

The Indian Merchant Shipping (Medical Examination) Rules, 1958

UNION OF INDIA

India

The Indian Merchant Shipping (Medical Examination) Rules, 1958

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1. [Amended by THE MERCHANT SHIPPING (AMENDMENT) ACT, 2007 (Act 40 of 2007) on 24 September 2007]

The Indian Merchant Shipping (Medical Examination) Rules, 1958 Published vide Notification Gazette of India, 1958, Part 2, Section 3(i), page 581, Deemed to be in force by virtue of Section 98(3) read with Section 461(3) of the Merchant Shipping Act, 1958 (44 of 1958).

1778.

G.S.R. 651, dated 24th July, 1958. - In exercise of the powers conferred by sub-section (3) of Section 26-A of the Indian Merchant Shipping Act, 1923 (21 of 1923), the Central Government hereby makes the following rules, namely :-

1. Short Title and Commencement.

(1) These rules may be called the Indian Merchant Shipping (Medical Examination) Rules, 1958.
(2) They shall come into force at once.

2. Definitions.

In these rules, unless the context otherwise requires :- (a) "Act" means the Indian Merchant Shipping Act, 1923; (b) "Appeal Board" means the Medical Appeal Board for Seamen constituted under rule 13; (c) "Director" means the Director, Seamen's Employment Office, Bombay or Calcutta, as the case may be, and includes at other places such other officer as the Director-General of Shipping may appoint to perform the functions of the "Director" under these rules; (d) "Medical authority" means

the Medical officer appointed under rule 4 for the purposes of sub-section (1) of Section 26-A of the Act;(e)"Prescribed Standards" means the standards of physical fitness as set out in Annexure 'A' to these rules;(f)"Registration Book" means the Registration Book issued to a seaman under rule 14 of the Indian Merchant Shipping (Seamen's Employment Office, Bombay/Calcutta) Rules, 1954;(g)"Seaman" includes a person selected or approved or eligible for engagement as 'seaman';(h)"Shipping Master" means the Shipping Master Bombay or Calcutta, as the case may be and at other places such other officers as are competent to discharge the duties of Shipping Master.

3. Application.

The provisions of sub-section (1) of Section 26-A of the Act shall not apply to :--(a)[Seamen who have been registered in the Home Trade Sector on or before the 31st May, 1972;] [Substituted by G.S.R. 702, dated 12th May, 1972.](b)Categories of seamen specified in column 1 subject to the conditions specified in column 2 of the subjoined table :Table

Categories	Conditions
1	2
DeckOfficers and Engineers; Radio Officer/Pursers and ClaricalStaff; Chief Stewards Medical Officers and their staff;Apprentices and cadets; Hair-dressers; Stewardesses onpassengers ships; Electricians; Chinese Carpenters; Fitters etc.Gunners, Wiremen. HostelStaff including Bazarmen.	Ifthey produce evidence to the satisfaction of the Shipping Masterthat they are in good health and fit to perform, their dutiessatisfactory. Ifthey produce evidence to the satisfaction of the Shipping Masterof their being in good health.

4. Appointment of Prescribed Authority.

The Central Government may appoint a Medical Officer or a number of medical officers at such ports or places as it thinks fit to be the prescribed authority for the purposes of sub-section (1) of Section 26-A of the Act.

5. Application for Medical Examination.

A seaman requiring a certificate of physical fitness for engagement or re-engagement for service on ships shall apply to the 'Director' for medical examination.

6. Arrangements for Medical Examination.

On receipt of an application for medical examination, the 'Director' after satisfying himself that the applicant is otherwise eligible, shall cause particulars of the seamen to be posted in a register and shall fix a date, time and place for such medical examination and inform the applicant accordingly.

He shall also transmit to the 'medical authority' a request for the medical examination of such seaman giving relevant particulars namely name, age, category, marks of identification including his Registration No., Continuous Discharge Certificate No. and Medical Roster No., if any, already allotted to him.

7. Appearance for Medical Examination.

(1) Every seaman referred to in rule 6 shall present himself before the medical authority and produce his Registration Book and Continuous Discharge Certificate if held, at the appointed time and place for medical examination and at such subsequent dates and times as he may be required by the medical authority. (2) If a seaman fails to appear for the medical examination without any valid grounds in response to three consecutive calls from the 'Director' the latter may, after recording his reasons in writing, debar the seaman from appearing for the medical examination for a period not exceeding six months.

8. Nature of Medical Examination.

Every seaman appearing for medical examination shall be subjected by the medical authority to such tests as may be considered necessary for determining his physical fitness in accordance with the prescribed standards.

9. Records of Medical Examination.

The medical authority shall maintain a full record of the medical examinations conducted with copies of certificates of physical fitness issued and shall also render weekly returns to the 'Director' showing the result of the medical examination in respect of every seaman examined during the week. The date and result of the examination shall also be endorsed in the Registration Book at the place reserved for additional endorsements.

10. Certificate of Physical fitness.

(1) On completion of medical examination, the medical authority shall issue to every seaman satisfying the prescribed standards a certificate of physical fitness in the form set out in Annexure 'B' to these rules. (2) In the event of a seaman failing to satisfy the 'prescribed standards' due to any temporary defect, which in the opinion of the medical authority is likely to be cured after treatment, the medical authority shall issue to the seaman a certificate with the remarks 'temporarily unfit' indicating generally, where possible, the reasons for such unfitness and with the remarks that the seaman should come for re-examination after the cause of his temporary unfitness is removed. (3) A seaman not satisfying the prescribed standards of physical fitness and found suffering from a disease or physical defect which, in the opinion of the medical authority examining him, renders him permanently unfit for sea service, shall be given a certificate of 'permanent unfitness'. (4) The medical authority may, having regard to the nature of the defect or disease, issue a certificate of fitness valid for six months or for the duration of one round voyage, whichever is longer. Note. -

Sub-rule (2), (3) and (4) shall not apply to new entrants examined in accordance with the standards prescribed in Part I of Annexure 'A' to these rules.

11. Record of results.

The Director shall maintain a record of the results of medical examinations in respect of seaman referred by him for medical examination.

12. Validity.

(1)A certificate of physical fitness issued by the medical authority shall be valid for a period of [eight years] [Substituted by G.S.R. 285, dated 20th February, 1971.] from the date of issue :[Provided that the medical authority may, on receipt of a prints facie adverse report in respect of the physical fitness of a seaman from sources such as a hospital, clinic or the Medical Officer of a Shipping Company, conduct a fresh medical examination, at any time during the said period of [five years] [Inserted by G.S.R. 405, dated 25th February 1964.], for the purpose of verifying whether the seaman continues to satisfy the prescribed standards and on the basis of such examination, the medical authority may cancel the certificate of physical fitness issued to such seaman :Provided further that where such seaman, on being summoned for a fresh medical examination, does not present himself for such examination within a reasonable time, the certificate of physical fitness issued to him already shall be liable for cancellation.](2)If the period of validity of a certificate expires in the course of a voyage, the certificate shall be deemed to continue in force until the end of that voyage.

13. Application for re-examination.

(1)The Central Government shall setup an authority to be known as 'The Medical Appeal Board for Seamen' consisting of at least two doctors not connected with any shipowner or with any organisation of shipowners or seafarers, to consider applications for re-examination of seamen [who fail to get certificates of physical fitness for sea service or whose certificates of physical fitness have been cancelled under the proviso to sub rule (1) of rule 12] [Substituted by G.S.R. 405, dated 25th February, 1964.] at each of the ports of Bombay and Calcutta and if necessary, at any other place where arrangements for medical examination of seamen exist.(2)Against a decision of the Medical authority, a seaman may, within a period of 3 months [from the date on which the certificate is issued to him or, as the case may be, from the date on which the certificate of medical fitness issued to him has been cancelled] [Substituted by G.S.R. 405, dated 25th February, 1964.] by the Medical authority, submit an application to the Appeal Board through the Director of the Port or place at which he was medically examined :[Provided that an application may be admitted after the said period of three months if the Appeal Board is satisfied that the seaman had sufficient cause for not making the application within such period.] [Inserted by S.O. 2457, dated 30th October, 1959.](3)Every application for re-examination shall be accompanied by a fee of Rs. 5.(4)On receipt of the application and the fee, the Director shall render it to the Appeal Board and thereafter inform the seaman of the time and place of his examination by the Appeal board.(5)[The decision of the Appeal Board shall, subject to the provisions of sub-rule (6).] [G.S.R. 825, dated 18th July,

1960](6)A seaman who has put in not less than five years of active service and obtained a certificate from a Government Medical Specialist (not below the rank of a Civil Surgeon) in the particular disabilities in relation to which the seaman was previously declared unfit by the Appeal Board testifying that the seaman has been cured of the disabilities may, within a period of twelve month from the date on which he was declared unfit by the Appeal Board on test examination and on payment of a fee of Rs. 10/- apply to the Appeal Board for further medical re-examination.

14. Exemption.

- Notwithstanding anything contained in these rules, the Director may allow a seaman not in possession of a certificate of physical fitness to be engaged on board any ship for one voyage if, owing to shortage of time or other special reasons to be recorded in writing, he is satisfied that it is not possible for the seaman to appear for the medical examination. In such cases, he shall cause to be endorsed on the Registration Book that the seaman has been exempted from the Medical examination for one voyage. No seaman may be exempted for a second voyage under the provision has of this rule, under any circumstances.

15. Fees.

(1)The cost of the arrangements made by the Government for the medical examination of seaman may be recovered by the levy of a fee on all Shipping Companies engaging :(i)seaman, in possession of certificate of physical fitness issued under these rules, and(ii)seaman exempted in accordance with the provisions of these rules.(2)The fee shall be Rs.1/- per seaman engaged by a Shipping Company to be recovered by the Shipping Master at the time of engagement.(3)The fee so realised shall be credited to the Government account by the Shipping Master.

16. Duplicate or re-issue of a certificate.

- A fee of Rs. 2/- shall be charged from a seaman for the issue of a duplicate certificate of physical fitness when the original is torn or lost through his own fault.

17. Repeal and savings.

- The Indian Merchant Shipping (Medical Examination) Rules, 1951, are hereby repealed :Provided that appointments made, acts done and certificates issued under the repealed rules shall be deemed to have been made, done or issued under the corresponding provision of these rules. Annexure 'A'[Vide rule 8 of the Indian Merchant Shipping (Medical Examination) Rules, 1958]Standards Of Medical Fitness

Part I

For new entrants and for seamen desiring to join a particular department for the first time.(1)Candidate should be free from evidence of any contagious or infectious disease. He should

not be suffering from any disease which is likely to be aggravated by sea service or is likely to render him unfit for sea service or to endanger the health of the public. He should also be free from evidence of tuberculosis in any form active or healed. The minimum requirements in respect of new entrants : Height : 5' 2" Weight : 105 lbs. Chest : 29" expandable to minimum of 31". In case of Laccadive seamen the minimum requirements shall be : Height : 5' Weight : 100 lbs. Chest : 29" expandable to a minimum of 31". (2) Age :- At the time of his first entry to the seafaring profession the age of a seaman shall not be less than 18 years and shall not exceed 25 years (Relaxation permissible in special cases) [at the discretion of the Director-General of Shipping] [Substituted by S.O. 1959, dated 20th September, 1958.]. The age of retirement shall be 60. [The Director-General of Shipping may, in consultation with the Seamen's Employment Board, Bombay and Calcutta, prescribe from time to time conditions under which seamen over the age of 60 years but not exceeding 65 can be employed to meet shortages in any category.] [Substituted by S.O. 1959, dated 20th September, 1958.] (3) Eyes There should be no evidence of any morbid condition of either eye or of the lids of either eye which may be liable to risk of aggravation or recurrence. Standards Of Vision (A) Visual acuity The minimum standard of visual acuity shall be : Deck Dept. (except Bhandaries, Topasses & Carpenters) :

6.

/9 in each eye without glasses. Eng. Dept. (Except Bhandaries and Topasses) :

6.

/12 in each eye or 6/9 in one eye and 6/18 in the other eye without glasses. Sal. Dept. (Bhandaries, Topasses, Barbers and Carpenters) :

6.

/18 in each eye or 6/12 in one eye and 6/24 in the other eye without glasses or 6/9 with glasses in both eyes. New entrants with vision in one eye only shall be rejected. (B) Colour Vision All seamen in the Deck department excepting Bhandaries, Topasses, Carpenters and Barbers must have normal colour vision. (4) Ears Hearing must be good in both ears and there should be no sign of suppurative disease. No hearing aid shall be permitted. (5) Skin There should be no evidence of acute or chronic skin disease or chronic ulceration. (6) Speech Speech should be without impediment. (7) Alimentary System

1. Candidates should have sufficient number of natural teeth (in healthy state) for mastication.

2. Spleen should not be palpably enlarged and there should be no evidence of tenderness in the splenic area.

3. Liver should not be palpable or tender.

4. There should be no oral sepsis.

5. There should be no sugar in urine.

6. Candidates, should not be suffering from haemorrhoids, fissures in ano, fistulae anal, hernia or bubenocoele or is chio-rectal abscess or hydrocele.

(8)Cardiovascular System

1. Blood pressure should not exceed 85 diastolic and 140 systolic.

2. Candidates with low blood pressure (i.e., systolic below 100) should be rejected.

3. There should be no sign of any cardiovascular disease.

(9)Respiratory SystemCandidates should be free from all diseases of respiratory system. There should be no deformity of chest which may cause impediment to breathing.(10)Genito-urinary SystemThere should be no evidence of genito-urinary disease or any abnormality.(11)Skeletal System

1. The function of all limbs should be within normal limits.

2. There should be no evidence of serious deformity of the spinal column or of the extremities.

(12)Nervous SystemThere should be no evidence of any disease of nervous system or of any mental disease.(13)Glandular SystemThere should be no evidence of tuberculosis or other disease of the glandular system including the endocrine glands.(14)Notwithstanding anything prescribed in the aforesaid rules the Medical Authority and the Director Seamen's Employment Office in mutual agreement may, in cases of emergency or shortage of men of the requisite standard, relax for one yoyage only, enforcement of the above standards of fitness, provided always that it is duly ensured that relaxation of any of the standards does not entail engagement of a seaman likely to be a 'public health hazard'.

Part II

Standards Of Physical Fitness For Examinations Subsequent To The One First Entry(1)Candidate should be free from evidence of any contagious or infectious disease. He should not be suffering

from any disease which is likely to render him unfit for sea service or to endanger the health of the public. Cases of healed tuberculosis may be allowed provided that a period of not less than six months has elapsed from the date on which the candidate was declared 'healed' by a T.B. Specialist. The certificate of fitness, issued in such a case, shall be valid for 9 months only. (2) Age The age of retirement shall be 60. [The Director General of Shipping may, in consultation with the Seamen's Employment Board, Bombay and Calcutta, prescribe from time to time conditions under seamen over the age of 60 years but not exceeding 65 can be employed to meet shortages in any category.] [Substituted by S.O. 1959, dated 20th September, 1958.] (3) Eyes There should be no evidence of any morbid condition of either eye or of the lids of either eye which may be liable to risk of aggravation of recurrence. Standards Of Vision (A) Visual acuity The minimum standard of visual acuity shall be : Deck Dept. (except Bhandaries, Topasses, Barbers and Carpenters) :

6.

/9 Binocular vision with or without glasses. [Engine Department (Except Bhandaries and Topasses) with or without glasses :

6.

/12 in each eye or 6/9 in one eye and 6/18 in the other eye or 6/12 binocular vision. Saloon Department (Bhandaries, Topasses, Barbers and Carpenters) with or without glasses :

6.

/18 in each eye or 6/12 in one eye and 6/24 in the other eye or 6/18 binocular vision.] (B) Cases with vision in one eye Seaman with vision in one eye only must have in the effective eye minimum visual acuity as under : Deck Dept. (except Bhandaries, Topasses Barbers and Carpenters) :

6.

/9 with or without glasses.

Eng. Dept. : } 6/12 with or without glasses

Sal. Dept. :

Topasses, Barbers and Carpenters (4) Ears Hearing must be good in both ears and there should be no sign of suppurative disease. Hearing aid may be permitted. (5) Skin

1. Cases of

(a) Acute skin diseases; (b) Chronic active skin disease; and (c) chronic ulceration; should be declared "temporarily unfit".

2. Cases of

Chronic non-infectious and non-active skin diseases, should be passed.(6)SpeechIn case of a gross impediment to speech, caused as a result of some disease, the candidate should be declared "temporarily unfit".Minor defects in speech to be ignored.(7)Alimentary System

1. Candidates should have sufficient number of natural (healthy) and/or artificial teeth for mastication.

2. Spleen enlargement should not exceed two fingers below coastal margin and there should be no evidence of tenderness.

3. Liver may be slightly palpable but with no evidence of tenderness.

4. There should be no evidence of gross oral sepsis.

5. Candidate should not be suffering from diabetes. All cases of glycosuria should be fully investigated.

6. Candidates should not be suffering from haemorrhoids, fissure in ano, fistulae anal, hernia or bubenocoele or ischio-rectal abscess.

Note :- If any of the six conditions mentioned above are not satisfied by a seaman he should be made temporarily unfit till necessary investigations have been carried out and defects rectified.(8)Cardiovascular System

1. Blood pressure should be as shown below :

Systolic-In principle 100 + age; readings in excess without any evidence of kidney disease, as indicated below, may be accepted;Maximum systolic as mentioned above + an excess to bring it up to 150 in cases of those up to 35 years of age; andUp to 170 in cases of those above 35 years of age. In the latter two categories there should be review of the case after every voyage or 9 months whichever be longer.Maximum diastolic-100.

2. There should be no sign of gross arteriosclerosis.

3. There should be no evidence of enlargement of heart or chronic heart disease.

4. There should be no evidence of chronic valvular disease of the heart. Cases of "murmur" should be investigated and pending final result declared "temporarily unfit".

5. Candidates suffering from varicos veins in a marked degree should be temporarily rejected.

6. Cases of Arrhythmias-Except sinus arrhythmia should be investigated and the candidates should be temporarily rejected.

(9)Respiratory SystemCandidates should be free from all diseases of the respiratory system. In the event of any such disease the candidate should be declared "temporarily unfit".(10)Genito-urinary SystemThere should be no evidence of genito-urinary disease. In the event of any such disease the candidate should be declared "temporarily unfit".(11)Skeletal System

1. The function of all limbs should be within normal limits.

2. There should be no evidence of serious deformity of the spinal column or of the extremities.

(12)Nervous SystemThere should be no evidence of any disease of nervous system or of any mental disease. In the event of any such disease the candidate should be declared "temporarily unfit".(13)Glandular SystemThere should be no evidence of tuberculosis or other disease of the glandular system including the endocrine glands.(14)Notwithstanding anything prescribed in the aforesaid rules the Medical Authority and the Director Seamen's Employment Office in mutual agreement may, relax enforcement of any of the above standards of fitness, if the seaman concerned is considered physically fit to perform satisfactorily his assigned duties on board ship and is constitutionally fit but has some physical defects, e.g., loss of 3 fingers or loss of thumb, etc., if such defects are not likely to interfere with his working efficiency. Annexure 'B' Rule 10 of the I.M.S. (Medl. Exam.) Rules, 1958 Certificate of Physical Fitness

Date of Examination :

Medical Roster No.:

Name:

Registration No.:

Father's name :

C.D.C.No.:

Age

Identification marks

1.....

2.....

3.....

Result of the medical examination: Signature or thumb impression of seaman.

Office Stamp Date Signature of the Medical Officer.

Place :Note : In case a candidate is declared unfit-reasons for unfitness to be indicated.[Substituted by G.S.R. 51, dated 30th December, 1960.]