

Merchant Shipping (Certificate of Service) Rules, 1970

UNION OF INDIA

India

Merchant Shipping (Certificate of Service) Rules, 1970

Rule

MERCHANT-SHIPING-CERTIFICATE-OF-SERVICE-RULES-1970 of 1970

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1772.

G.S.R. 1682, dated the 22nd August 1970. - In exercise of the powers conferred by section 87 read with sub-section (6) of section 80, section 83 and section 457 of the Merchant Shipping Act, 1958 (44 of 1958) and in supersession of all previous rules 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 (Certificate of Service) Rules, 1970.(2)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires:-(a)"Act" means the Merchant Shipping Act, 1958 (44 of 1958);(b)"Appendix" means an Appendix to these rules;(c)"Principal Officer" means the Principal Officer of the Mercantile Marine Department concerned at Bombay, Calcutta and Madras;(d)"Section" means a section of the Act;(e)Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Application for certificate of service.

(1) Any person entitled to a certificate of service under sub-section (1) or sub-section (2) of section 80 may make an application in the form set out in Appendix I. (2) Every applicant shall forward his application to Chief of the Naval Staff through his Commanding Officer. (3) Every application received by the Chief of the Naval Staff shall be forwarded to the Director General after recording thereon a certificate as to the correctness of the qualifying service mentioned therein.

4. Issue of certificate of service.

(1) Every application under rule 3 shall be granted the certificate of service in the appropriate form set out for the purpose in Appendix II. (2) Certificates for every grade of service shall have a distinct series of numbers prefixed by identifying letters allotted by the Director-General.

5. Record of certificates of service.

(1) Every certificate of service shall be prepared in duplicate. (2) The Original Certificate of service shall be delivered to the person entitled to it and the duplicate thereof shall be kept in the office of the Director-General. (3) The Director-General shall cause the particulars of every certificate of service to be entered in a register maintained for the purpose. All subsequent orders regarding suspension or cancellation or any other matters relating to the said certificate shall be entered on the copy of the certificate and also in the said register.

6. Grant of certified copy of the certificate of service.

(1) A person whose certificate of service has been lost or who has been deprived of such certificate may apply in the form set out in Appendix III for a duplicate copy thereof. A declaration regarding the circumstances in which the certificate was lost or its deprivation took place shall also be made by the applicant before the Principal Officer, or as the case may be, the Consular officer. (2) The application under sub-rule (1) shall be forwarded to the Director General through the Principal Officer, or if the applicant is abroad, such an application shall be so forwarded through the Indian Consular Officer. (3) The Director General may, if he is satisfied that a certificate of service has without fault on the part of the holder, been lost or its deprivation has taken place grant a certified copy of the certificate to the person entitled thereto. (4) If the certificate alleged to have been lost or of which deprivation is alleged to have taken place is subsequently recovered, it shall be surrendered to the Director-General. (5) A fee of Rs. 1/- shall be paid for every certified copy of the certificate granted under sub-rule (3). Appendix I [See rule 3 (i)] Application for a Certificate of service under section 80 of the Merchant Shipping Act, 1958 (44 of 1958) Note:- This Form is obtainable free of charge at any Mercantile Marine Office. When Divisions (A) (B) and (C) have been filled up, signed, and witnessed, the Form should be forwarded to the Director General of Shipping through the Chief of the Naval Staff.

(A)Particulars Of The Application

Surname(In BlockLetters).....FullName and Surname (in BlockLetters).....Dateand Place of Birth.....PersonalMarks, if any.....Address.....

(B)PARTICULARS OF SERVICE OF THE APPLICANT IN THE INDIAN NAVY

Nameof Ships	Statewhether sea going or Shore-based	Dateof Rank Service From CapacityRemarks to
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*(a) Applicants for certificates of service as engineers should give full details of their practical and professional training, even if this was received in whole or in the Navy.(b)Portions of service performed on independent watch-keeping duties if any, should as indicated here.(C)Declaration To Be Made By The ApplicantI do hereby declare,(1)that the particulars contained herein and in Divisions (A) and (B) on the reverse side of this form are correct and true to the best of my knowledge and belief.(2)That I have not previously applied for a Certificate of Service.That I applied for a certificate of service on the.....day of 2.....I enclose testimonials in support of service shown in Division (B).I request that a certificate of service as (Master)_____ First/Second Class, Engineer may be sent to the Mercantile Marine Office at for issue to me.Dated this.....day of.....20.....Signature of applicant.....RankWitnesses,.....Name.....Address.Viz. Bombay/Calcutta/Madras/Jamnagar(Goa)/Cochin/Vizagapatnam.ForwardedI hereby certify that the particulars contained in Division (B) are true and correct account of the whole of the officers, service without exception.Chief of the Naval StaffTo,The Director General of Shipping,Bombay.Appendix II[See rule 4 (i)]Certificate of ServiceAsMaster of a Foreign Going ShipNo.having attained the rank in the Indian Navy required by sub-section (i) of section 80 of the Merchant Shipping Act, 1958 (44 of 1958), is granted this Certificate of service as Master of a Foreign going ship in the Merchant Navy.Dated this day of.....19.....?"Director General of ShippingCountersigned-2-signature of the person to whom this certificate is issued....."Year of Birth.....Place of Birth.....Issued at.....On the..... day of

20.....NOTES:-(1)A certificate of service which has been cancelled or suspended shall be delivered up as required by section 378 of the Merchant Shipping Act. 1958, (44 of 1958), any person who fails to do so shall be punishable with fine which may extend to Rs. 5000.00.(2)Any person other than the holder of a Certificate of Service who comes into possession of the said certificate is requested to transmit fort with to the Director General of Shipping or the Principal Officer, Mercantile Marine Department, Bombay/Calcutta/Madras.-3-Additional QualificationsCertificate of ServiceAsFirst Class Engineer of a Steam ShipNo.having attained the rank in the Indian Navy required by sub-section (2) of section 80 of the Merchant Shipping Act, 1958 (44 of 1958), is granted this Certificate of Service as First Class Engineer of a Steam Ship in the Merchant Navy.Dated this day ofDirector General of

Shipping Countersigned.-2-Signature of the person to whom this certificate is issued
.....Year of Birth.....Place of Birth.....Issued
at.....On the day of19.....NOTES :-(1)A certificate of
service which has been cancelled or suspended shall be delivered up as required by section 378 of
the Merchant Shipping Act. 1958, (4 of 1958), any person who fails to do so shall be punishable with
fine which may extend to Rs. 500.00.(2)Any person other than the holder of a Certificate of Service
who comes into possession of the said certificate is requested to transmit forthwith to the Director
General of Shipping or the Principal Officer, Mercantile Marine Department,
Bombay/Calcutta/Madras.-3-Additional Qualifications Certificate of Service As First class Engineer of
a Motor Ship No.....having attained the rank in the Indian Navy
required by sub-section (2) of section 80 of the Merchant Shipping Act, 1958 (44 of 1958), is granted
this Certificate of Service as First Class Engineer of a Steam Ship in the Merchant Navy. Dated this
..... day of19.....Director General of Shipping Countersigned. Signature of the
person to whom this certificate is issuedYear of Birth.....Place of
Birth.....Issued atOn the day
of.....19....."Notes:-(1)A certificate of service which has been cancelled or suspended shall
be delivered up as required by section 378 of the Merchant Shipping Act. 1958, (44 of 1958), any
person who fails to do so shall be punishable with fine which may extend to Rs. 500.00.(2)Any
person other than the holder of a Certificate of Service who comes into possession of the said
certificate is requested to transmit forthwith to the Director General of Shipping or the Principal
Officer, Mercantile Marine Department, Bombay/Calcutta/Madras.-3-Additional
Qualifications Certificate of Service As First class Engineer of a Steam Ship and Motor
Ship No.....having attained the rank in the Indian Navy required by
sub-section (2) of section 80 of the Merchant Shipping Act, 1958 (44 of 1958), is granted this
Certificate of Service as First Class Engineer of a Steam Ship in the Merchant Navy. Dated this
..... day of19.....Director General of Shipping Countersigned.-2-Signature
of the person to whom this certificate is issued....."Year of
Birth.....Place of Birth.....Issued
at.....On the day of19.....NOTES :-(1)A certificate of
service which has been cancelled or suspended shall be delivered up as required by section 378 of
the Merchant Shipping Act. 1958, (44 of 1958), any person who fails to do so shall be punishable
with fine which may extend to Rs. 500.00.(2)Any person other than the holder of a Certificate of
Service who comes into possession of the said certificate is requested to transmit forthwith to the
Director General of Shipping or the Principal Officer, Mercantile Marine Department,
Bombay/Calcutta/Madras.-3-Additional Qualification Certificate of Service As Second Class Engineer
of a Steam Ship and Motor Ship No.having attained the rank in the Indian Navy
required by sub-section (2) of section 80 of the Merchant Shipping Act, 1958 (44 of 1958), is granted
this Certificate of Service as First Class Engineer of a Steam Ship in the Merchant Navy. Dated this
..... day of19.....Director General of Shipping Countersigned.-2-Signature
of the person to whom this certificate is issuedYear of Birth.....Place of
Birth.....Issued at.....On the day
of.....19.....NOTES :-(1)A certificate of service which has been cancelled or
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500.00.(2)Any person other than the holder of a Certificate of Service who comes into possession of the said certificate is requested to transmit forthwith to the Director General of Shipping or the Principal Officer, Mercantile Marine Department, Bombay/Calcutta/Madras.-3-Additional QualificationsCertificate of ServiceAsSecond Class Engineer of a Motor ShipNo.....having attained the rank in the Indian Navy required by sub-section (2) of section 80 of the Merchant Shipping Act, 1958 (44 of 1958), is granted this Certificate of Service as First Class Engineer of a Steam Ship in the Merchant Navy.Dated this day of.....19.....Director General of ShippingCountersigned.-2-Signature of the person to whom this certificate is issued ?.....Year of Birth.....Place of Birth.....Issued atOn the day of.....NOTES :-(1)A certificate of service which has been cancelled or suspended shall be delivered up as required by section 378 of the Merchant Shipping Act, 1958, (44 of 1958), any person who fails to do so shall be punishable with fine which may extend to Rs. 500.00.(2)Any person other than the holder of a Certificate of Service who comes into possession of the said certificate is requested to transmit forthwith to the Director General of Shipping or the Principal Officer, Mercantile Marine Department, Bombay/Calcutta/Madras.-3-Additional QualificationsAppendix III[(Rule 6 (i))]Application for Certified copy of a Certificate of Service as Master of EngineerDeclaration to be made and signed by applicant before a Principal Officer Mercantile Marine Department or if the applicant is Abroad, before an Indian Consular Officer.

Fullname and surname(inBlock Letters)

Dateand Place of Birth

Portto which copy of the certificate of service should be sent

I do hereby declare that -----(1)my certificate of service asnumbered..... was lost/I have been deprived of my certificate of service as.....numbered.....* Here state the place, date occasions and circumstances leading to the loss of deprivation of the certificate of service.(2)the statements made herein are correct and true to the best of my knowledge and belief.Applicant Signature.....19.....This form was completed and signed in my presence. The fee for certified copy of Rs. 1.00 has been received. I am satisfied that the certificate of service was lost/the applicant was deprived of the certificate of service.(Officer's signature).....19.....To,The Director General of Shipping,Bombay.*Strike out whichever is not applicable,Certified copy of the certificate of service is enclosed for delivery to the applicant person. The Consular Officer/Principal Officer shall satisfy by reference to the personal and other particulars entered in the certified copy and in the Discharge Book or other appropriate document that the applicant is the person properly entitled to the certified copy.Director General of Shipping.....20.....To,TheCertified copy of the certificate of service delivered to Applicant.No.....(Issuing Officer).....20.....ToThe Director General of ShippingBombay