

Reporting and Plan of action to deal with casualties involving Indian seafarers on foreign flag ships- Article 94(7)-UNCLOS

D.G. Shipping Order No 5A of 2006

March 17, 2006

Subject: Reporting and Plan of action to deal with casualties involving Indian seafarers on foreign flag ships- Article 94(7)-UNCLOS

The Directorate General of Shipping is the Competent authority for all issues pertaining to maritime administration, safety and security of ships and seafarers, prevention of pollution of the marine environment at sea, Standards of Training & Certification of Seafarers (STCW) and their welfare.

As a responsible maritime administration, priority is given to personnel safety, well being of Indian seafarers serving ships flying foreign / Indian flags which are operating worldwide. Of late, there has been a sudden rise and disturbing trend in the casualties on board foreign flagships, which has resulted in loss of lives involving Indian seafarers. Most of these seafarers are recruited through the local representatives of shipping companies or manning agents having offices in India on behalf of their foreign principals (Owners of ships).

In pursuance of the above endeavor, the Director-General of Shipping and Secretary to the Government of India, prescribes following procedures for the various entities to improve the safety of Indian nationals serving on foreign flag ships by exercising the powers vested in him under section 7 of the Merchant Shipping Act, 1958, as amended.

1. The recruiting company, the ship manager or the manning agent, as applicable, of foreign flag ship involved in any causality on board anywhere causing death, disappearance, loss overboard or homicide by or of an Indian National, as the case may be, shall report the incident at the earliest and not later than 24 hours of the receipt of such information to the Directorate in the prescribed format attached as [Annexure I](#) (Report on Marine Casualty).
2. The recruiting company, the ship manager or the manning agent as the case may be, of foreign flag ship involved in any casualty on board anywhere shall be guided by the Indian Mariners Casualty Contingency Plan (IMCCP) with regard to the procedures and the various actions to be taken by the entities listed in the Plan attached as per [Annexure II](#).
3. In the case of a commission of a cognizable offence the recruiting company, the ship manager or the local manning agents, as the case may be, shall lodge a First Information Report (FIR) with the Police in India at the earliest opportunity. A copy of such report may be endorsed to the Directorate and the next of kin of the Indian seafarers involved in the causality as applicable.
4. The recruiting company, the ship manager or the manning agent as the case may be, shall forward the relevant section of marine casualty and incident report as per the format prescribed by IMO circular no. MSC/CIRC.827 MEPC/Circ. 333 on completion of inquiry to the Directorate General of Shipping within 30 days.
5. [Annexure-III](#) addresses guidelines on reporting casualties and safeguarding interests of Indian seafarers serving foreign flag ships with an aim to provide relief to the effected family members, and exercise better monitoring and control in cases involving loss of lives of Indian seafarers working on foreign flag vessels. It also lists measures initiated by the Directorate General of Shipping to protect the interests of Indian seafarers serving on foreign flag ships.

6. Besides other information, Annexure- III contains reference to DGS [M.S. Notice No. 26 of 2002](#) dated 10th October 2002 and [M.S. Notice No. 13 of 2005](#) dated 25th October 2005. Reporting formats provided in these two notices are now superseded by the format provided in Annexure I.
7. The Indian recruiting company, the ship manager or the manning agent as the case may be, shall adhere to the above -mentioned guidelines.
8. This order comes into force with immediate effect.

Sd/-

(G.S. Sahni)

Director General of Shipping &

Secretary to Govt. of India