

The Merchant Shipping (Examination of Engine Drivers of Sea-Going Ships) Rules, 1973

UNION OF INDIA

India

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Rule

THE-MERCHANT-SHIPING-EXAMINATION-OF-ENGINE-DRIVERS-OF- of 1973

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1774.

G.S.R. 1175, dated 17th October, 1973. - In exercise of the powers conferred by clauses (a), (b), (c) and (d) of section 87, read with section 83 of the Merchant Shipping Act, 1958 (44 of 1958), and in supersession of the rules for the examination and grant of certificates of competency to engine drivers of sea-going steamships and motor ships, published with the notification of the Government of India in the late Ministry of Transport No. S.R.O. 869, dated the 24th April 1953 and of all previous rule and orders on the subject, the Central Government hereby makes the following rules, namely :

1. Short title and commencement.

(1)These rules may be called the Merchant Shipping (Examination of Engine Drivers of sea-Going Ships) Rules 1973.(2)They shall come into force on the first day of April 1974.

2. Definitions.

- In these rules, unless the context otherwise requires.-(a)"Act" means the Merchant Shipping Act, 1958 (44 of 1958);(b)"Examiner" and "Chief Examiner" means the persons specified in Appendix

"A"

3. Certificate of competency.

- The certificate of competency (hereinafter referred to as the certificate) as engine driver of sea-going ships shall be as follows: -(a)Steam certificate entitling the holder to serve as engine driver in sea-going steamships;(b)Motor certificate entitling the holder to serve as engine driver in sea-going motor ships which are propelled by diesel (internal combustion) engines;(c)Combined Steam and Motor certificate entitling the holder to serve as engine driver in sea-going steam as well as motor ships.

4. Combined Steam and Motor certificate.

- A holder of a Steam certificate or a Motor certificate shall, after serving, in the case of a Steam certificate in motor ships, and in the case of a Motor certificate, in steamships, the necessary period of qualifying sea service and after passing the endorsement examination, be furnished with a Combined Steam and Motor certificate.

5. Qualifications for obtaining certificate.

- Every candidate desirous of obtaining a certificate must-(a)be not less than 21 years of age;(b)satisfy any of the requirements as regards workshop service specified in rules 6,7,8,11 or 12;(c)have performed the requisite sea service specified in rules 9,10,11 or 12; and(d)have passed the examination in accordance with rules 25 to 39.(e)[have successfully completed an approved Basic-Fire-Fighting Course"] [Substituted by G.S.R. 70, dated 18th January, 1991]"Provided that a candidate, who has successfully completed a minimum three years Diploma Level Course in Marine engineering or Mechanical Engineering recognised by the Ministry of Human Resources Development or a State Government, shall be required to perform only one year of workshop service"]Provide that a candidate who has satisfactory completed a full time course of study leading to the grant of a diploma in mechanical, electrical or marine engineering, for a period of not less than three years in a recognised institution shall be required to perform only one year of workshop service.For the purposes of this sub-rule, any institution for the time being included in Appendix I to the Merchant Shipping (Examination of Engineers in the Merchant Navy) Rules, 1963, shall be deemed to be a recognised institution.(2)For the purposes of sub-rule (1), no workshop service performed by a candidate before he attained the age of 14 years shall be taken into account.

6. Workshop service.

(1)Every candidate desirous of obtaining a certificate must have performed satisfactory workshop service for a period of not less than three years as an apprentice or a fitter or a mechanic or a journeyman on work suitable for the training of an engine driver of sea-going ship in any establishment engaged in the manufacture, repair of maintenance of machinery :

7. Compensatory sea service.

(1) Where a candidate is unable to perform or complete workshop service for the period prescribed in rule 6, the Chief Examiner may accept compensatory sea service in lieu of work-shop service. Such compensatory sea service shall be performed—(a) on day work as an engineer, engine driver, or fitter on board in foreign-going or home trade ships; (b) on day work in the machinery spaces on board foreign-going or home trade ships as searanger, tinsmith, donkeyman, which man, donkey greaser, greaser or oilman, pumpman or engine room rating or in any other similar capacity; or (c) on regular watch in the machinery spaces on foreign-going or home trade ships as an engineer, engine driver, fitter, searanger, tinsmith, donkey man, winch man, donkey greaser, greaser or oilman, pumpman, engine room rating or in any other similar capacity. (2) (a) The period served as an engineer, engine driver or fitter at sea shall be regarded as equivalent to two-thirds of the period of workshop service. (b) The period served as a searanger, tinsmith, donkey man, which man, donkey greaser, greaser or oilman, pumpman, engine room rating or in any other similar capacity at sea shall be regarded as equivalent to half of the period of workshop service. (3) For the purposes of this rule, day work at sea performed before the age of 18 years shall not be taken into account.

8. Exemption from workshop service.

- Candidates holding certificates of competency as engine driver (first or second class) and Inland Engineer's certificate issued under the Inland Steam-vessels Act, 1917 or the Harbour Craft Rules for the Port of Madras, 1935, or the Cochin Harbour Craft Rules, 1947 or the Visakhapatnam Port Rules, 1950, shall be exempted from the requirements of workshop service.

9. Sea Service.

- Every candidate desirous of obtaining a certificate must have performed at least eighteen months of qualifying sea service : Provided that in respect of candidates exempted under rule 8, such qualifying service shall—(a) in the case of candidates holding an inland Engineer Certificate issued under the Inland Steam-vessels Act, 1917, be for a period of one year; (b) in the case of candidates holding a First Class Engine Driver's Certificate issued under the Inland Steam-vessels Act, 1917, or the Harbour Craft Rules for the Port of Madras, 1935, or the Cochin Harbour Craft Rules, 1947, or the [Visakhapatnam Port Rules, 1950] [Sic. should perhaps read as], for the same type of machinery as the one for which a certificate as an engine driver of a sea-going ship is required, be for a period of eighteen months; (c) in the case of candidates holding a First Class Engine Driver's Certificate, issued under the Inland Steam-vessels Act, 1917, or the Harbour Craft Rules for the Port of Madras, 1935, or the Cochin Harbour Craft Rules, 1947, or the [Visakhapatnam Port Rules, 1950] [Sic. should perhaps read as], for machinery of type other than for which a certificate as an engine driver of a sea-going ship is required, be for a period of thirty months; (d) in the case of candidates holding a Second Class Engine Driver's Certificate, issued under the Inland Steam-vessels Act, 1917, or the Harbour Craft Rules for the port of Madras, 1935, or the Cochin Harbour Craft Rules, 1947, or the [Visakhapatnam Port Rules, 1950] [Sic. should perhaps read as], for the same type of machinery as the one for which a certificate as an engine driver of sea-going ship is required, be for a period of thirty months; (e) in the case of candidates holding a Second Class Engine Driver's Certificate issued

under the Inland Steam-vessels Act, 1917, or the Harbour Craft Rules for the Port of Madras, 1935, or the Cochin Harbour Craft Rules, 1947, or the [Visakhapatnam Port Rules, 1950] [Sic. should perhaps read as], for machinery of a type other than for which a certificate as an engine driver of a sea-going ship is required be for a period of three years.

10. Further sea service for endorsement.

- Every candidate desirous of obtaining an endorsement of a certificate shall complete a further period of not less than twelve months qualifying sea service.

11. Approval of training scheme.

- The Chief Examiner may approve any organised training scheme and grant such exemption or remission in workshop or sea service as he may deem fit having regard to the nature of the training imparted.

12. Remission in workshop and sea service for written Examination.

- [(1) Remission up to a period of twelve months in workshop service and six months in sea service shall be granted to all candidates who elect to appear for the written part of the examination in accordance with rule 36.] [Substituted by G.S.R. 70, dated 18th January, 1991] Such candidates who are enable to perform or complete workshop service as required under rule 6 and qualify by performing compensatory sea service (in lieu of workshop service) in accordance with rule 7 shall be granted remission of one-third of the required compensatory sea service. (2) Remission upto a period of six months sea service shall also be granted to candidates appearing for the endorsement examination and electing to take the written part of the examination in Engineering Knowledge : Provided that in the case of a steam endorsement a candidate has to perform watch-keeping service on main propelling engines and boilers simultaneously for a period of not less than six months.

13. Nature of sea service.

- Sea service required under rules 9 and 10 must have been performed in foreign-going or home trade ships and not less than two-thirds of such service shall have been performed on watch in the engine room on the main propelling machinery of the type or which the certificate is required: Provided that in the case of a candidate for steam endorsement at least six month's sea service shall have been performed on watch on boilers which may be independent or simultaneous with watch on main propelling machinery.

14. Nature of qualifying service.

- When part or whole of the qualifying service has been performed on ships which for considerable periods have not been at sea, a certificate from the owners of the ship shall be required showing the period of time actually spent at sea. If this amounts to not less than two-thirds of the service required

to qualify for the examination, the service shall be accepted in full, but where the actual service at sea falls below this proportion, the deficiency must be made up by additional service at sea.

15. Service on Auxiliary machinery.

(1)The period served on auxiliary machinery run in conjunction with the main propelling machinery on board foreign-going or home trade ships, shall be taken into account for the purpose of reckoning the compensatory sea service under rule 7.(2)For the purposes of computing qualifying sea service, time served on auxiliary machinery shall be counted at half rate upto a maximum of 6 months.

16. Service in sea-going tugs, dredgers, fishing vessels or pilot vessels.

(1)Service performed in sea-going tugs, dredgers, fishing vessels and pilot vessel shall be taken into account for the purpose of reckoning the compensatory sea service under rule 7.(2)For the purposes of computing compensatory sea service, service on vessels referred to in sub-rule (1) shall be considered as equivalent to one-half of the period of similar service on foreign-going or home trade ships provided regular watches of at least eight hours per day are kept.(3)For the purposes of computing qualifying sea service, service on vessels referred to in sub-rule (1), shall be accepted as equivalent to the periods actually spent on regular watch on main propelling machinery at sea, i.e., beyond Inland Water limits.

17. Service in sea-going Yachts.

(1)For the purposes of computing compensatory sea service, service on sea-going yachts shall be considered as equivalent to one-third of the period of similar service on foreign-going or home trade ships.(2)For the purpose of computing qualifying sea service, service on such vessels shall be assessed at half rate towards the required sea service for the period actually spent on regular watches at sea.

18. Service performed in ships of the Indian Navy.

- In the case of candidates who have performed sea service in ships of the Indian Navy the Chief Examiner may assess such service, if found equivalent to that prescribed under these rules, having regard to the type of machinery, duration at sea, and the capacity in which served, at such rate as he may deem fit, but in no case shall such a candidate be allowed to appear for the examination with sea service less than that prescribed for seamen serving on foreign-going and home trade ships.

19. Testimonials.

(1)Every candidate shall produce testimonials in respect of his workshop service signed, in each case by the employer or his authorised representative, who shall testify the candidate's conduct and ability and state the kind of work on which he was engaged and the period spent in each branch.(2)Every candidate shall also produce testimonials in respect of his sea service signed, in

each case, by the Chief Engineer under whom his service has been performed stating his actual rank on watch. The whole of the candidate's sea service should be covered by testimonials certifying to his sobriety, experience, ability and general conduct. (3) The testimonials signed by the Chief Engineer shall be endorsed by the Engineer Superintendent or by a representative of the ship's owners. Testimonials signed only by the company's Superintendent or other officials shall not, as a rule, be regarded as valid. (4) The testimonials referred to in sub-rule (1), (2) and (3) shall be in the forms specified in Appendix B. ["Provided that where it is not practicable for a candidate to obtain the testimonials, the examiner may assess the service on the basis of entries made in continuous discharge certificate or some other reliable documents containing the requisite information."] [Substituted by G.S.R. 783, dated 12th May, 1976.]

20. Verification of sea service.

- Sea service which cannot be verified by proper entries in the Articles of Agreement of the ship in which the candidate has served or by other documentary evidence, shall not be counted. In the case of sea service performed in vessels which do not normally have Articles or Agreement, the service should be duly authenticated by documentary evidence, and cases of doubt should be referred to the Chief Examiner for decision.

21. verification of testimonials.

- Where the length of service can not be verified by the Shipping, Master, the testimonials of service shall be verified by an authority recognised by the Chief Examiner from time to time for the purpose of this rule.

22. Calculation of service.

- The candidate's service as shown in the discharge certificate may be calculated in such a manner that thirty days of service shall constitute a month's service.

23. Physical and Mental Defects.

- Where a candidate suffers from any physical or mental defect which is of such a nature as to interfere with the proper performance of his duties as an engine driver on watch, the signatories of his testimonials shall be required to state whether such defect did in fact interfere in any way with the efficient discharge of the candidate's duties. Candidates suspected to be mentally unsound will be required to produce a fitness certificate from the Head of a Government Mental Health Institution.

24. Further service at sea in case of misconduct.

- Candidate who have neglected to join their ships after having signed the Articles of Agreement or who have been found guilty of gross misconduct shall be required to produce satisfactory proof of

two years subsequent service and good conduct at sea, unless the Chief Examiner, after having investigated the matter, decides to reduce the period.

25. Application for Examination.

- Candidates who have completed the necessary qualifying workshop and sea service and desire to take the examination shall fill up the Form of Application (prescribed in Appendix 'C') and pay a fee of Rs. 25 at the Mercantile Marine Department, Bombay, Calcutta, Madras, Jamnagar, Goa, Cochin or Visakhapatnam. The form properly filled in together with the candidate's testimonials, discharge certificate, certificates of competency (if any), shall be submitted to the Examiner at least 10 days before the date of examination. Candidates may, however, submit the said application and the testimonials by post and remit the fees at the same time by money order :Provided that if an applicant is not found to be qualified to appear at the examination, the exact nature of such disqualification shall be intimated to him and the fees paid under this rule shall, after deducting the enquiry fee, referred to in rule 28, be refunded to the applicant.

26. Age.

- Proof of age shall be covered by a birth certificate or other appropriate documentary evidence.

27. Penalty for offering gratuity.

- If a candidate offers a gratuity to any officer of the Central Government he will not be allowed to take any examination for twelve months.

28. Enquiry fee.

- A person enquires as to his eligibility for appearing at any examination held under these rules shall pay an enquiry fee of Rupees ten. The enquiry fee shall in no case be appropriated towards the examination fee payable under rule 25.

29. Issue of Certificate.

- When a candidate has successfully completed his examination he shall receive an Examiner's authority authorising the Principal Officer of the Mercantile Marine Department to whom it is addressed to issue the Certificate mentioned in the authority.

30. Service found to be insufficient.

- If after a candidate has passed the examination, it is discovered that his services are insufficient to entitle him to receive a certificate, the certificate will not be granted until the candidate has performed the amount of service by which he was deficient and has re-appeared for the examination and declared passed, unless in any particular case the Chief Examiner deems fit to dispense with the

second examination.

31. Copy of lost Certificate.

- The Principal Officer, who issued the original certificate shall arrange for the issue of a duplicate on receiving an application for issue of the same and a declaration giving the circumstances in which the certificate was lost. Fees for issue of a duplicate certificate shall be Rs. 5 provided that if the applicant can prove that the certificate was lost through ship wreck or fire on board, fee of only Re 1 shall be payable.

32. Re-examination.

- A candidate may present himself for re-examination at any time after two calendar months have elapsed since his previous attempt.

33. Further experience obligatory in certain circumstances.

- If a candidate is found ignorant in subjects the lack of knowledge in which would endanger a ship or life of persons on board, he may be required to perform further service at sea for such period as the Examiner deems fit but not exceeding six months in any case, before he may be allowed to present himself for the re-examination.

34. Place and day of Examination.

- Examination shall be held at Bombay, Calcutta, Madras, Jamnagar, Goa, Cochin and Visakhapatnam. Dates of examination shall be posted on the notice boards of the respective Mercantile Marine Departments, and candidates shall also be individually informed of the date of examination on acceptance of the application form.

35. Language

- The examination shall be conducted as follows :-(i) in English and Hindi for the viva voce parts, and (ii) in English for the written part only.

36. Nature of Examination.

- The candidates shall have the option of selecting one of the following two systems of examination namely :-(i) Viva Voce examination in Engineering Knowledge for motor or steam or combined steam and motor; Or (ii) one written paper of three hours duration in General Engineering Science.

37. Syllabus.

- Syllabus for the examination shall be as specified in Appendix 'D'.

38. Marks required for pass.

- Candidates will be expected to obtain a minimum of 50% of the total marks to secure a pass. Where a candidate appears both for viva voce and written parts of the examination, he shall have to secure a minimum of 50% marks in each part to secure a pass.

39. Punishment for misconduct.

- Where a candidate has been guilty of any misconduct in relation to an examination including copying, insolence to any Examiner or disorderly or improper conduct in or about the room where the examination is held, the candidate may be debarred from appearing in future examination for such period as the Chief Examiner may deem fit but not exceeding 12 months, in any case. Appendix 'A' (See rule 2(b))

1. Chief Surveyor with the Government of India who shall also be the Chief Examiner.

2. Engineer and Ship Surveyors promoted as Principal Officers.

3. Deputy Chief Surveyors with the Government of India.

4. Engineer and Ship Surveyors in the Mercantile Marine Departments and those attached to the Directorate General of Shipping.

Appendix 'B' (See rule 19) Specimen form of Testimonials for Workshop Service
Name and address of Engineering Works _____ I certify that the following is a full and true statement of the Workshop Service performed by Shri ----- under my supervision at the above works.

Period of Service Dates	Total period	1. Designation of Duties. For appropriate description see below	2. Nature of apprenticeship to pursue technical studies.	Particulars of weekly release periods to permit apprenticeship to pursue technical studies.
From	To			
1	2	3	4	5
Report as to ability.....	Report as to			

conduct.....Remarks(if
any)Signatureof employer or his
representative

I. (a) Installation or repair of substantial machinery in the machinery spaces of new and existing ships (nature of duties must be specified).(b)Fitting, erecting or maintenance of machinery other than the above suitable for the training of engine drivers (nature of duties must be specified).II. Fitting on machinery other than I.III. Metal turning.IV. Machine work (other than lathe).V. Other work, the nature of which should be specified.Note - The use of the appropriate numbers is sufficient except in cases I(a), I(B) and V.Sea ServiceName and Address of Shipowner or Company.I certify that the following is a full and true statement of the sea service performed by Shri

-----under supervision on board the ----No-----

			Typeof main engines and boilers, single or twins crew, N.H.P. OrB.H.P.	Natureof duties (for appropriate description see below)
Periodof Service	Rank			

From	To		
1	2	3	4

Numberof days actually spent

atsea.....Reportas

toability.....Reportas

tosobriety.....Signatureof

Chief

Engineer.Remarks(ifany).....EngineerSuperintendent.....

other representative

ofowners.....

*Steamor Motor ShipsNameof ship and Official number.

Description of DutiesI. On fitter's work either by day or regular watch(a)Within main engine and boiler spaces.(b)Outside main engine and boiler spaces.II. (a) On refrigerating or other machinery not essential to the propulsion of the vessel.(b)On auxiliary engines separated from main propelling units, but worked in conjunction therewith.III. On regular watch on Main Engines as(a)Engineer(b)Engine Driver(c)Serang, Tindal, Greaser, or Fireman.IV. On regular watch on Main Boilers as(a)Engineer(b)Engine Driver(c)Searing, Tindal, Greaser of FiremanV. On regular watch on Main Engines and Boilers simultaneously as(a)Engineer(b)Engine Driver(c)Serang, Tindal, Greaser or Fireman.Note : - It is recommended that this should be used when the seamen reported on, or when the Chief Engineer, leaves a ship.Appendix `C'Exn.3(a)(See rule 25)Port OfRotation no.....Application to be Examined for an Engine Driver's Certificate of Competency of Sea-Going Steam\ Motor ShipsNote.- Divisions A, .B. C. D. E. and G. of this paper are to be filled up by the applicant for examination and handed to the Principal Officer with his testimonials and former certificates, if any.A-Name, etc, of Applicant

1. Christian name at full length

2. Surname

3. Nationality

4. Permanent address stating Town, Street and No. of House and Name of person (if any) with whom residing.

5. Date of birth

6. Where born :

(i)Town(ii)CountryB-Particulars of all previous certificates (if any)

Number	Competency or Service	Grade	Where issued	Date of issue	If at any time suspended or cancelled state by Court or Authority	Date	Cause
7	8	9	10	11	12	13	14

C. Certificate now required 15. Grade. 16. Competency 17. Mercantile Marine Office to which it is to be sent.

D. If applicant has failed in previous examination for the certificate now required, he must here state when and where. If he has not failed, he must state so in writing across this division.

18. Date

19. Port

20. Subject in which failed.

E. Declaration to be made by Applicant. Take Notice. - Any person who makes, procures to be made, or assists in making any false representation for the purpose of obtaining for himself, or any other person, a Certificate either of Competency or Service, is for each offence liable to be punished for cheating under Section 420 of the Indian Penal Code and also for knowingly giving false information to the public servant under section 182 of the Indian Penal Code. I do hereby declare that the particulars contained in divisions A.B.C.D.& G. of this form are correct and true to the best of my knowledge and belief; and that the papers enumerated in division G and sent with this form are true

and genuine documents, given and signed by the persons whose names appear on them. I further declare that the statement G contains a true and correct account of the whole of my services without exception. And I make this declaration conscientiously believing the same to be true. Signed in the presence of the principal Officer. Distt. Signature of the applicant Date: Present Address F. Certificate of Principal Officer The declaration E above was signed in my presence and the fee of Rs. received by me. Date : Principal Officer District G. List of testimonials and statement of service on shore and at sea. (List of testimonials to be numbered consecutively according to the number given in column 21 below)

No.of testimonials (if any)	Whereemployed or ship's name	IfService on board	Ship	Serviceof Applicant	Remarks					Inve
		HorsePower of Engine	Portof Registry and Official No of ship	Capacity	Dateof Commen-cement	Dateof termination	Timeemployed in this service	Years	Months	Da
21	22	23	24	25	26	27	28	29	30	

Total service. Total service on shore. Times served for which certificate are now produced. Times served for which no certificate are produced.

H. Certificate of Examiner Note. - The examiner should fill up divisions H and I and in all cases as soon as possible forward this paper to the Director General of Shipping. If the applicant passes, his testimonials and previous certificates, if any, must be sent with this paper. The new certificate and the testimonials will be delivered to the applicant at the office named in Division C-Column-Item 17.

33. Date and Place of examination.

34. Insert passed or failed against each item below :-

(i) In working out the questions. (ii) In the viva voce examination,

35. Rank for which passed.

I-Personal description of applicant

36. Height, Metres, Centimetres

37. Complexion

38. Personal marks or paculiarities, if any.

39. Colour of :

(i)Hair(ii)EyesI hereby certify that the particulars contained in division H and I are correct.
DateSignature of ExaminerNote :- The form to be completed in duplicate for each candidate and one copy forwarded to the Director General of Shipping.