

Granting dispensation to Indian nationals to work on Indian flag cruise ships as hotel and entertainment staff without Indian CDC. reg.

DGS Order No. 05 of 2011

NO:18(2)CR/2007

Dated: 16.05.2011

Subject: Granting dispensation to Indian nationals to work on Indian flag cruise ships as hotel and entertainment staff without Indian CDC. reg.

1. Whereas due to an increase in tourism and related activities there is a potential in the Indian Shipping industry to operate cruise vessels in the country, and, Indian flag cruise vessels are likely to enter the arena. Unlike other categories of vessels, a cruise vessel needs specially trained hospitality, catering, hotel entertainment personnel etc. to look after the cruises and provide entertainment.
2. Whereas, at present, no Indian CDCs are issued for the above category of ship crew (except cook, GS, Saloon rating, purser etc, who are being engaged on merchant ships, including passenger vessels), & thereby, there is a dearth of trained and experienced personnel holding Indian CDCs for the above crew category for cruise vessels. The engagement of such category of personnel holding Indian CDCs is not feasible at this stage. Therefore, in order to operate such cruise ships under the Indian flag, a dispensation to engage the hospitality, catering, hotel, entertainment, security personnel etc. without Indian CDC is appropriate at this stage for the benefit of the industry.
3. And whereas such dispensation using the provisions of Section 456 of the said Act is best given through a set of guidelines rather than on a case-to-case basis so as to provide similar dispensation to similarly situated vessels to the extent possible.
4. Now, therefore, the Director General of Shipping, in pursuance of the powers conferred on him under Section 456 of the MS Act, 1958, read together with MoS S.O. No. 3144 dated 17th December 1960, issues the following guidelines spelling out the terms and conditions for considering the requests for granting dispensation to such owners / operators for Indian nationals to work on Indian flag cruise ships as hotel and entertainment staff without Indian CDCs;:
 - i. Specific application will be made by the company for the number of hotel and entertainment crew and category of crew for which the dispensation is required.
 - ii. The application for the dispensation for the total number and category of crew shall be submitted to the Directorate General of Shipping on an yearly basis and the dispensation has to be effected at the beginning of the financial year.
 - iii. All other provisions under the MS Act, 1958, in force, related to seafarers, including signing of Articles of Agreement, engagement and discharge through RPS license holders, remittance of provident fund, levy, welfare fund contribution and other statutory dues to the concerned organizations shall apply.
 - iv. The crew for whom the dispensation is requested has to undergo the following STCW familiarization courses and should be in possession of valid certificates and INDOS no. prior to their engagement on such vessels;
 - a. The company shall place Indian CDC holders as trainees in each category of dispensation requested in the ratio of 3:2 (that is for every three 'man month' of category wise dispensation requested, two 'man month' of trainees will be placed and trained by the company).
 - b. The trainees placed will be as far as possible from the same category for which dispensation has been asked for, failing which in the other category is pertaining to a cruise ship.
 - c. In the unlikely eventuality of such training not being imparted in the same ship concerned for any valid reason, the company can get the training imparted on other ships after obtaining permission from the Directorate General of Shipping.
5. All details of the persons employed on the above dispensation shall be reported to the Directorate General within 3 days of such engagement, along with their copies of INDOS nos., STCW certificates etc, failing which the firm is liable to pay a late fee of Rs. 1000/- per person of default.
6. Such companies to whom dispensation are granted shall submit a quarterly report giving the details of training imparted against the dispensation granted.

7. The DG Shipping reserves the right to vary, alter or rescind the provisions of the in the interest of creating more trained manpower for the Indian shipping Industry or to streamline the CDC procedures.
8. This order will come into force from the date of issue of this order.

Sd/-

(Dr. S.B. Agnihotri)

Director-General of Shipping &

Ex-officio Additional Secretary to the Govt. of India