

GOVERNMENT OF INDIA
MINISTRY OF PORTS, SHIPPING AND WATERWAYS
LOK SABHA
UNSTARRED QUESTION NO. 3435
ANSWERED ON 17.12.2021

WAGES FOR SEAFARERS

3435. SHRI ARVIND GANPAT SAWANT :

Will the Minister of PORTS, SHIPPING AND WATERWAYS be pleased to state:

पत्तन, पोत परिवहन और जलमार्ग मंत्री

- (a) whether the Government is aware that wages for seafarers working in Indian Flag Ships including Shipping Corporation of India has been decided by the National Maritime Board (NMB) wage agreement and if so, the details thereof;
- (b) whether the Government is aware that as per the NMB agreement welfare fund for seafarers is deposited in to various private trusts and if so, the details thereof;
- (c) whether it is true that as per point 16.4 of the Merchant Shipping Notice No. 7 of 2020 issued by the Directorate General of Shipping, Mumbai, Collective Bargaining Agreement (CBA) does not have any provision for collection of welfare fund into any private trust except Seafarers Welfare Fund Society (SWFS); and
- (d) if so, the reasons therefor along with the implementation status of provisions of Merchant Shipping Act, 1958 and Rules and Regulations made thereunder for employment of seafarers engaged on Indian Flag Ships?

ANSWER

MINISTER OF PORTS, SHIPPING AND WATERWAYS
(SHRI SARBANANDA SONOWAL)

- (a) Yes Sir. It has been an established practice, between the ship-owners associations and seafarers' representative unions in India, to negotiate and agree to detailed terms and conditions of employment for seafarers on Indian flag ships, generally referred to as "Collective Bargaining Agreement" (CBA). Rule 3(b) of Merchant Shipping (Maritime Labour) Rules, 2016 also define the CBA as "collective bargaining agreement" means an agreement signed, from time to time, between the seafarers' trade unions and the Indian ship owners for an employment of seafarers on board Indian flag ships. The National Maritime Board (NMB) wage agreement is the CBA entered into by seafarers union and Ship-owners Association.

(b) Yes Sir, the NMB (India) CBA executed in 2015 between the associations contained such provision. The welfare funds for seafarers are deposited to Rehabilitation and Welfare Trust for Seamen. The Trust has representation from the shipowners and seafarers.

(c) Yes Sir, as per the Merchant Shipping Notice No. 7 of 2020 dated 24.04.2020 issued by Directorate General of Shipping, the Collective Bargain Agreement shall have express provision for welfare fund contribution to be made by shipping companies to Seafarers Welfare Fund Society (SWFS) and Seamen's Provident Fund Organization (SPFO). The CBA shall not have any provision for deduction or receipt of collection of any contribution in the name of welfare fund or provident fund except for SWFS and SPFO. Provided that the ship-owners who may wish to provide any additional benefits to the seafarers not already covered under the SWFS/SPFO, are free to provide such benefits; for the welfare of seafarers, through mutual agreement entered between such ship-owners association and the seafarer union. However, such a mechanism shall not form part of the CBA.

(d) The Government of India has ratified the Maritime Labour Convention, 2006, as amended on 09.10.2015 and the Merchant Shipping (Maritime Labour) Rules 2016, have been promulgated to give compliance to Maritime Labour Convention. The Directorate General of Shipping, GoI in order to satisfy itself of the provisions of Merchant Shipping Act, 1958 and Rules & Regulations made thereunder, undertook a review in the context of Maritime Labour Convention (MLC) 2006 as amended to ensure complete effect of its provisions for employment of Indian seafarers engaged on Indian flag ships. The Terms & conditions to be included in the CBA were deliberated in consultation with the stakeholders and circulated vide Merchant Shipping Notice No. 7 of 2020.
