

(TO BE PUBLISHED IN PART II, SECTION 3, SUB –SECTION 9I) OF THE GAZETTE OF INDIA)
GOVERNMENT OF INDIA
MINISTRY OF SHIPPING TRANSPORT

NEW DELHI, THE 1ST MARCH, 1985.

NOTIFICATION

G.S.R. 278 whereas a draft of the Merchant Shipping (crew Accommodation) Amendment Rules 1984 was published as required by sub- section (i) of section 175:

The Merchant Shipping Act, 1958 (44 of 1958) in the Gazette of India, Part II, Section 3, Sub-section (i), dated 1st December, 1984 under the notification of the Government of India in the Ministry of Shipping and Transport No. G.S.R. 1202 dated 13th November, 1984 inviting objections and suggestions till 14th January, 1985 from all persons likely to be affected thereby :

And whereas the said Gazette was made available to the public on the 1st December, 1984;

And whereas no objections or suggestions have been received;

Now therefore, in exercise of the powers conferred by sub-section (1) of section 175 read with Section 457 of the Merchant Shipping Act, 1958 (44 of 1958), Central Government hereby makes the following rules, namely:-

(a) These rules may be called the Merchant Shipping (Crew Accommodation) (Amendment) Rules, 1984.

(ii) They shall come into force at once.

2. In the Merchant Shipping (Crew Accommodation) Rules, 1960 (hereinafter referred to as the said rules), for proviso to sub-rule (2) of rule 5, the following proviso shall be substituted, namely :-

“Provided that the Central Government may, if satisfied that the design or any other constructional feature of any ship renders compliance of this requirement unreasonable or impracticable, exempt, such ship from the said requirement in full or to such extent as it may deem necessary”

3. Proviso to sub-rules (3) and (4) of rule 12 of the said rules, shall be omitted.

4. For proviso to clause (f) of sub-rule (3) of rule 16, of the said rules, the following proviso shall be substituted, namely.

“Provided that the Central Government may, if satisfied after consultation with the owner of the ship or with such organization or organizations in India as it may consider to be most representative of employers of seamen and of seamen that peculiar constructional features of any ship renders full compliance of this requirement unreasonable or impracticable, permit upto 4 persons to be accommodated in a cabin in any specified part of crew accommodation of a cargo ship and upto 3 persons in a cabin in any such accommodation of a passenger ship.”

5. For first proviso to sub-rule (7) of rule 21 of the said rules, the following proviso shall be substituted, namely:-

“Provided that the Central Government may, if satisfied that the design or any other constructional feature of any ship renders compliance of this requirement unreasonable or impracticable, exempt such ship from the said requirement in full or to such extent as it deems necessary”

6. For provisos to sub-rule (4) of rule 23 of the said rules, the following proviso shall be substituted, namely :-

“Provided that the Central Government may, if satisfied that limitations imposed by design or any other constructional feature of any ship being.

(a) a passenger ship engaged solely on voyages which are normally of less than 21 hours duration; or

(b) a cargo ship in which the number of members of crew are more than 100.

“Render full compliance of this requirement unreasonable or impracticable, exempt such ship from the requirement in full or to such extent as it deems necessary.”

7. In the said rules, for proviso to sub-rule (7) of rule 31, of the said rules, the following proviso shall be substituted, namely :-

“Provided that the Central Government may if satisfied that the design or any other constructional feature of any ship renders compliance of this requirement unreasonable or impracticable exempt such ship from the said requirement in full or to such extent as it deems necessary “.

8. In the said rules, for clause (ii) or sub-rule (2) of rule 38 of the said rules, the following clause shall be substituted, namely:-

“(ii) exempt any ship being,--

(a) a sea-going ferry of a feeder ship which is not continuously manned with re

(b) a sea-going ship when it temporarily repairs personnel on board in addition to ships crew; or

(c) a sea-going ship engaged on short voyages when members of crew are allowed to go ashore for some part of the days;

from any of the requirements of these rules, if satisfied that the serviced in which such ship is engaged is such that compliance with the said requirements is unreasonable or impracticable.

(No. SW/MTO(4)/80-MT)

Note :

“The Merchant Shipping (Crew Accommodation Rules, 1960 were published in the Gazettee of India, Part II, dated 31.12.60, at pages 741-773, under Government notification,

Ministry of Transport and Communication (Department of Transport No.1560(30-ML(17)/60), 30.12.80, and was subsequently amended by –

(b) GSR No.61, dated 6.1.1967, published in the Gazettee of India, Part, II, Section 3 (1), at pages 68-78;

(ii) GSR No.1390, dated 12.12.74, published in the Gazettee of India, Part II, Section 3(1), at pages 3242-49.

**Sd/-
(RAJIV SRIVASTAVA
DIRECTOR
1.3.85**

(TO BE PUBLISHED IN PART II, SECTION 3, SUB-SECTION (i) GAZETTE OF INDIA)

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF TRANSPORT/PARIVAHAN MANTRALAY
DEPTT. OF SURFACE TRANSPORT/ JAL BHUTAL PARI VAHAN VIBHAG
SHIPPING. WING/ NAUVAHAN. PRAKSHA

NEW DELHI, TH 20 DEC., 1985

"CORRIGENDUM"

(MERCHANT SHIPPING)

G.S.R. In the notification of the Government of India in the Ministry of Shipping and Transport (Shipping Wing) No. **G.S.R. 278**, dated the 1st March, 1985

Published in the Gazette of India, Part II, Section 3, sub section (i) dated the 16th March, 1985 at page 715 to 741, -

(in page 715)

(1) in column I, in lines 13 and 14 for "and where as the said Gazette was made available to the ceived" read " and where as no objection or suggestions have been received,"

(2) in column II, -

- (i) in line 12 for "sub-rule" read "sub-rules";
- (ii) in line 37 for "necessary" read "necessary";
- (iii) in line 57 for "erempt" read "exempt";
- (iv) in line 60 for "said rule" read "said rules::
- (v) in line 66 for "temporary" read "temporarily".

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- (1) In column I in line 8 for "(crew Accommodation Rule, " read"
(Crew accommodation) Rules,'

Sd/-
(S. SYNGHAL)
Under Secretary to the Govt. of India
No.SW/MTP(4)/80-MT