



भारत सरकार / GOVERNMENT OF INDIA
पत्तन, पोत परिवहन और जलमार्ग मंत्रालय
MINISTRY OF PORTS, SHIPPING AND WATERWAYS
नौवहन महानिदेशालय, मुंबई

DIRECTORATE GENERAL OF SHIPPING, MUMBAI



File No. 20-11011/15/2021-TRG-DGS

Dated: 31.08.2023

DGS Training Circular 20 of 2023

Subject: Misbehavior and Obstructing Surveyors from conducts inspection of Maritime Training Institutes.

1. Whereas, the Directorate vide DGS Order No. 5 & 7 of 2016 has issued Comprehensive Guidelines and Procedures to obtain approval from Director General of Shipping and for the conduct of approved Pre-Sea and Modular, Simulator & Post-Sea Competency Courses for training of Seafarers in India.
2. Whereas, the Directorate has issued a compendium of Training Orders, Circulars & Guidelines as Training Manual on 25.10.2018.
3. Whereas, the Directorate has issued Guidelines for Comprehensive Inspection Programme (CIP) of MTIs conducting various Maritime Courses such as Pre-Sea Courses, Competency courses and Modular Courses vide DGS Order 23 of 2014, DGS Order 4 of 2016 and Training Circular 33 of 2018.
4. Whereas, the Directorate has issued further guidelines on Infrastructure and Exit Exam etc.... vide various DGS Orders/Circulars/Guidelines.
5. Whereas, it has come to notice of the Directorate that few Maritime Training Institutes have obstructed inspection being carried out by surveyors of MMDs. These MTIs have been found in violation of obstructing Public Servant in discharging of public functions which comes under Section 186 in the Indian Penal Code, 1860 as amended.

'Section 186 - Obstructing public servant in discharge of public functions

Whoever voluntarily obstructs any public servant in the discharge of his public functions, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both.'

6. Whereas, the Central Government vide order No.S.O.3144 dated 17.12.1960 published in Official Gazette of India, has delegated the functions to be performed by the Central Government under section 79(2) of Merchant Shipping Act, 1958 to the performed by Director General of Shipping (DGS), Government of India. Besides, for monitoring of the maritime education and training in India, in exercise of powers conferred under sections 87, 98, 457 and 458 of the Merchant Shipping Act, 1958, vide gazette Notification G.S.R.191(E) dated 20.04.1998, Government

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has notified the "Merchant Shipping (Standards of Training, Certification and Watch keeping for Seafarers) Rules, 1998" and updated it in the year 2014. This Rule deals with various aspects of the maritime education, training and certifications in the Country and empowers the DGS to regulate and supervise the training programmes so as to make our Seafarers compliance with the International standards as required by the STCW convention. By virtue of the above provisions of law and notification of the DGS has got power to regulate all training programmes including studies conferring diploma and degree regulations are issued in compliance with STCW convention, so that, the candidates passed out from the approved institutes become fully eligible for the examination to obtain the COC which is a statutory requirement under Section 78 of the Merchant Shipping Act 1958 r/w Rule 5 of STCW Rules 2014. Thus, the guidelines, training circulars and orders are issued to monitor and regulate the maritime institutes.

7. In view of the above, this to inform to all MTIs that in case, if any MTI is found involved in obstructing Surveyors or any other agency authorized and duly appointed for the task of inspection or any duty by the DGS, for the conduct of inspection of Maritime Training Institute, the Directorate will take serious action like Permanent Withdrawal of all the approvals exercising the powers of Shipping (Standards of Training, Certification and Watchkeeping for Seafarers) Rules, 2014 notified under Section 98, 456, 457 and 458 of Merchant Shipping Act, 1958, as amended.

8. This issues with the approval of the Director General of Shipping.


21/08/2023
(Dr. Pandurang K Raut)

Deputy Director General of Shipping

To,

- i. All MTIs
- ii. All MMDs