

MINISTRY OF SHIPPING

NOTIFICATION

New Delhi, the 14th July, 2017

G.S.R. 883(E).—In exercise of the powers conferred by section 457 read with section 99 of the Merchant Shipping Act, 1958 (44 of 1958) and in supersession of the Merchant Shipping (Continuous Discharge Certificate-cum-Seafarers Identity Document) Rules, 2001, except as respects things are done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:

1. Short title, commencement and application.—(1) These rules may be called the Merchant Shipping (Continuous Discharge Certificate) Rules, 2017.

(2) They shall come into force after one hundred and eighty days from the date of their publication in the Official Gazette.

(3) They shall apply to Indian citizen, who fulfill the eligibility conditions specified under rule 4 of these rules.

2. Definitions.—(1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Merchant Shipping Act, 1958 (44 of 1958);

(b) "Approved training institute" means an Approved Training Institute as defined under clause 8 of rule 4 of the Merchant Shipping (Standards of Training, Certification and Watch-keeping for Seafarers) Rules, 2014;

(c) "Form" means a form appended to these rules;

(d) "Principal Officer" means the Principal Officer of a port appointed under section 8 of the Merchant Shipping Act;

(e) "Shipping Master" means a shipping master of a port appointed under sub-section (1) of section 11 of the Act or such other officer as may be authorized by the Director General of Shipping.

(2) Words and expressions used in these rules and not defined but defined in the Act shall have the meanings respectively assigned to them.

3. Application for Continuous Discharge Certificate.—(1) A citizen of India who fulfils the eligibility conditions as specified in rule 4 and desirous to obtain a Continuous Discharge Certificate, shall apply to the Shipping Master.

(2) Every such application shall be in Form-1 appended to these rules and in the manner as may be specified by the Director General of Shipping.

4. Eligibility for obtaining Continuous Discharge Certificate.—(1) An applicant shall be a citizen of India.

(2) An applicant shall be medically fit and possess a valid certificate in the form prescribed under Annexure IV and V of the Merchant Shipping (Medical Examination) Rules, 2000, to the effect that he is medically fit to be employed on board ships.

(3) An applicant for issue of Continuous Discharge Certificate must have completed the following basic familiarisation courses in an approved training institute and hold a certificate to that effect, namely:-

(1). Personal Survival Techniques (PST) or Proficiency in survival craft and rescue boards (PSCRB).

(2). Fire Prevention and Fire Fighting (FPFF) or Advance Fire Fighting (AFF).

(3). Elementary First Aid (EFA) or Medical First Aid (MFA) or Medical Care (MC).

(4). **Personal Safety and Social Responsibility (PSSR).**

(5). **Security Training for Seafarers with Designated Security Duties (STSDSD) or Ship Security Officer (SSO).**

(4) An applicant shall **not** be less than eighteen years of age;

(5) An applicant must **have** passed Tenth Standard.

5. Fee.—(1) The fee for obtaining the Continuous Discharge Certificate or its reissue or renewal or duplicate shall be seven hundred rupees, which shall be non-refundable, payable to the Shipping Master. (2) The payment of fee may be revised by the Director General of Shipping, however the fee shall not exceed fifteen hundred rupees. (3) The said payment of fee shall be made by e-payment or as may be specified by the Director-General of Shipping.

6. Issue of Continuous Discharge Certificate.—(1) The Shipping Master shall, after the descriptive particulars of the applicant have been entered in and the photograph affixed to the Continuous Discharge Certificate, affix his signature and official seal and issue the same to the applicant, who fulfils all the eligibility conditions provided under rule 4.

(2) A Continuous Discharge Certificate issued under these rules shall be in Form-2 and shall be serially numbered.

(3) The Continuous Discharge Certificate (CDC) shall be dispatched within thirty days from the date of receipt of the application.

(4) In case of rejection of application, the reasons for rejection of the application shall be intimated to the applicant.

7. Register of Continuous Discharge Certificate.—The Shipping Master shall maintain a register of the counter folio of the Continuous Discharge Certificates issued to the seafarers.

8. Period of Validity.—(1) A Continuous Discharge Certificate issued under these rules shall be valid for a period of ten years and may be renewed on expiry or within one year prior to date of expiry, on an application in Form-3 from the holder along with the prescribed fee of rupees seven hundred to the Shipping Master for a further period of ten years at a time, if his Continuous Discharge Certificate has not been cancelled, withdrawn or suspended under these rules.

(2) If the period of validity of Continuous Discharge Certificate of a Seafarer expires during the voyage, it shall continue to be valid till the end of the voyage.

9. Cancellation, withdrawal or suspension of a Continuous Discharge Certificate.—(1) Where the Director General of Shipping is satisfied that a Seafarer has committed a misconduct of a nature specified in section 190 of the Act or on a report received by him that a seafarer has deserted his ship in the circumstances specified in section 192, or that he has been convicted of an offence of the nature referred to in sub-section (2) of section 195 of the Act, he may direct to the Shipping Master that Continuous Discharge Certificate of such seafarer shall be cancelled or withdrawn or suspended for such period as may be specified in the order;

(2) If a seafarer is guilty of an offence of committing any of the acts mentioned in section 194 of the Act or is convicted of an offence under any other law for the time being in force, the Director General may direct to the Shipping Master that Continuous Discharge Certificate of such seafarer shall be cancelled or withdrawn or suspended for such period as may be specified in the order.

(3) Where the Director General of Shipping is satisfied that the holder of a Continuous Discharge Certificate granted under these rules, committed a misconduct and or endangering life on ship while working on any ship on any flag, he may direct the Shipping Master that Continuous

Discharge Certificate of such seafarer shall be cancelled or withdrawn or suspended for such period as may be specified in the order.

(4) If the Shipping Master has reasons to believe that the holder of a Continuous Discharge Certificate granted under these rules has obtained the same by providing false or erroneous information, he shall cancel such Continuous Discharge Certificate forthwith;

(5) If a person applies for obtaining Continuous Discharge Certificate, with the false or fake documents, his application shall be rejected forthwith.

(6) If any authority under the Act has reason to believe that entries made in the Continuous Discharge Certificate are forged or false entries, then such authority shall with its conclusive findings and proof refer it to the Shipping Master for cancellation of such Continuous Discharge Certificate.

(7) If it is reported to or detected by the Shipping Master that the entries made in the Continuous Discharge Certificate forged or false, then he shall cancel such Continuous Discharge Certificate forthwith.

(8) If it is reported to or detected by any authority under the Act that the seafarer has obtained false or forged Certificates under the Act, the shipping master shall cancel the Continuous Discharge Certificate.

(9) A person whose Continuous Discharge Certificate is cancelled under sub-rules (1),(2),(3),(4),(6), (7) and (8) and a person whose application is rejected under sub-rule (5), shall be debarred for applying and obtaining Continuous Discharge Certificate for a period upto five years and shall not be granted Continuous Discharge Certificate during this period;

(10) Where the Continuous Discharge Certificate has been cancelled or suspended or a person debarred, as above, the reasons for the same shall be intimated in writing to the person to whom it was issued and a copy of the order of such cancellation or suspension or debarment as the case may be, shall be endorsed to all other Shipping Masters in India and the Director General of Shipping.

(11) Before cancellation, withdrawing or suspension of the Continuous Discharge Certificate as the case may be, the Continuous Discharge Certificate holder shall be intimated in writing and given an opportunity to represent his case before the Shipping Master. The Shipping Master shall also intimate in writing the reasons for cancellation, withdrawing or suspension, as the case may be to the Continuous Discharge Certificate holder.

(12) If a Continuous Discharge Certificate holder wishes to discontinue the sea service and request for cancellation of his Continuous Discharge Certificate, the same shall be cancelled by the Shipping Master.

10. Appeal.—(1) Any applicant aggrieved by any order made under these rules by the Shipping Master, may, within a period of sixty days of the receipt of such order, prefer an appeal to the jurisdictional Principal Officer, Mercantile Marine Department.

(2) Any applicant aggrieved by any order made under these rules by the jurisdictional Principal Officer, Mercantile Marine Department, may, within a period of sixty days of receipt of such order, prefer an appeal to the Director General of Shipping.

(3) No appeal shall be admitted, if it is preferred after the expiry of the period prescribed under sub-rule (1) or (2):

Provided that an appeal may be admitted after the expiry of period, if the appellate authority satisfies that the appellant had sufficient cause for not preferring the appeal within the prescribed period.

11. Record of cancelled Continuous Discharge Certificate, etc.—The Shipping Master shall maintain a register of Continuous Discharge Certificate which has been withheld, cancelled or suspended under rule 9.

12. Issuance of Duplicate Continuous Discharge Certificate.—(1) Where a Continuous Discharge Certificate of a person issued under these rules, is mislaid, destroyed, defaced or mutilated or the pages of the Continuous Discharge Certificate are exhausted, such person shall apply to the Shipping Master in Form-3 alongwith a fee of seven hundred rupees for issuance of a duplicate copy of the Continuous Discharge Certificate;

(2) Where a Continuous Discharge Certificate of a person is lost and where a proper complaint has been made by him with the Police, such person may apply to the Shipping Master concerned in Form-3 along with a copy of the First Information Report (FIR) and fee for issuance of a duplicate copy of Continuous Discharge Certificate;

(3) Where a Continuous Discharge Certificate issued under these rules is lost at high seas while working on a ship and where an enquiry and log entry has been made by the Master of the ship in that respect, such person may apply to the Shipping Master concerned in Form-3 alongwith such enquiry report and log entries, and fee, for issuance of a duplicate copy of Continuous Discharge Certificate.

13. Alteration in the details provided in the Continuous Discharge Certificate.—(1) Any request for alteration of the date of birth of a seaman as given in the Continuous Discharge Certificate, shall be allowed to be made by the Shipping Master on production of either certified extract of entries relating to birth from the Municipal or other Register of Births and Deaths;

(2) Any request for change of name in the Continuous Discharge Certificate granted under these rules shall be allowed to be made by the Shipping Master on production of a certified copy of Gazette Notification in that respect together with fee of seven hundred rupees for issue of duplicate copy of Continuous Discharge Certificate.

14. Returns of Continuous Discharge Certificate.—The Shipping Master shall, at the beginning of each quarter furnish to the Director General of Shipping a return of the number of Continuous Discharge Certificate issued to seafarers from his port during the previous quarter in Form -4.

FORM-1

[See sub- rule (2) of rule 3]

Application Form for Continuous Discharge Certificate

1. Name of the Candidate
2. Father's name
3. Sex
4. Date of birth
5. Place of birth
6. Nationality
7. INDOS No.
8. INDOS issue date
9. Height (in Cms.)

10. Colour of eyes
11. Identification marks (if any)
12. Valid passport No.
13. Date of issue
14. Place of issue
15. Permanent address
16. E-mail
17. Tel./Mobile No.
18. Name of next-of-kin
19. Relationship with the applicant
20. Address of next-of-kin
21. Tel.No.
22. STCW familiarization course details; Name of the course, Certificate No., Date of issue, Name of the institute
23. Medical fitness certificate by the DGS approved medical examiner; Name of the doctor, DGS approval No. for doctor, Place of issue of medical fitness certificate, Date of issue of medical fitness certificate.
24. Details of fee;
Mode of payment : e-payment
Amount :

25. Declaration;

1. I hereby declare that all the statements made in this application are true and complete to the best of my knowledge and belief and nothing has been concealed/ distorted.
2. I also affirm and declare that I have not previously been issued with a Continuous Discharge Certificate and I have not submitted an application for CDC to any other Shipping Master in India.
3. I am aware that, if at any time, I am found to have concealed/distorted any material information and the Shipping Master has reasons to believe that I have obtained the CDC by presenting false or erroneous information, my CDC will be cancelled/suspended forthwith as per the provisions contained in Rule 9 of the Merchant Shipping (Continuous Discharge Certificate) Rules, 2017, as amended.

Place:

Signature of the Applicant

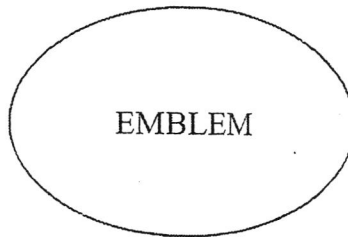
Date:

Name of the Applicant

FORM-2

[See sub- rule (2) of rule 6]

GOVERNMENT OF INDIA



CONTINUOUS DISCHARGE CERTIFICATE

GOVERNMENT OF INDIA

photo

Name of Seafarer in full

CDC No.

Shipping Master Office

Date of issue

Date of expiry

Date of birth

Nationality

Sex

Height in Cms

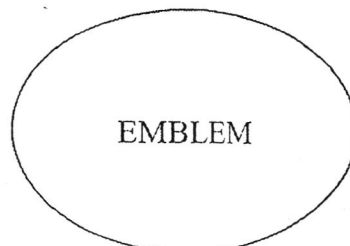
Colour of eyes/hair

INDOS No.

Identification mark

Seafarer's Signature

GOVERNMENT OF INDIA

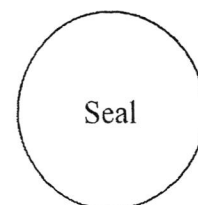


This Continuous Discharge Certificate is issued under Merchant Shipping (Continuous Discharge Certificate) Rules 2017 as amended and is in conformity with the International Labour Organisation Convention No. 108 of 1958.

Signature of issuing authority

Name

Designation



Details of certificates

Name of the Certificate	Number	Date and Place of issue

Details of Voyages

Sr. No.	Name of Ship, Official No., International Maritime Organisation (IMO) No., Port of Registry, Kw.	Date and place of Engagement	Date and place of Discharge	Rank of Seafarer	Description of Voyages Foreign Going/Near Coastal Voyage Indian Coastal	Signature of Master with seal
(1)						
(2)						
(3)						

(4)						
(5)						
(6)						
(7)						
(8)						
(9)						
(10)						
(11)						
(12)						
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(14)						
(15)						
(16)						
(17)						
(18)						
(19)						
(20)						
(21)						
(22)						
(23)						
(24)						

Space for Renewal Sticker

Space for official Use

PERMANENT ADDRESS OF SEAFARER

Tel. No. (If any) _____

E-mail (if any) _____

NEXT OF KIN OF SEAFARER

Name _____

Relationship _____

Address _____

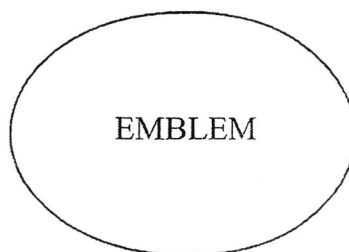
Tel. No. (If any) _____

E-mail (if any) _____

FORM-3

[See sub- rule 1-4 of rule 12]

GOVERNMENT OF INDIA

APPLICATION FORM FOR REVALIDATION/DUPLICATE CONTINUOUS
DISCHARGE CERTIFICATE (CDC)

Passport Size
(3.5 cm X 3.5
cm) photograph
of seafarers

Write the category of CDC –amongst the following to which apply:

- a) REVALIDATION OF CDC (For CDC Renewal Sticker)
- b) DUPLICATE CDC (For the case of loss of CDC), (For the CDC which are torn/mutilated /defaced /pages exhausted)

1. Name of the Candidate (as entered in CDC) _____

Details of CDC: CDC No. _____

Shipping Master Office: _____

Date of issue: _____

INDOS No. _____ Date: _____

2. FIR No: _____ Dated: _____

Name of Police Station: _____ Distt: _____ State: _____

(Only for duplicate CDC in case of loss of original CDC)

3. Address to receive CDC by POST:

House No. _____

Street _____

Village/Post office/Tehsil _____

District: _____

State: _____

PIN Code: _____

Phone No. with STD Code: _____

E-mail Addressed: _____

Mobile No. _____

Nearest Police Station _____

4. Name, relationship & address of Next-of-Kin:

Name of Next of Kin _____

Relationship with Seafarer _____

House No. _____

Street: _____

Village/Post office/Tehsil _____

District _____

State _____ PIN Code _____

Phone No. with STD Code _____

Mobile No. _____

Nearest Police Station _____

5. Details of basic familiarisation courses:

Personal Survival Techniques (PST) or Proficiency in survival craft and rescue Boards (PSCRB), Fire Prevention and Fire Fighting (FPFF) Advance Fire Fighting (AFF), Elementary First Aid (EFA) or Medical First Aid (MFA) or Medical Case (MC), Personal Safety and Social Responsibilities (PSSR), Security Training for Seafarers with Designated Security Duties (STSDSD) or Ship Security Offices.

Name of Institute: _____

P.S.T./P.S.C.R.B. Cert. No. _____ Date of issue _____

Name of Institute _____

FPFF/AFF Cert. No. _____ Date of issue _____

Name of the Institute _____

EFA/MEA/MC Cert. No. _____ Date of issue _____

Name of the Institute _____

PSSR Cert. No. _____ Date of issue _____

Name of Institute _____

STSDSD/SSO Certificate No. _____ Date of issue _____

6. Medical fitness certificate by the DGS approved medical examiner;

Name of the doctor: _____

DGS approval No. for doctor,: _____

Place of issue of medical fitness certificate: _____

Date of issue of medical fitness certificate.: _____

7. Details of fee;

Mode of payment: e-payment

Amount :

8. Declaration;

i. I hereby declare that all the statements made in this application are true and complete to the best of my knowledge and belief and nothing has been concealed/ distorted, and

ii. I hereby submit that I am the holder of CDC No. _____ issued from the Office of _____ Shipping Master: and

I hereby submit that I have never been debarred from the concerned Shipping Master Office and I am aware that, if at any time, I am found to have concealed/distorted any material information and the Shipping Master has reasons to believe that I have obtained the CDC by presenting false or erroneous information, my CDC will be cancelled/suspended forthwith as per the provisions contained in Rule 9 of the Merchant Shipping (Continuous Discharge Certificate) Rules, 2017, as amended.

Place:

Signature of the applicant _____

Date:

Name of the Applicant

SPECIMEN SIGNATURE OF THE APPLICANT (Only in case of Duplicate/Replacement CDC)

(Signatures are to be confined to each of the boxes)

1	2	3

List of enclosures:

- 1
- 2
- 3
- 4
- 5
- 6

FORM-4

(See rule-14)

Return in respect of Continuous Discharge Certificate issued to seamen during the quarter ending..... at the post of

No. of fresh Continuous Discharge Certificates

No. of Duplicate Continuous Discharge Certificate

Issued.....

No. of Renewal Continuous Discharge Certificate

Issued.....

No. of Replacement Continuous Discharge Certificate

Issued.....

SHIPPING MASTER

To,

The Director General of Shipping, Mumbai.

[F. No. L-11020/2/2016-MA]

M. M. HASIJA, Adviser.