



SAILORS' UNION OF INDIA (SUI)

Regd. Under The Indian Trade Union Act 1926

Affi. to Bharatiya Mazdoor Sangh, (Central Labor Organization.)



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Ref. No. DGS/SUI/06/08/2023

To,

Shri, Shyam Jagannathan. I.A.S

Director General of Shipping

Beta building, 9th floor,

I think Techno Campus;

Kanjurmarg East

Mumbai-42

Date: 17th August 2023

Sub: Objection on DGS Circular No. 3 Of 2023, dated 13th January 2023

Respected sir,

The Sailor Union of India (SUI-BMS), is a leading shipping union in the Indian Maritime Industry have received plenty of complaints from shipping companies against DGS Circular No. 3 of 2023, dated 13th January 2023.

Whereas, the said circular with Modification of online E-governance module for the process pertaining to Recruitment and Placement of Seafarers License (RSPL). Whereas it is observed that the draft of said circular was not posted on DGS website for stake holder's comments. It is also observed that now RPSL companies are facing undue hardships for compliance of same in total as only short time of about two weeks was given.

As per circular Annexure 1, the following Nine columns are required to be filled by RPSL company.

- | | |
|----------------------|-----------------------------------|
| ➤ Name of Employer | As per Form VII Manning Agreement |
| ➤ Ship Name | Mandatory & editable\ |
| ➤ IMO No. | Mandatory & non editable |
| ➤ Official No | Not Mandatory & editable |
| ➤ Call Sign | Mandatory & editable |
| ➤ Gross Tonnage | Mandatory & non editable |
| ➤ Ship Type | Mandatory & non editable |
| ➤ P & I Policy No. | Mandatory & editable |
| ➤ MLC Certificate No | Mandatory & editable |

Sir, some of the above columns are editable and some are not, and some are mandatory and some are non-mandatory as displayed in DGS profile of RPSL company. However, it is observed that DGS e-governance system does not distinguish between mandatory and non-mandatory columns and have locked all the columns on 31st January, 2023, whereas paragraph 12 of circular says edit facility will remain functional after 31st January, 2023 except IMO No., Gross Tonnage, Kilowatt & type of the vessel.

There is a fine of Rs. 5,000 prescribed for each missing/updated column even for non-mandatory columns. This is to state that there is no alert whatsoever coming from e-governance before fine is imposed. In general, for any fine imposed as per MS Act, show- cause notice should be given to the concerned party and explanation taken for final decision of imposing





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any penalty. This is to stress that first, the data of Ship's Name, IMO Number, Official Number, call sign, GRT, Ship's type should automatically be captured from the data base of DGS for at least Indian registered vessels and same should not be editable to prevent misuse from RPSL companies. It is totally unjustifiable for imposing these kinds of fine. This is again to reiterate that there is a lot of mismatch between the aforesaid Circular and the way it is imposed in the E-governance system, for example, above nine items table as per flow chart of Annexure-1 does not include kilowatt as a column but Rs.5,000 fine is being imposed in E-governance for RPSL company which is totally unjustified, this clearly shows the concerned authority responsible for issuing this Circular has not used due diligence and has been in a hurry to impose fines on the RSPL Companies. Detailed explanation by issuing show -cause notice should be taken from the person in charge who is responsible for issuing with such an omission.

Also, for missing just one document there is not fine for one entry but it multiplies to $5000 \times 3 = 15000$ cause for just one entry missing is 1) certificate number other second for 2) date of issue and third one is 3) date of expiry, which again is totally unjustified.

There for this is a request to your good office to please postpone the DGS Circular No. 03 of 2023m dated 13th January 2023 till further Orders and draft for same maybe put up on DGS website for stake holder's comments /suggestions, this is in order to save and help Indian shipping companies especially, the RPSL Companies to grow as they are already confronting many challenges with the foreign ship owners with shrinking in tonnage.

I hope that, your esteemed office will review the previous DGS Circular and enhanced new Order will be initiated with the consultation of this union and all other stake holders.

Jai Hind!

RP Veettil
National President
8104168646.

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