

Issuance of CDC in the category of Utility Hand on Compassionate Cases (Superseded vide D.G.S.Order 3 of 2002)

**DGS Order No. 9 of 2001
SUPERSEDED VIDE D.G.S.ORDER 3 OF 2002**

NO:43(7)/CR/2000

Dated:August 23, 2001

A Tripartite Meeting with the various associations of Ship owners and Unions of seafarers was held in this Directorate on 24th April, 2000, to streamline the procedure for issuance of CDCs, wherein, inter-alia, the issuance of CDCs, in the category of Utility Hand was discussed. It was pointed out during the aforesaid meeting that this category of seamen were employed only on board Indian vessels and were not employed on board any of the foreign flag vessels. Also, there was acute unemployment among CDC holders in this category.

2. It was the consensus during the meeting that CDCs should not be issued indiscriminately in this category and instead, be restricted to the applicants for CDCs on compassionate grounds, to the sons or dependants of seamen who have died or were medically incapacitated, while in service. It was also requested by the representatives of Seamen's Unions to dispense with the requirement to produce an offer of employment, to obtain a CDC, as Utility Hand, since there were complaints of unscrupulous agents/ex employee of Shipping companies, issuing offers of employment, on company letter heads, to unsuspecting seamen, for a consideration. There were no fool proof methods to verify the genuineness of such offers of employment. In view of the above, it was decided by the Director General of Shipping to limit the issuance of CDCs as Utility Hand, to compassionate cases, and dispense with the requirement to produce an offer of employment for the same.

3. However, 'Note' below Rule 4(3) of M.S.(CDC) Rules, 2001 stipulate that "CDC in the category of Utility Hand shall be issued only if candidate is sponsored by shipping company". It had been the experience of this Directorate that such offers of employment from the shipping companies, existed only on paper, and quite a few of the companies refused to honour them. Also, this requirement encouraged corruption and only the unscrupulous agents of shipping companies and fly-by-night operators benefited from such a stipulation.

4. In the light of the foregoing circumstances, having taken into careful consideration the circumstances of the case, the Director General of Shipping is satisfied that the requirement to be sponsored by a shipping company for issuance of CDC in the category of Utility Hand, stipulated vide 'Note' under Rule 4(3) of M.S. (Continuous Discharge Certificate-cum-Seafarers Identity Document) Rules, 2001, ought to be dispensed with. Therefore, in exercise of powers conferred by clause (1) section 456 of the Merchant Shipping Act, 1958, on the Central Government, read with notification issued by the Government of India, vide S.O.No.3144 dated 17th December, 1960, delegating the said powers to the Director General of Shipping, the Director General of Shipping and ex-officio Additional Secretary to the Government of India, is pleased to dispense with the requirement to be sponsored by a shipping company, for being issued with a CDC, in the category of Utility Hand, and to limit the issuance of CDCs as UH only on compassionate grounds, to the sons/dependents of seamen, who died, or were physically incapacitated, while in service.