

GOVERNMENT OF INDIA
MINISTRY OF SHIPPING
LOK SABHA
STARRED QUESTION NO.222
TO BE ANSWERED ON 2nd AUGUST, 2018

RECRUITMENT OF SEAFARERS

*222. DR. C. GOPALAKRISHNAN:

Will the Minister of SHIPPING be pleased to state:

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- (a) whether the Government is aware of the difficulties being faced in the recruitment of seafarers in the country due to improper registries;
- (b) if so, the details thereof alongwith the remedial steps taken/being taken in this regard and to eradicate unscrupulous recruiter for seafarers;
- (c) whether it is a fact that seafarers are not able to go out on shore from ships due to certain security restrictions;
- (d) if so, the details thereof; and
- (e) whether any relaxation is proposed to be given under International Ship and Port Facility Security (ISPS) Code for the purpose and if so, the details thereof?

ANSWER

MINISTER OF SHIPPING
(SHRI NITIN GADKARI)

(a) to (e) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA
STARRED QUESTION NO. *222 FOR 02.08.2018 REGARDING RECRUITMENT
OF SEAFARERS.

(a) Yes, Madam

(b) Based on the complaints received in the Directorate General of Shipping (DGS) about the difficulties faced by Indian seafarers who are recruited and placed on board foreign flag ships by Recruitment & Placement Service Providers (RPS) not registered by DGS under the Merchant Shipping (Recruitment & Placement of Seafarers) Rules, an advisory was issued in the newspapers, highlighting the importance of recruitment only through DGS licensed / registered RPS entities; the updated list of which is available on the DGS website. The DGS has also sent individual e-mails to all Indian Seafarers registered in its e-Governance system, advising them not to accept maritime recruitment and placement through non DGS registered entities. The DGS approved Maritime Training Institutes have been requested to display the said e-mails on their notice board / website for the benefit of their students.

In order to put in place institutional measures for preventing unlicensed entities from operating, the Merchant Shipping(Recruitment and Placement of Seafarers) Rules, 2016 were notified, which stipulate, inter-alia, that no person shall, directly or indirectly, carry on the business, in India of recruitment and Placement of any seafarer on behalf of an employer or ship owner of Indian or foreign ship, unless it is registered and licensed under these rules. However, at present there is no provision for penalty/prosecution against unlicensed RPS in the extant Merchant Shipping Act, 1958. Therefore, the proposed Merchant Shipping Bill, 2016 has incorporated provisions relating to imposition of penalty on unregistered RPS. Till such time the latter comes into force, alternative measures have been taken for preventing such unlicensed RPS entities from operating.

Steps have been taken to prevent Indian seafarers from leaving Indian ports/airports unless they are recruited through registered RPS. In addition to this, an online e-migrate system for the Indian seafarers has been developed and launched in association with the protector of Emigrants (MEA) and Bureau of Immigration (MHA) vide Merchant Shipping Notice No. 7 of 2017 on 11.08.2017. The seafarers who are recruited by unauthorized RPS and seafarers recruited directly by foreign ship owners are prevented from passing through the immigration check point under the said e-migrate system.

(c) & (d) There are instructions in Chapter 8 of the Handbook on Seaport Immigration on issuing of Shore Leave Passes to Seafarers.

Whenever any foreigner or Indian crew on a foreign run vessel berthed in the port wishes to visit the city, the Master of the vessel and the Shipping agent give a request for shore pass by submitting a letter mentioning the name, nationality, passport number, CDC/SID number, rank of the crew and date on which the shore pass is needed. If there is no valid seaman book or valid passport, no shore leave pass is given.

Foreign seamen are issued Shore Leave Passes on a daily basis (0800 hrs – 2200 hrs) subject to a maximum of seven days or till the departure of the vessel whichever is earlier.

Shore pass exceeding seven days is given only after proper justification and charging a fee equivalent to that of TLP. Shore pass is issued with the following conditions;

- i. The crew must have CDC authenticating his claim as a seaman.
- ii. The crew must return to the ship on the same day itself within the prescribed time (Foreigners only).
- iii. Shore pass is valid for visit to places within city limits only. It cannot be utilized to leave the confines of the city limits.
- iv. Shore Pass must be surrendered to the Immigration authorities before the departure of the vessel.

SLP(Shore Leave Passes) for Indians

There are instructions issued that shore leave passes may be issued to Indian Seafarers for a period of 10 days. However, since the shore leave passes for Indian Seafarers are to be issued only during the period of their Ship's stay at the port, it could be made for the duration of the Ship's stay at the port or for the period not exceeding 10 days, whichever is earlier.

As the sign on/off, arrival/departure of Indian flag coastal run vessel is done by Immigration, the Shore Leave Pass to the Indian crew on Coastal run vessels is issued and regulated by Immigration due to security concerns. Further, necessary amendments have been made in Chapter 27 of the revised Visa Manual pertaining to sign-on/sign-off facility to seamen joining ships. The instructions in this regard have already come into force with immediate effect.

(e) The International Ship and Port Facility Security(ISPS) Code deals with control measures for access and egress to/ from a ship and/or a port facility. Extent of severity of such control measures depends upon various factors, including the prevalent security environment in the area. Accordingly, security level is decided by the port facility. In heightened security environment the access/egress may be restricted. As ISPS Code does not deal specifically with shore leave of seafarers, the question of relaxation does not arise.