every important accident or damage to ship or cargo.**

The following are the Chief statutory provisions relating to Official Logs :-MERCHANT SHIPPING ACT, 1958Official logs to be kept to be dated.

212.

(1). An official log shall be kept in the prescribed form in every Indian ship except a home-trade ship of less than two hundred tons gross.(2)The official log may, at the discretion of the master or owner, be kept distinct from or united with the ordinary ship's log so that in all cases the spaces in the official log book be duly filled up.Entries in official log books how and when to be made

213.

(1)An entry required by this Act in the official log book shall be made as soon as possible after the occurrence to which it relates, and, it not made on the same day as that occurrence, shall be made and dated so as to show the date of the occurrence and of the entry respecting it and if made in respect of an occurrence happening before the arrival of the ship at her final port of discharge, shall not be made more than twenty-four hours after that arrival.(2)Save as otherwise provided in this Act, every entry in the official log book shall be signed by the master and by the mate or some other member of the crew and also--(a)if it is an entry of injury or death, shall be signed by the medical officer on board, if any, and(b)if it is an entry of wages due to or the property of a seaman or apprentice who dies, shall be signed by the mate and by some member of the crew besides the master.(3)Every entry made in an official log book in the manner provided by this Act shall be admissible in evidence.Entries required to be made in official log books.

214.

(1)The master of a ship for which an official log is required shall enter or cause to entered in the official log book the following matters, namely :-(a)every conviction by a legal tribunal of a member of his crew and the punishment inflicted;(b)every offence committed by a member of his crew for which it is intended to prosecute or to enforce a forfeiture or exact a fine, together with such a statement concerning the reading over of that entry and concerning the reply (if any) made to the charge as is by this Act required;(c)every offences for which punishment is inflicted on board and the punishment inflicted;(d)a report on the quality of work of each member of his crew; or a statement that the master declines to give an opinion thereon with a statement of his reasons for so declining.(e)Every case of illness, hurt or injury happening to a member of his crew with the nature thereof and the medical treatment adopted (if any);(f)Every case of death happening on board and the cause thereof, together with such particulars as may be prescribed;(g)Every birth happening on board, with the sex of the infant, the names of the parents and such other particulars as may be prescribed;(h)Every marriage taking place on board with the names and ages of the parties;(i)The name of every seaman or apprentice who ceases to be a member of the crew otherwise than by death, with the place, time, manner and cause thereof;(j)The wages due to any seaman or apprentice who dies during the voyage and the gross amount of all deductions to be made therefrom;(k)The money or other property taken over of any seaman or apprentice who dies during the voyage;(l)Any other matter which is to be or may be prescribed for entry in the official log.(2)The master of every such ship, upon its arrival at any port in India or at such other time and place as the Central Government may with respect to any ship or class of ships direct, shall deliver or transmit, in such form as the Director General may specify, a return of the facts recorded by him in respect of the birth of a child, or the death of a person on board the ship to the Director-General.Offences in respect of official logs

215.

(1)An official log book shall be kept in the manner required by this Act, and an entry directed by this Act to be made therein shall be made at the time and in the manner directed by this Act.(2)No

person shall make or procure to be made or assist in making any entry in any official log book in respect of any occurrence happening previously to the arrival of the ship at her final port of discharge more than twenty-four hours after such arrival. Delivery of official logs to shipping masters

216. The master of every ship for which an official log book is required to be kept under this Act shall, within forty-eight hours after the ship's arrival at her final port of destination in India or upon the discharge of the crew, whichever first happens, deliver the official log book of the voyage to the shipping masters before whom the crew is discharged.

Official logs to be sent to shipping master in case of transfer of ship or loss.

217.

(1) If for any reason the official log ceases to be required in respect of an Indian ship, the master or owner of the ship shall, if the ship is then in India within one month, and if she is elsewhere within six months, after the cessation, deliver or transmit to the shipping master at the port to which the ship belonged the official log book duly completed up to the time of cessation. (2) If a ship is lost or abandoned, the master or owner thereof shall if practicable and as soon as possible, deliver or transmit to the shipping master at her port of registry the official log book, duly completed up to the time of the loss or abandonment. Note. - (i) If the master of a ship or any person fails without reasonable cause to comply with the provisions of the above sections, he shall be liable to a fine to the extent shown below, vide Section 436(2) of the Merchant Shipping Act, 1958 :- (a) S. 214(2) - Fine which may extend to one-hundred rupees. (b) S. 215(1) - Fine which may extend to fifty rupees, if no other penalty is provided in the Act. (c) S. 215(2) - Fine which may extend to three-hundred rupees. (d) S. 216 - Fine which may extend to two-hundred rupees. (e) S. 217 - Fine which may extend to one-hundred rupees. (ii) If any person willfully destroys or mutilates or renders illegible any entry in any official log book or willfully makes or procures to be made or assists in making a false or fraudulent entry in or omissions from an official log book, he shall be liable to imprisonment which may extend to one year. EXTRACTS FROM THE MERCHANT SHIPPING ACT, 1958 RELATING TO MASTERS AND SEAMENS Special provisions with regard to agreement with crew of Indian ships

103.

(1) The following provisions shall have effect with respect to every agreement made in India with the crew of an Indian ship, namely :- (a) the agreement shall, subject to the provisions of this Act as to substitutes, be signed by each seaman in the presence of a shipping master; (b) the shipping master shall cause the agreement to be read over and explained to each seaman, in a language understood by him or shall otherwise ascertain that each seaman understands the same before he signs it, and shall attest each signature; (c) when the crew is first engaged, the agreement shall be signed in duplicate, and one part shall be retained by the shipping master, and the other part shall be delivered to the master and shall contain a special place or form for the descriptions and signatures

of substitutes or persons engaged subsequently to the first departure of the ship;(d)when a substitutes is engaged in the place of a seaman who has duly signed the agreement and whose services are within twenty-four hours of the ship's putting to sea lost by death, desertion or other unforeseen cause, the engagement shall, if practicable, be made before a ship puts to sea, if practicable, and if not, as soon afterwards as possible, cause the agreement to be read over and explained to the substitute; and the substitute shall thereupon sign the same in the presence of a witness, who shall attest the signature.(2)In the case of an agreement made in India with the crew of a foreign-going Indian ship, the following provisions shall have effect in addition to the provisions specified in sub-section (1), namely :-(a)the agreement may be made for a voyage of the ship or, if the voyages of the ship average less than six months in duration, may be made to extend over two or more voyages, and agreements so made are in this Act referred to as running agreements;(b)a running agreement may be made to extend over two or more voyages so that it shall terminate either within six months from the date on which it was executed, or on the first arrival of the ship at her port of destination in India after the expiration of that period, or on the discharge of cargo consequent upon such arrival, whichever of these dates shall be the latest :Provide that no such running agreement shall continue in force, if, after the expiration of such period of six months as aforesaid the ship proceeds on a voyage from a port outside India to any other such port which is not on the direct route or a customary route or a customary route to her port of destination in India;(c)on every return to a port in India before the final termination of a running agreement, the master shall discharge or engage before the shipping master at such port any seaman whom he is required by law so to discharge or engage, and shall upon every such return endorse on the agreement a statement (as the case may be) either that no such discharges or engagements have been made or are intended to be made before the ships leaves port, or that all those made have been made as required by law;(d)the master shall deliver the running agreement s endorsed to the shipping master, and the shipping master shall, if the provisions of this Act relating to agreements have been complied with, sign the endorsement and return the agreement to the master.(3)In the case of an agreement made in India with the crew of a home-trade Indian ship of two hundred tons gross or more, the following provisions shall have effect in addition to the provisions specified in sub-section (1) namely :-(a)the agreement shall not be for a period longer than six months, but if the period for which the agreement was entered into expires while the ship is not in an Indian port, the agreement shall continue in force until the ship is again in an Indian port :Provided that, except with the consent in writing of a seaman concerned, the agreement shall not continue in force for more than three months after the expiration of the period for which it was entered into;(b)an agreement for service in two or more ships belonging to the same owner may be made by the owner instead of by the master, and the provisions of this Act with respect to the making of the agreement shall apply accordingly.Wages and other properly of seaman or apprentice left behind

122.

(1)If a seaman or apprentice is left behind, the master shall enter in the official log book a statement of the amount due to the seaman or apprentice in respect of wages at the time when he was left behind and of all property left on board by him, and shall take such property into his charge.(2)Within forty-eight hours after the arrival of the ship at the port in India at which the voyage terminates, the master shall deliver to the shipping master -(a)a statement of the amount

due to the seaman or apprentice in respect of wages, and of all property left on board by him; and(b)a statement, with full particulars, of any expenses that may have been caused to the master or owner of the ship by the absence of the seaman or apprentice, where the absence is due to a contravention by the seaman or apprentice of section 191; and, if required by the shipping master to do so, shall furnish such vouchers as are reasonably required to verify the statements.(3)The master shall at the time when he delivers the statements referred to in sub-section (2) to the shipping master also deliver to him the amount due to the seaman or apprentice in respect of wages and the property that was left on board by him, and the shipping master shall give to the master a receipt therefore in the prescribed form.(4)The master shall be entitled to be reimbursed out of the wages or property referred to in clause (a) of sub-section (2) such expenses shown in the statement referred to in clause (b) of that sub-section as appear to the shipping master to be properly chargeable.

Disrating of Seamen

126.

(1)Where the master of a ship disrates a seaman, he shall forthwith enter or cause to be entered in the official log book a statement of the disrating, and furnish the seaman with a copy of wages consequent on the disrating shall not take effect until the entry has been so made and the copy so furnished.(2)Any reduction of wages consequent on the disrating of seaman shall be deemed to be a deduction from wages within the meaning of sections 125 and 127.

Decision of questions by shipping masters

132.

(1)Where under the agreement with the crew any dispute arises at any port in India between the master, owner or agent of a ship and any of the crew of ship, it shall be submitted to the shipping master; -(a)where the amount in dispute does not exceed three hundred rupees, at the instance of either party to the dispute;(b)in any other case, if both parties to the dispute agree in writing to submit the dispute to the shipping master.(2)The shipping master shall hear and decide the dispute so submitted and an award made by him upon the submission shall be conclusive as to the rights of the parties, and any document purporting to be such submission or award shall be prima facie evidence thereof.(3)An award made by a shipping master under this section may be enforced by a magistrate in the same manner as an order for the payment of wages made by such magistrate under this Act.(4)Nothing in the Arbitration Act, 1940, shall apply to any master submitted to a shipping master for decision under this section.

Power of shipping master to require production of ship's papers

133. In any proceedings under this Act before a shipping master relating to the wages, claims or discharge of a seaman, the shipping master may require the owner, master or agent or any mate or other member of the crew to produce any log books, papers, or other documents in his possession or power relating to any matter in question in proceeding, any require the attendance of and examine any of those persons being then at or near the

place on the matter.

Rule as to payment to seamen in foreign currency

134. Where a seaman or apprentice has agreed with the master or a ship for payment of his wages in Indian or other currency, any payment of, or on account of, his wages, if made in any currency other than that stated in the agreement, shall, notwithstanding anything in the agreement, be made at the rate of exchange for the time being current at the place where the payment is made.

Master to take charge of the effects of deceased Seaman

152.

(1) If any seaman or apprentice engaged on any ship, the voyage of which is to terminate in India, dies during that voyage, the master of the ship shall report the death to the next-of-kin of the seaman or apprentice and to the shipping master at his port of engagement and shall take charge of any money or effects belonging to the seaman or apprentice which are on board the ship. (2) The master shall thereupon enter in the official log book the following particulars, namely :- (a) a statement of the amount of money and detailed description of the other effects; (b) a statement of the sum due to the deceased for wages and of the amount of deduction, if any, to be made from the wages. (3) The said money balance of wages and other effects in this Act referred to as the property of the seaman or apprentice. Master to pay and deliver property of deceased seamen

154.

(1) If the master of ship fails to comply with the provisions of this Act with respect to taking charge of the property of a deceased seaman or apprentice, or to making in the official log book the proper entries relating thereto, or to the payment or delivery of such property, he shall be accountable for such property to the Shipping master as aforesaid, and shall pay and deliver the same accordingly. (2) The property may be recovered in the same court and manner in which the wages of seamen may be recovered under this Act. Ships to have sufficient provisions and water

168.

(1) All Indian ships and all ships upon which seamen have been engaged shall have on board sufficient provisions and water of good quality and fit for the use of the crew on the scale specified in the agreement with the crew. (2) If any person making an inspection under section 176 finds the provisions or water to be of bad quality and unfit for use or deficient in quantity, he shall signify it in writing to the master of the ship and may, if he thinks fit, detain the ship until the defects are remedied to his satisfaction. (3) The master shall not use any provisions or water so signified to be of

bad quality and shall in lieu of such provisions or water, provide other proper provisions or water and he shall, if the provisions or water be signified to be deficient in quantity, procure the requisite quantity of any provisions or water to cover the deficiency.(4)The person making the inspection shall enter a statement of the result of the inspection in the official log book, and shall, if he is not the shipping master, send a report thereof to the shipping master and that report shall be admissible in evidence in any legal proceeding.(5)If the inspection was made in pursuance of a request by the members of the crew and the person making the inspection certifies in the Statement of the result of the result of the inspection that the complaint was false and either frivolous or vexatious, every member of the crew who made the request shall be liable to forfeit to the owner out of his wages a sum not exceeding one week's wages.(6)The master of the ship and any other person having charge of any provisions or water liable to inspection under this section shall give the person making the inspection every reasonable facility for the purpose.Expenses of medical attendance in case of illness

174.

(1)If the master of an Indian ship, or a seaman or apprentice, receives any hurt or injury or injury or suffers from any illness (not being a hurt, injury or illness due to his own willful act or default or to his own misbehaviour), resulting in his being discharged or left behind at a place other than his proper return port, the expenses of providing the necessary surgical and medical advice, attendance and treatment and medicine, and also the expenses of the maintenance of the master, seaman or apprentice until he is cured, or dies, or dies or is brought back to the port from which he was shipped or other port agreed upon after receiving the necessary medical treatment and of his conveyance to that port, and in case of death, the expenses, if any, of his burial or cremation shall be defrayed by the owner of the ship without deduction on that account from his wages.(2)If the master, seaman or apprentice is on account of any illness or injury temporarily removed from his ship, a port other than his proper return port for the purpose of preventing infection, or otherwise for the convenience of the ship, and subsequently returns to his duty, the expenses of removal and providing the necessary surgical and medical advice, attendance and treatment and medicine and of his maintenance while away from the ship, shall be defrayed in like manner.(3)The expenses of all medicines, and surgical and medical advice, attendance and treatment, given to a master, seaman or apprentice while on board his ship, shall be defrayed in like manner.(4)In all other cases any reasonable expenses duly incurred by the owner for any master, seaman or apprentice in respect of illness, shall, if proved to the satisfaction of the Indian consular officer a shipping master, be deducted from the wages of the master, seaman or apprentice.(5)Where any expenses referred to in this section have been paid by the master, seaman or apprentice himself, the same may be recovered as if they were wages duly earned, and, if any such expenses are paid by the Government, the amount shall be a charge upon the ship may be recovered with full costs of suit by the Central Government.Inspection by shipping master, etc., of provisions, water, weights and measures and accommodation

176. A shipping master, Surveyor, seamen's welfare officer, port health officer, Indian consular officer or any other officer at any port duly authorized in this behalf by the Central Government---

(a)in the case of any ship upon which seamen have been shipped at that port, may at any time, and(b)in the case of any Indian ship, may at any time, and if the master or three or more of the crew so request, shall, enter on board the ship and inspect-(i)the provisions and water,(ii)the weights and measures,(iii)the accommodation for seamen,with which the ship is required to be provided by or under this Act and also the space and equipment used for the storage and handling of good and water and the galley and other equipment used for the preparation and service of meals.Inspection by master of provisions, water and accommodation at Sea

177. The master of an Indian ship which is at sea shall, at lest once is every ten days, cause an inspection to be made of the provisions and water provided for the use of the seamen and apprentices and the crew accommodation, for the purpose of ascertaining whether ths same are being maintained in accordance with the requirements of this a Act, and the person making the inspection shall enter a statement of the result of the inspection in a book, specially kept for the purpose.

Desertion and absence without leave

191.

(1)No seaman lawfully engaged and no apprentice-(a)shall desert his ship; or(b)shall neglect or refuse, without reasonable cause, to join the ship or to proceed to sea in his ship or be absent without leave at any time within twenty-four hours of the ship's sailing from a port either at the commencement or during the progress of a voyage, or be absent at any time without leave and without leave and without sufficient reason from his ship or from his duty.(2)For the purposes of sub-section (1), the fact that the ship on which the seaman or apprentice is engaged or to which he belongs is unseaworthy shall be deemed to be a reasonable cause :Provided that the seaman or apprentice has, before failing or refusing to join his ship or to proceed to sea in his ship or before absenting himself or being absent from the ship, as the case may be, complained to the master or a shipping master, surveyor, seaman's welfare officer, port health officer, Indian consular officer or any other officer, at any port duly authorized in this behalf by the Central Government, that the ship is unseaworthy.General offences against discipline

194. A seaman lawfully engaged or an apprentice shall be guilty of an offence against discipline if he commits any of the following acts, namely :-

(a)if he quits the ship without leave after her arrival at her port of delivery and before she is placed in security'(b)if he is guilty of willful disobedience to any lawful command or neglect of duty;(c)if he is guilty of continued willful disobedience to lawful commands or continued willful neglect of duty;(d)if he assaults the master or any other officer of the ship;(e)if he combines with any of the crew to disobey lawful commands or to neglect duty or to impede the navigation of the ship or retard the progress of the voyage;(f)if he willfully damages his ship or commits criminal misappropriation

or breach of trust in respect of, or willfully damages any of, her stores or cargo. Smuggling of goods by seamen or apprentices

195.

(1) If a seaman lawfully engaged or an apprentice is convicted of an offence of smuggling any goods whereby loss or damage is occasioned to the master or owner of the ship, he shall be liable to pay to that master or owner a sum sufficient to reimburse the loss or damage and the whole or a part of his wages may be retained in satisfaction on account of that liability without prejudice to any other remedy. (2) If a seaman lawfully engaged is convicted of an offence of smuggling opium, hemp or any other narcotic drug or narcotic, the Director-General may direct that the seaman's certificate of discharge or continuous certificate of discharge shall be cancelled or shall be suspended for such period as may be specified in the direction. Entry of offences in official logs

196. If any offence within the meaning of this Act of desertion or absence without leave or against discipline is committed, or if any act of misconduct is committed for which the offender's agreement imposes a fine and it is intend to enforce the fine-

(a) an entry of the offence or act shall be made in the official log book and signed by the master, the mate and one of the crew; and (b) the offender, if still in the ship, shall before the next subsequent arrival of the ship at any port, or, if she is at the time in port, before her departure therefrom, be furnished with a copy of the entry and have the same read over distinctly and audibly to him and may thereupon make such reply thereto as he thinks fit; and (c) a statement of a copy of the entry having been so furnished and the entry having been so read over and the reply, if any, made by the offender shall likewise be entered and signed in manner aforesaid; and (d) in any subsequent legal proceedings the entries by this section required shall, if practicable, be produced or proved, and, in default of such production or proof, the court hearing the case may in its discretion, refuse to receive evidence of the offence or act of misconduct. Payment of fines imposed under agreement to shipping master

202.

(1) Every fine imposed on a seaman for any act of misconduct under his agreement shall be deducted and paid over as follows, namely :-(a) if the offender is discharged at any port or place in India and the offence and such entries in respect thereof as aforesaid are proved to the satisfaction of the shipping master before whom the offender is discharged, the master or owner shall deduct such fine from the wages of the offender and pay the same over to such shipping master; and (b) if the seaman is discharged at any port or place outside India and the offence and such entries as aforesaid are proved to the satisfaction of the Indian consular officer, by whose sanction he is so discharged, the fine shall thereupon be deducted as aforesaid, and an entry of such deduction shall then be made in the official log book, if any, and signed by such officer and on the return of the ship to India, the master or owner shall pay over such fine to the shipping master before whom the crew is

discharged.(2)An act of misconduct for which any such fine has been inflicted and paid shall not be otherwise punishable under the provisions of this Act.(3)The proceeds of all fines received by a shipping master under this section shall be utilized for the welfare of seaman in such manner as the Central Government may direct.On change of master, documents to be handed over to successor

208.

(1)If during the progress of a voyage the master of any Indian ship is removed or superseded or for any other reason quits the ship and is succeeded in the command by some other person, he shall deliver to his successor the various documents relating to the navigation of the ship and the crew thereof which are in his custody.(2)Such successor shall immediately on assuming the command of the ship enter in the official log book a list of the documents so delivered to him.Transmission of documents on transfer of seaman from one ship to another

209. Where a seaman is transferred under his agreement from one ship to another, the master of the ship from which the seaman is transferred shall, as soon as practicable, transmit to master of the other ship all documents in his possession relating to seaman.

Index to Entries in Official Log Book

Entries

Referenceto pages
in which the
Various entries
appear

Convictionof any member of crew and Punishment [Section 214(1)(a) of M.S.Act, 1958]

Offencescommitted by Member of Crew for which it is intended to prosecuteor to enforce a Forfeiture or to exact a Fine, together with suchstatement concerning the reading over of such entry, andconcerning the reply (if any) made to the charge as is requiredby law [Section 214(1)(c) of M.S. Act, 1958]

Offencefor which punishment has been inflicted on board, and thepunishment inflicted. [Section 214(1)(c) of M.S. Act, 1958]

Illness,hurt or injury that has happened to any Member of Crew, thenature thereof and the medical treatment adopted (if any).[Section 214(1)(e) of M.S. Act, 1958]

Noticeof disrating. [Section 126 of M.S. Act, 1958]

Deaththat has happened on board, and cause thereof and otherparticulars as prescribed. [Section 214(1)(f) of M.S. Act, 1958]

Birththat has happened on board, the sex of the infant, the names ofthe parents and other particulars as prescribed. [Section214(1)(h) of M.S. Act, 1958]

Marriages that have taken place on board and the names and ages of the parties.

[Section 214(1)(h) of M.S. Act, 1958]

The times of opening and closing hinged doors, etc., which are required to be kept closed during navigation.

Name of Seaman or Apprentice who has ceased to be a Member of the crew, otherwise than by death, With the place, time, manner and cause thereof; whether, if bed and bedding were issued to him, these articles were returned before leaving the ship. [Section 214(1)(i) & 172(1) of M.S. Act, 1958]

Wages due to any Seaman or Apprentice who has died during the voyage and the gross amount of all deductions to be made therefrom. [Sections 152(2)(b) & 214(1) of M.S. Act, 1958]

Statement of the amount of money and description of the effects left by any Seaman or Apprentice who died during the voyage. [Section 152(2)(a) & 214(1)(k) of M.S. Act, 1958]

Collision with any other ship, and the circumstances under which the same occurred. [Section 349 of M.S. Act, 1958]

Order of Marine Board. [Section 376(2) of M.S. Act, 1958]

Inspection of Provisions and Water. [Section 168(4) of M.S. Act, 1958]

Change of Masters - List of documents handed to new Master. [Section 208(2) of M.S. Act, 1958]

Report of Character of Crew. [Section 214(1)(d) of M.S. Act, 1958]

Roadline, free board and draught of water. [Section 319(1)(d) of M.S. Act, 1958]

Occasions on which boat drill, fire drill, etc., is practiced, or lifesaving, fire appliances are examined.

Signals received of distress or messages that a vessel, aircraft or person is in distress at sea; reasons, if any, for not going to the assistance of persons in distress after having received a distress signal. [Section 355(5) & (6) of M.S. Act, 1958]

Caution. - Section 436(2) S. No. 72 of the Merchant Shipping Act, 1958, provides that if any person willfully destroys or mutilates or renders illegible any entry in any official log book or willfully makes or procures to be made or assists in making a false or fraudulent entry in or omission from an official log book shall be liable to imprisonment for a term which may extend to one year. Lists of Crews and Report of Character

Reference No. in Agreement	Name and Surname of each member of the Crew	Capacity in which engaged	Report of Character	If there is any entry in this Official Log relating in any way to the crew, the page or pages where the entry is to be found should be noted in this column opposite the persons, name.
Ship	Ship			

Forability	ForGeneral Conduct	Forability	ForGeneral Conduct
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Load-Line Depth of Loading and FreeboardThe Merchant Shipping Act, 1958, Section 312 to 319 & 436(2).Provides amongst other things, as follows :-Marking of deck line and load lines

312.

(1)No Indian ship, being a ship of which the keel was laid after the 30th day of June, 1932, and not being exempt from the provisions of this Part relating to load lines, shall proceed to sea unless--(a)the ship has been surveyed in accordance of assignment;(b)the ship complies with the conditions of assignment;(c)the ship is marked on each side with a mark (hereafter in this Act referred to as a deck line) indicating the position of the uppermost complete deck as defined by the load line rules, and with marks (hereafter in this Act referred to as load lines) indicating the several maximum depths to which the ship can be safely loaded in various circumstances prescribed by the load line rules;(d)the deck line and load lines are of the description required by the load line-rules, the deck line is in the position required by those rules, and the load lines are of the number required by such of those rules as are applicable to the ship; and(e)the load lines are in the position required by such of the load line rules as are applicable to the ship.(2)No Indian ship, being a ship of which the keel was laid before the 1st day of July, 1932, and not being exempt from the provisions of this Part relating to load lines, shall proceed to sea unless--(a)the ship has been surveyed and marked in accordance with clauses (a), (c) and (d) of sub-section (1);(b)the ship complies with the conditions of assignment in principle and also in detail so far as, in the opinion of the Central Government, is reasonable and practicable having regard to the efficiency of the protection of openings, the guard rails, the freeing ports and the means of access to the crew's quarters provided by the arrangements, fittings and appliances existing on the ship at the time when she is surveyed under this section; and(c)the load lines are either in the position required by clause (e) of sub-section (1) or in the position required by the tables used by the Board of Trade of the United Kingdom on the 31st day of December, 1906, for fixing the position of load lines, subject to such modifications of those tables and of the applications thereof as were in force; immediately before the 5th day of July, 1930.(3)Any ship attempting to proceed to sea without being surveyed and marked as required by this section may be detained until she has been surveyed and marked, and any ship which does not comply with the conditions of assignment to the extent required in her case by this section shall be deemed to be unsafe for the purpose of section 336.Submersion of load lines

313.

(1)An Indian ship (not being exempt from the provisions of this Part relating to load lines) shall not be so loaded as to submerge in salt water, when the ship has no list, the appropriate load line on earth side of the ship, that is to say, the load line indicating or purporting to indicate the maximum depth to which say, the ship is for the time being entitled under the load line rules to be loaded.(2)Without prejudice to any other proceedings under this Act, any ship which is loaded in contravention of this section may be detained until she ceases to be so loaded.Maintenance of local

line marks

314.

(1) No owner or master of an Indian ship which has been marked in accordance with the foregoing provisions of this part, shall without reasonable cause, fail to keep the ship so marked. (2) No person shall conceal, remove, alter deface or obliterate or suffer any person under his control to conceal, remove, alter, deface or obliterate any mark placed on any such ship in accordance with the foregoing provisions of this Part except with the authority of a person entitled under the load line rules to authorize the alteration of the mark or except for the purpose of escaping capture by an enemy or by a foreign ship of war in the exercise of some belligerent right. Publication of load line certificate and particulars relating to depth of loading

319.

(1) When a load line certificate has been issued in pursuance of the foregoing provisions of this Part in respect of an Indian ship other than a home-trade ship of less than two hundred tons gross---(a) the owner of the ship shall forthwith on the receipt of the certificate cause it to be posted up in some conspicuous place on board the ship and to be kept so posted up and legible so long as the certificate remains in force and the ship is in use; and (b) the master of the ship, before making any other entry in any official log book, shall enter or cause to be entered therein the particulars as to the position of the deck line and load lines specified in the certificate. (2) Before any such ship leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea, the master thereof shall---(a) enter or cause to be entered in the official log book such particulars relating to the depth to which the ship is for the time being loaded as the Central Government may by rules made in this behalf prescribe; and (b) cause a notice, in such form and containing such of the said particulars as may be required by the said rules, to be posted up in some conspicuous place on board the ship and to be kept so posted up and legible until the ship arrives at some other dock, wharf, harbour or place : Provided that the Central Government may by the said rules exempt home-trade ships or any class of home-trade ships from the requirements of clause (b) of this sub-section. Penalties

436.

(1) Any person who contravenes any provision of this Act or fails to comply with any provision thereof which it was his duty to comply with, shall be guilty of an offence; and if in respect of any such offence no penalty is specially provided in sub-section (2), he shall be punishable with fine which may extend to two hundred rupees. (2) The offences mentioned in the second column of the following table shall be punishable to the extent mentioned in the fourth column of the same with reference to such offences respectively.

SerialNo.	Offences	Section of this Act to which offence has reference	Penalties
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The master or owner shall be liable to fine which may extend to one thousand rupees.

99.If any ship proceeds or attempts to proceed to sea in contravention of section 312.

The master or owner shall be liable to fine which may extend to ten thousand rupees and to such additional fine not exceeding one thousand rupees for every inch or fraction of an inch by which the appropriate load lines on each side of the ship are submerged or would have been submerged if the ship had been in salt water and had no list, as the court thinks fit to impose, having regard to the extent to which the earning capacity of the ship is or would have been increased by reason of the submersion :

100.If any ship is loaded in contravention of section 313.

Provided that it shall be a good defence for the master or owner to prove that a contravention was due solely to deviation or delay caused solely by stress of weather or other circumstance which neither the master nor the owner nor the charterer, if any, could have prevented or forestalled.

101.(a) If the owner or master of an Indian ship contravenes sub-section (1) of section 314; or

Finewhich may extend to one thousand rupees.

(b)if any person contravenes sub-section 314(2) of section 314.

102.If a master or owner fails to deliver 317(5) the certificate as required under sub-section (5) of section 317.

Finewhich may extend to one hundred rupees.

103.If a master proceeds or attempts to 318(1) proceed to sea in contravention of sub-section (1) of section 318.

Finewhich may extend to one thousand rupees.

104.(a) If the owner of an Indian ship 319(1)(a) fails to comply with clause (a) of sub-section (i), 319; or

(b)if a master fails to comply with 319(1)(b) clause (b) of sub-section (1), or clause (a) or clause (b) of sub-section (2) of section

319.

319(2)

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LOAD LINE, DEPTH OF LOADING, ETC. Positions of the Deck Line and Load Lines

Free board from deck line

Load Lines

Tropical.....feet.....inches

(T)..... inches
above S.

.....decimetres

Summer.....feet.....inches

(S)..... Upper edge
of line through centre of disc.

.....decimetres

Winter.....feet.....inches

(W)..... inches
below S.

.....decimetres

Winter

North Atlantic.....feet.....inches (if
assigned)

(WNA)..... inches
below S.

.....decimetres

Allowance for fresh water for all free boards inches. The upper edge of the deck line from which these free boards are measured is inches above the top of the deck at (Above particulars to be taken from Load Line Certificate)

Maximum draught of water in summerfeet.....inches

.....decimeters

The maximum draught of water in summer is the draught of water which would be shown on the scale of feet/decimeters on the stem and stern post of the ship if she were so loaded that the upper edge of the summer load line were on the surface of the water and the ship were upright on an even keel. Notes

1. The above particulars, and particulars of depths of loading as detailed on the following pages are to be recorded before the ship leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea.

2. The actual free board amidships on each side of the ship is to be measured from the upper edge of the deck line to the surface of the water, when the ship is loaded and ready to leave. The actual "mean" free board is the mean of the actual free boards, port and starboard, measured as indicated above.

3. Form L.L. 14A. (India) or Form L.L. 14-B-India (Timber Ship) is to be posted up in some conspicuous place on board the ship before she leaves any dock, wharf, harbour or other place for the purpose of proceeding to sea, and the Notice is to be kept so posted up and legible until the ship arrives at some other, dock wharf, harbour or place. The date and time of posting the Notice is to be entered in column 15.

4. No entries are required in columns 8-14 when the actual mean free board (Column 7) is not less than the appropriate salt water free board.

5. If, in determining density of water, use is made of a hydrometer on which the reading at the top of the scale is 1000 or 00, meaning "full-fresh water", the hydrometer means a density of 1015. if the hydrometer used has the scale reversed, i.e. if the reading 00 is at the bottom of the scale and means "full salt water" the density must be obtained by subtracting the hydrometer reading from 1025, e.g., if the reading is at 15, the density to be entered will be 1010.

6. The Winter North Atlantic Load Line, if assigned, applies to voyages across the North Atlantic, north of latitude 36 0N. during the winter months as defined in the Load Line Rules, 1934, and shown on the chart which forms part of these Rules. The periods during which the other seasonal load lines apply in different parts of the world are as indicated in the said Rules and chart.

7. Penalty. - Failure to enter the required particulars of load line, depth loading, etc. in the Official Log Book at the proper time renders the Master or Owner liable to a fine which may amount to two hundred rupees.

DATES OF DEPARTURE FROM AND
ARRIVAL

AT EACH DOCK, WHARF, EVERY OCCASION OF
THE SHIP

Date and Hour of Departure	Dock, Wharf, Harbour or Other Place	Actual Draught of Water	Actual Free Board Amidships	Density of Water	Allowance
Forward Aft.	Port	Starboard Mean	For Density of Water	For Ashes and Rubbish	

1	2	3	4	5	6	7	8	9	10
		ft. ins. dm	ft. ins. dm.	ft. ins. dm.	ft. ins. dm.	ft. ins. dm.	ft. ins. dm.	Inserted Weight ins.	

Harbour or Other Place With the Draught of Water and Free Board Proceeding to Sea

DEPARTURES SIGNATURESARRIVALS

For Fuel etc. to be consumed on stretch of inland water.	Total Allowance	Mean Draught as calculated after marking the appropriate allowances	Mean Free Board as calculated after making the appropriate allowances	Date of Posting the Notice	Master	Mate	Date and Hour of Arrival	Dock, Wharf or other place.
11	12	13	14	15	16	17	18	19
Distance ins.		ft. ins. dm	ft. ins. dm	ft. ins. dm				

Record of Drills (Boat Drills, Fire Drills, Etc.) and Musters and Examination of Life Saving Appliances

Date of Drill or Examination of the Life Saving and/or Fire Appliances	Muster and of the Life Drill of Muster	Nature of the Life Saving Appliances and the condition in which they were found	Examination of the Appliances and/or the condition	Date of Entry	Signature of Master and Mate
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*An entry should be made of the type of drill or muster held i.e. whether boats were swung out and manned, etc. whether the passengers or crew were mustered, whether the crew were practiced in fire drill etc. Record of Inspections of Crew's Accommodation at Sea (Section 176 of the Merchant Shipping Act, 1958)

Date of Inspection	Results of Inspection	Date of Entry	Signature of person making inspection
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OFFICIAL LOG of the towards from

Date and hour of the Occurrence	Place of the occurrence or situation by Latitude of Longitude at sea	Date of Entry	Entries required by the Merchant Shipping Act, 1958	Amount of Fine or forfeiture inflicted
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N.B. - Every entry in this Log Book required by the Merchant Shipping Act, 1958, must be signed by the Master and by the Mate or some other member of the Crew, and every entry of illness, injury or death must be signed by the Medical Officer on board (if any); and every entry of wages due to, or of the property of any Seaman or Apprentice who has died must be signed by the Master and by the Mate by some other member of the Crew. Note. - Reading over Entries of Offences. The Master's

special attention is called to Section 196 of the Merchant Shipping Act, 1958, a copy of which has been reproduced in this Book. Record of Inspection of Provisions and Water (Section 168 of the Merchant Shipping Act, 1958)

Date Result of the Inspection of Provisions and Water Signature of Inspection Officer

Record of Inspections at Sea of Provisions and Water (Section 177 of the Merchant Shipping Act, 1958)

Date of Inspection Result of Inspection Data of Entry Signature of person making Inspections

Marriages Births and Deaths of Members of the Crew, and other Persons on Board Which Have Occurred During the Voyage

Marriages. - Section 214(1)(h) of the Merchant Shipping Act, 1958, requires the Master of the ship to enter in his official Log the particulars of every marriage that has taken place on board.

Births and Deaths. - The duties of the Master with regard to the registry of births and deaths on board ship are defined in the following extracts from Section 214(1) of the Merchant Shipping Act, 1958 :- "214. (1) The master of a ship for which an official log is required shall enter or cause to be entered in the official log book the following matters, namely :-(f) Every case of death happening on board and the cause thereof, together with such particulars as may be prescribed; (g) Every birth happening board, with the sex of the infant, the names of the parents and such other particulars as may be prescribed." If the Master of any ship fails to comply with any requirements of this section, he shall be liable for each offence to a fine which may extend to two hundred rupees. In addition to the brief statement of the "Cause of Death" in the following tabular statement the Master should be careful to add in the body of the official log book full particulars of all the circumstances attending the death, more particularly in the case of murder, disappearance or suicide. If a fatal accident occurs on board by reason of any damage in the ship, or to any part of it, or to the cargo, the details, as stated above should be entered in a similar manner. If a death occurs in a port, the name of the port should be given, and it should be stated whether the death occurred on board or in hospital. If a seaman dies on shore from an accident which happened, or from a disease which developed while he was a member of the crew, it is desirable that an entry of the death should be made in the same way.

Date when Married	Names and Surname of both parties	Age	Whether single, divorced or widowed	Profession or Occupation	Father's Name and Surname	Profession or Occupation of Father
1	2	3	4	5	6	7

Signed Person performing marriage Master or Officer-in-Command

BIRTHS—
(See instructions)

Date of	Time and Place	Whether still	Name (if	Sex	Name and	Occupation
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Birth	of Birth	born or born alive	any) of child	Surname of father	of Father
					DEATHS— (See instructions)
Date of Death	Place of Death	Name and Surname of Deceased	Father's/Sex Name	Husband's Age	Occupation
					Nationality Birth place and Religion)
					Members of Crew (including
Person who where not on previous page)					
Father (Nationality place and Religion)	Last place of Abode	Mother Nationality (stating birth * place & Religion)	Last place of Abode	Signature of Master and Mate or other member of the Crew	Signature of Father or Mother
					Date of sending Return to Director General of shipping or other Authority
Cause of Death	Manner in which body was disposed of	Signature of Master or Person-in-Charge	Signature of Mate or Other Member of Crew	Signature of Medical Officer (if any)	Date of sending Return to Director General or Shipping of other authority
					Signature of Officer (other than inquiring officer who takes statements in connection with the death
(including Master)					
Members of the Crew					

Space for endorsement by Officer who inquires into the circumstances attending a death.....(Signature).....(Designation).....

of Opening and Closing Watertight Doors, Etc. Record of the time of opening and closing any of the watertight doors side-scuttles, and other contrivances mentioned in paragraph I of the explanatory notice at the end of this log book and the relative notes.

Date	Particulars of Contrivance	Time of	Signatures of Master and Mate or Chief Engineer
Opening			
Closing			

Practices of Opening and Closing Watertight Doors, Etc. Record of every occasion of practicing the opening and closing of watertight doors, side scuttles, scuppers and other contrivances mentioned in paragraph II of the explanatory notice at the end of this log book and the relative notes.

Date of Practice	Name of Contrivance Practised	Remarks including full particulars of any defects found	Signatures of Master and Mate or Chief Engineer

Inspection of Watertight Doors and Valves Record of every occasion on which the watertight doors and valves specified in paragraph III of the explanatory notice at the end of this log book are inspected.

Date of Practice	Name of Contrivance Practised	Remarks including full particulars of any defects found	Signatures of Master and Mate or Chief Engineer