

The Sailing Vessels (Members Of Crew) Rules, 1967

UNION OF INDIA

India

The Sailing Vessels (Members Of Crew) Rules, 1967

Rule THE-SAILING-VESSELS-MEMBERS-OF-CREW-RULES-1967 of 1967

- Published on 23 March 1967
- Commenced on 23 March 1967
- [This is the version of this document from 23 March 1967.]
- [Note: The original publication document is not available and this content could not be verified.]

The Sailing Vessels (Members Of Crew) Rules, 1967 Published vide Notification Gazette of India, 1967, Part 2, Section 3(i), page 588

1908.

G.S.R. 533 dated 23th March, 1967. - In exercise of the powers conferred by Sec.435 and Sec.457 of the Merchant Shipping Act, 1958 (44 of 1958), and of all other powers hereunto enabling, the Central Government hereby makes the following rules, namely :

1. Short title commencement and Application.

(1)These rules may be called the Sailing Vessels (Members of Crew) Rules, 1967.(2)They shall come into force at once.(3)They shall apply in relation to sailing vessels registered in India and proceeding to ports outside India.

2. Definitions.

- In these rules, unless the context otherwise requires-(a)"Act" means the Merchant Shipping Act, 1958 (44 of 1958);(b)"Form" means a Form set out in the First Schedule :(c)"identity card" means an identity card issued under these rules and includes an Identity card for Seamen (Sails) issued under the authority of the Central Government to a member of the crew of a vessel before the commencement of these rules and valid on the date of such commencement;(d)"Issuing Authority " means the authority specified as such in the Second Schedule;(e)"permit" means a permit issued under these rules and includes an Identity card for Seamen (Sails) issued to a tindal under the authority of the Central Government before the commencement of these rules and valid on the date of such commencement;(f)"Schedule" means a Schedule to these rules;(g)"vessel" means a sailing vessel to which Part XV of the Act applies.

3. Possession of permits/identity cards.

(1) No person shall serve or be allowed to serve on a vessel on any voyage outside India, (a) as a tindal, unless he is in possession of a permit; (b) as any other member of the crew, unless he is in possession of an identity card valid under these rules. (2) The holder of a permit or an identity card shall, on demand by any Issuing Authority or a Registrar of Sailing Vessels or any officer of Customs, produce such permit or identity card for inspection by such authority, Registrar or officer. (3) No officer of customs may clear outward any vessel, unless the tindal thereof is in possession of a permit and the other members of the crew thereof are in possession of identity cards, valid under these rules.

4. Issue of permits/identity cards.

(1) An application for a permit or an identity card shall be made in duplicate in Form A to the Issuing Authority and such application shall be accompanied by [a fee of Rs. 3] [Substituted by G.S.R. 150, dated 25th January, 1984] [and three copies of the passport size photograph of the applicant] [Inserted by G.S.R. 1544, dated 26th June, 1968]. (2) On receipt of an application under sub-rule (1) the Issuing Authority shall, after conducting such inquiry, if any, as he may consider necessary, either issue the permit or identity card or, for reasons to be recorded in writing refuse to issue the same. (3) Permits and identity cards shall be issued in Form B and shall be numbered serially, such number being preceded by the code letters of the port of issue specified in the Merchant Shipping (Registration of Sailing Vessels) Rules, 1960. (4) A permit or an identity card shall be valid for a period of [three years] [Substituted by G.S.R. 150, dated 25th January, 1984] from the date of issue : Provided that the Issuing Authority may grant, for reasons to be recorded in writing a permit or an identity card for a period less than '[three years]'. Provided further that where at the expiry of a permit or an identity card, the holder thereof is on a vessel which is on a voyage outside India, such permit or identity card shall be deemed to be valid until such vessel arrives at any port in India. (5) Where a permit or an identity card is refused under these rules or where such permit or identity card is granted for a period less than [three years] [Substituted by G.S.R. 150, dated 25th January, 1984] the Issuing Authority shall inform the applicant in writing stating the reasons therefore and in the case of refusal shall return to the applicant the fee paid by him. (6) The Issuing Authority shall forward a duplicate copy of every application received by him under this rule to the Director-General for record and where an application for a permit or an identity card is refused he shall also send a report stating briefly therein the reasons for such refusal.

5. Renewal of permits/identity cards.

(1) The holder of a permit or an identity card may present it for renewal together with an application for that purpose and a renewal fee of [Rupees three] [Substituted by G.S.R. 150, dated 25th January, 1984] to the Issuing Authority within thirty days of the expiry of such permit or identity card. (2) The Issuing Authority shall renew the permit or identity card for a period of [Three years] [Substituted by G.S.R. 150, dated 25th January, 1984] by making a suitable endorsement thereon : Provided that such Authority may, for reasons to be recorded in writing, renew the permit or identity card for a period less than '[three years] or refuse to renew the same. (3) Where the Issuing Authority refuses to renew a permit or an identity card under this rule or where he renews such permit or identity card

for a period less than [three years] [Substituted by G.S.R. 150, dated 25th January, 1984] he shall inform the holder of such permit or identity card in writing stating the reason therefor and in the case of refusal shall return to the holder the fee paid by him.(4)Where the Issuing Authority refuses to renew a permit or an identity card under this rule, he shall send a report to the Director-General stating briefly therein the reason for such refusal.

6. Suspension or cancellation of permits/identity cards.

- If the Issuing Authority has reasons to believe that the holder of a permit or of an identity card has-(a)used or attempted to use false documents or made a false declaration for the purpose of obtaining the permit or, as the case may be, the identity card;(b)committed or attempted to commit any offence punishable under Chapter IX or Chapter XVII of the Indian Penal Code (45 of 1860) or under the Prevention of Corruption Act, 1947 (2 of 1947) or under the Customs Act, 1962 (52 of 1962);(c)without sufficient cause deserted his place of duty on a vessel or has, without such cause, refused to discharge his duties on a vessel, then the Issuing Authority may, after giving the holder an opportunity to be heard, by order in writing and for reasons which shall be communicated in writing to the holder suspend for any period or cancel the permit or identity card.

7. Appeals.

- Any person aggrieved by the decision of the Issuing Authority-(a)refusing him a permit or an identity card,(b)granting him a permit or an identity card for a period of less than one year.(c)refusing to renew his permit or identity card or renewing his permit or identity card for a period of less than one year,(d)suspending or cancelling his permit or identity card, may within thirty days of the receipt by him of the reasons for such duration appeal in writing to the Director-General.

8. Issue of duplicate permits/identity cards.

(1)Where a permit or an identity card is lost destroyed, defaced or mutilated, the holder thereof may apply, along with an affidavit setting out the facts, to the Issuing Authority for a duplicate copy thereof.(2)An application made under sub-rule (1) shall be accompanied by a fee of [Rs. 2.00] [Substituted by G.S.R. 150, dated 25th January, 1984]Provided that the Issuing Authority may, if satisfied that such permit or identity card is lost, destroyed defaced or mutilated for reasons beyond the control of the holder thereof, refund such fee.(3)On receipt of an application under sub-rule (1) the Issuing Authority, after satisfying itself as to the correctness of the statements made therein, may issue a duplicate permit or, as the case may be an identity card and such permit or identity card shall be marked "DUPLICATE" in red ink.(4)Where a permit or an identity card which has been stated to be lost or destroyed and in respect of which a duplicate has been issued under this rule, is subsequently found, it shall be delivered to the Issuing Authority for cancellation.

9. Penalty.

- Whoever commits a breach of the provisions of the foregoing rules or forges or fraudulently alters a permit or an identity card issued in respect of himself or of any other person or fraudulently uses a permit or an identity card or a duplicate thereof which is forged or altered or does not belong to him shall be punishable with fine which may extend to five hundred rupees.

10. Central Register.

(1) On or before the 10th of every month, every Issuing Authority shall submit to the Director-General a return as in Form C. (2) The Director-General shall maintain a Central Register in Form D and enter therein details of all permits and identity cards issued under these rules and any subsequent particulars reported from time to time. First Schedule [Rule 2(b)] Forms Form-A [Rule 4(1)] In Duplicate Application For Permit/identity Card Under The Sailing Vessels (Members Of Crew) Rules, 1967 To The Issuing Authority, port of I, the undersigned hereby apply for a permit/Identity Card as a certificate of Identity as a Tindal/Member of the Crew on a Sailing Vessel in accordance with the Sailing Vessels (Members of Crew) Rules, 1967,

1. Full Name in BLOCK LETTERS and Present Address

2. Age and Date of Birth

Age: Date of Birth:

3. Place of Birth. ..

4. Permanent Address

District:

State:

5. Father's Name and Address

Name:

Address:

6. Nationality.

7. Religion

8. Height

9. Complexion

10. Colour of Hair/eyes

11. Marks of Identification

12. Full Name, relationship and address of next of kin.

Name:

Relationship

Village:

Thana: Post Office : District :

State:

13. Particulars of any existing previous pass or passport or Identity cards (If none, say none).

Signature of L.H.T. Impression of Applicant.

14. Whether any previous application has been made for the issue of an Identity card:

We hereby certify that we know the applicant and that the particulars

1. Signature :

Name in Block Letters

Address.....

(TO BE FILLED IN BY THE OFFICER AUTHORISED TO
ISSUE PERMITS/IDENTITY CARDS)

furnished by him are true to the best of
our knowledge and belief.

2. Signature :

Name in Block Letters

Address.....

A Permit/An Identity Card has already
been issued to the applicant.

The Particulars thereof are as stated
below;

No. with Port Code letters

.....

Date of Issue:

Date of Expiry:

No Permit/Identity Card has been
issued to the applicant for the following
reasons:

£ Delete entry not applicable. { |

{ | } The above photo should be authenticated by impressing the official seal and signature of the
Issuing Authority which should be partly on the photograph. Period of refusal

..... Signature of Issuing Authority with date Designation

..... Port I have received the Permit/Identity Card as

described above, with my photograph affixed and authenticated. Signature or Left hand thumb

impression of applicant and date [Form B] [rule 4(3)] Government of India Ministry

Of Transport And Shipping (National Emblem) Permit Identity Card [Issued under the Sailing Vessels

(Members of Crew) Rules, 1967] Name : Permit/Identity Card No: (Note :- The serial number shall be

preceded by code letters identifying) National Emblem

Space For Photograph

The above photo should be authenticated by impressing the official seal of the issuing authority
partly on the photo and partly on the Book and by affixing signature of the issuing officer. National

Emblem This is to certify that Shri Son of Shri whose signature

and/or left hand thumb impression and photograph are attached and whose particulars are entered

herein is a Seaman (of a sailing vessel). His Identity Card No. * is valid only up to

..... unless renewed. Issued under the authority of the Government of India. Date: Port

: Signature Designation and Stamp * (The card number shall be same as on inside

cover preceding.) Name of Seaman (Sails) Father's Name

..... Date of Birth (if known)

..... Place of Birth

..... Permanent Address

..... Village Post Office Thana District State Nationality

.....ReligionHeightColour of

1. Eyes 2. Hair

ComplexionDistinguishing marksFull name, relationship and permanent address of next of kin.VillagePost OfficeThanaDistrictStateSignature/Left hand thumb impression of seaman.

(Nocard shall be renewed for a period exceding one year.)

Renewedup to Date and Year Atport Signatureand Official Stamp of the Renewing Officer who shall be anOfficer authorised as Issuing Authority

Employment Record

Portof NameofRegistration Vessel and Official No. of vessel		Registeredtonnage	Portof joining	Dateof joining	Portof discharge	Dateof discharge	Character	Tindal'sName and Signature or left hand thumb impression
1	2	3	4	5	6	7	8	9

Additional Endorsement'SCautionThe Book is a valuable document. It should not be allowed to pass into the possession of any unauthorised person. If lost or destroyed, the fact and circumstances should be immediately reported to the Issuing Authority.This Book must not be altered or mutilated in any way, nor any endorsement made on it by any person other than a duly authorised official.Form C[rule 10(1)]Monthly Return Relating To Identity Cards Issued Under The Sailing Vessels (Members Of Crew) Rules, 1967 At The Port OfFor The Month Of19.Permits/Identity Cards renewed during the month

Code No. ofPermit/Identity Card Holder's Full Name Date of renewal ofPermit/Identity Card
Permits/Identity Cards cancelled or suspended during the month

CodeNo	Holder'sName	WhetherPermit/Identity Card was cancelled or suspended	Reasonfor cancellation/suspension	Ifsuspended, period of suspension
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Suspended Permits/Identity Cards re-issued during the month

CodeNo.	Nameof Holder	Datewhen Permit/Identity Card was suspended	Dateof re-issue
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Duplicate copies of Permits/Identity Cards issued during the month

CodeNumber

Nameof Dateof
Holder Issue

(Signature).....(Designation).....(Port).....

Form D[rule 10(2)]Regisiter Of Permits/identity Cards Issued To Tindals And Other Members Of
The Crew Of Sailing VesselsCode Number of Permit/Identity CardDate of
Issue.....Period of Validity.....Issuing Authority
.....

Nameof Person to whom permit/Identity
Card has been issued

Father'sName

Dateof Placeof
Birth Birth &
Nationality

Religion Permane

Descriptionof Holder1.HeightColourof
EyesHairComplexionDistinguishingMarks

Remarks[*] [If a Permit
or Identity Card is
cancelled/suspended,
the date of such
cancellation/suspension
and reason and, in the
case of suspension, the
period of suspension
should be entered here.]

Second Schedule[rule 2 (d)]Name of ports and their code letters for purpose of issue of Identity
Cards

Nameof the Port

CodeLetters IssuingAuthority

Gujarat

Bedi(Jamnagar)

BDI

RegionalOfficer (Sails)

Okha

OKA

Registrarof Sailing Vessels

Porbunder

PBR

Registrarof Sailing Vessels

Veraval

VRL

Registrarof Sailing Vessels

[Mandvi(Kutch[Jafrabad] [Substitued &
Inserted by G.S.R. 827(E), dated 15th
September, 1989]

JFD

Registrarof Sailing Vessels

Kerala

Kozhikode

KZK

[RegionalOfficer (Sails)] [Substitued

by G.S.R. 770, dated 17th April, 1968]

Maharashtra

Bombay

BOM

Regional Officer (Sails)

Tamil[Mangalore] [Substituted & Inserted by
G.S.R. 827 (E), dated 15th September, 1989]

MNG

Registrar of Sailing Vessels

Nagapattinam Karwar

KWR

Registrar of Sailing Vessels

Marmugao

MGO

Registrar of Sailing Vessels

Lakshadweep

UTL

Registrar of Sailing Vessels