



भारत सरकार / GOVERNMENT OF INDIA  
 नौका विभाग / MINISTRY OF SHIPPING  
 नौका विभाग / DIRECTORATE GENERAL OF SHIPPING

फोन: 91-22-22613651-54  
 22613651-54 फैक्स: 91-22-22613655  
 ईमेल: dgship@dgshipping.com  
 dgship@dgshipping.com  
 वेब: www.dgshipping.com

“ • नौका • ” / “JAHAZ BHAVAN”

Tele: 91-22-

नौका विभाग / W.H. MARG

मुंबई / MUMBAI – 400 001

E-mail:

Web: www.dgshipping.com

F. No.CR/ RPS/61-2012

Dated: 31.01.13

### **M.S. Notice No. 6 of 2013**

#### **Sub: Guidelines for submission of applications for Recruitment and Placement Services licenses and their issuance –reg.**

Recruitment and Placement of seafarers [RPS] service licenses are being issued by the Director, Seamen's Employment Offices (DSEOs) at Mumbai, Chennai and Kolkata, on the basis of an authorization issued from the Directorate General of Shipping [DGS], Govt. of India, vide the Merchant Shipping [RPS] Rules 2005. However, now, through the DGS Order No. 3 of 2013 (F. No. CR/RPS/61/2012 dated 31.01.13), the Directors' Seamen's Employment Offices have been authorized to issue such licenses within their power, without any authorization from this office. In this light there is a felt need for a uniformity in procedure to be adopted for the issuance of such licenses.

2. Moreover, Instances have been noticed where in, the lack of procedural know- how/ knowledge, improper interpretation of the Rules etc., by an applicant, act as hurdles in the proper & timely submission of the required documents along with an application, which, in turn, come in the way of processing of the applications within the scheduled time.
3. In order to remove such bottlenecks, it is proposed to streamline the procedures for filing of applications for the initial issues of RPS license/ renewal of RPS licenses/ reissue of the license due to change in name/address and the new paradigm of RPS licenses to be issued to approved maritime training Institutions. The following guidelines are, therefore, prescribed for applicants for RPS licenses to be adhered to while submitting applications for the said purpose;

Sr. No.	Category	Guidelines set out in
(1)	(2)	(3)
1.	Guidelines for applications for obtaining initial	Annexure – I & IA [ 5 pages]

	licenses for RPS providers, with check list.	
2.	Guidelines for applications for renewal of licenses by RPS providers, with check list.	Annexure - II& IIA [ 6 pages]
3.	Guidelines for applications for revised licenses by RPS providers due to change in address or name, with check list.	Annexure - III & IIIA [ 5pages]
4.	Guidelines for applications for obtaining initial RPS providers licenses by approved maritime training institutions, with check list.	Annexure – IV & IVA [ 4 pages]

4. The RPS providers are advised to submit their applications for the said respective categories of licenses with the documents mentioned in the corresponding annexure cited above, including check list. It may be noted that applications which are not submitted duly correct & complete in all respects and not in the prescribed format, shall be summarily rejected.

5. The DSEOs at Mumbai, Chennai & Kolkata shall also follow the forgoing guidelines while processing such application from any applicants.

6. This issues with the approval of the Director General of Shipping & ex- officio Additional Secretary to the Government of India.

Encl: As above

(C. Rethinadas)  
Deputy Director General of Shipping (Crew)

To,

1. All licensed recruitment and placement service providers .
2. All approved Maritime Training Institutions.
3. Director, Seamens' Employment Offices, Mumbai., Chennai & Kolkata

Copy to:

1. Principal Officer, Merchantile Marine Department Offices, Mumbai, Chennai ,Kolkata.
2. Principal Officer, Merchantile Marine Department Offices, Kandla, Kochi.
3. [Surveyor-in-Charge](#), Merchantile Marine Department Office, Jamnagar, Murmagoa, Mangalore, Tuticorin, Vishakapatnam,Paradip,Haldia,Port Blair,Noida
4. INSA/FOSMA/MASSA
5. Nautical/Engineering/Naval Architecture/Training/SD branches of the Directorate.
6. [Hindi Section](#)

[The Secretary to Govt.of India, Ministry of Shipping,Transport Bhavan, 1,Parliament Street,N.Delhi... 110001](#)

**Annexure I**  
**Annexure to DGS Order No. of 2013**

**Guidelines on applications for licenses for Recruitment and Placement Service providers**

Applications for obtaining license as Recruitment and Placement Service providers shall be submitted along with the following documents, duly signed by the authorized signatory, with official s

1. Filled Form I with all its enclosures.
2. Filled form III
3. Filled form VIII

Management personnel should include persons with adequate sea experience and DG approved Doctors. Copies of Certificates to substantiate adequate sea experience and DG Shipping approval No. for Doctors to be enclosed.

4. Filled form IX with signature and seal of RPS and Ship-owners/Employers with an undertaking for repatriation, to be submitted.
5. Self attested Copy of agreement entered between Ship-owners/Employers and RPS to ensure responsibility of payment to seafarers etc.
6. Prescribed application fee . (Demand Draft to be submitted.)
7. Bank guarantee in original. The Bank guarantee shall be valid up-to full term of expiry of license. Otherwise, the license will be issued only up-to the validity of bank guarantee.
8. Copy of Incorporation Certificate, which states the registered office address of the RPS.
9. A specimen copy of the collective bargaining agreement on which terms the seafarer is engaged / proposed to be engaged by the RPS has to be submitted duly signed by the RPS. In case there is no flag accepted CBA, the RPS has to furnish and undertaking

that the compensation will be paid as per details furnished in Note 2 below point (v) & (vi).

Note 1 : The collective bargaining agreement shall cover the following minimum clauses and shall be compatible with MLC requirement.

- i) Details of wages
- ii) Maximum duration of service period.
- iii) Details of Medical attention / Sick pay etc.
- iv) Details of Death and Disability Compensation
- v) Repatriation of seafarers'
- vi) Repatriation of Mortal remains of seafarers'.
- vii) Health, safety and Environmental protection policy
- viii) Early Termination of contract
- ix) Service in war zone or war risk like areas (As declared by Lloyd's)

Note 2 : The death and disability compensation shall be minimum on the following lines.

<u>Category</u>	<u>Minimum death and disability compensation</u>
i) Seafarers (Ratings) recruited on Indian flag vessel -	As per the NMB (India) agreement.
ii) Seafarers (Officers) recruited on Indian flag vessel -	As per the INSA – MUI agreement.
iii) Seafarers (Ratings & Officers) recruited on foreign flag vessels	- As per the approved / accepted CBA of the concerned flag state
iv) Seafarers (Ratings) recruited on foreign flag vessels of flag states which have no prescribed CBA.	Atleast half of the amount of - the NMB (India) CBA agreement
v) Seafarers (Officers) recruited on foreign flag vessels of foreign states which have no prescribed CBA	Atleast twice the amount specified - in Sl. No.11(iv) above.

10. Copy of profit and loss account and the Balance Sheet and acknowledgement copy of last I. T. returns filed.
  11. List of ships, with IMO nos., on which seafarers are recruited / proposed to be recruited against each form – IX signed, contract specified.
  12. List of authorized signatories, with specimen signatures and contact details, with →  
e - mail address.
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**Annexure IA**

**Attachment with Annexure I of DGS Order of 2013**

**(Check List to be submitted along with application for licenses for Recruitment and Placement Service providers )**

**Check List**

Submitted by M/s. ----- for obtaining Recruitment and Placement Service license

No. of seafarers proposed to be recruited per year:

No.	Details	Compliance
1.	Application fee Rs. Demand Draft No.                      Date: Bank:	Yes      No
2.	Bank Guarantee Rs. Bank: Date of issue:                      Valid up to:	Yes      No
3.	Filled and signed form I.	Yes      No

4.	Filled and signed form III	Yes	No
5.	Filled and signed form VIII indicating clearly all management personnel required and available	Yes	No
6.	Filled original copy of form IX with signature and seal with undertaking.	Yes	No
7.	Copy of agreement between RPS and ship owner/Employer	Yes	No
8.	Copy of agreement between Ship-owner & Employer, if form IX is signed with employer by the RPS	Yes	No
9.	<p>Details of collective bargaining agreement attached.</p> <p>i) Approved / accepted CBA of the concerned Flag state</p> <p>ii) ITF approved CBA for Flag of convenience</p> <p>iii) Undertaking</p>	Yes	No
10.	Copy of Incorporation Certificate clearly indicating the address of the firm	Yes	No



11.	List of ships with IMO Nos on which seafarers' are recruited / proposed to be recruited against each form IX signed.	Yes	No
12.	Profit and Loss Account and Balance Sheet copies for the last 5 years.	Yes	No
13.	List of Authorized Signatory with Specimen Signature & Contact details with e-mail address.	Yes	No

Signature of Authorized Signatory

Seal

**Annexure II**  
**Annexure to DGS Order No. of 2013**

**Guidelines on applications for renewal of licenses by Recruitment and Placement Service providers**

Applications for renewal by RPS license by its providers shall be submitted along with the following documents, duly signed by the authorized signatory, with official seal;

1. Self attested copy of the RPS license which is expiring.
2. Filled Form VI
3. Newly Filled Form I

OR

copy of Form I submitted for obtaining original license alongwith an undertaking that there is no change in the Form

OR

copy of Form I submitted for obtaining original license duly indicating the present changes.

4. Filled form III
5. Filled form VIII

Management personnel should include persons with adequate sea experience and DG approved Doctors. Copies of Certificates to substantiate adequate sea experience and DG Shipping approval No. for Doctors to be enclosed.

6. (i) Self Attested copies of Filled form IX with signature and seal of RPS and Ship-owners/Employers with an undertaking that no change/ addition business has taken place thereafter to be submitted.  
(ii) in case of new business, original Form IX to be submitted.
7. Self attested Copy of agreement entered between Ship-owners/Employers and RPS to ensure responsibility of payment to seafarers etc.
8. Prescribed Renewal fee .Demand Draft to be submitted.
9. Bank guarantee in original. The Bank guarantee shall be valid up-to full term of expiry of license. Otherwise, the license will be issued only up-to the validity of bank guarantee.

10. Copy of Incorporation Certificate, which states the registered office address of the RPS.
11. A specimen copy of the collective bargaining agreement on which terms the seafarer is engaged / proposed to be engaged by the RPS has to be submitted duly signed by the RPS. In case there is no flag accepted CBA, the RPS has to furnish and undertake that the compensation will be paid as per details furnished in Note 2 below point (v) & (vi).

Note 1 : The collective bargaining agreement shall cover the following minimum clauses and shall be compatible with MLC requirement.

- i) Details of wages
- ii) Maximum duration of service period.
- iii) Details of Medical attention / Sick pay etc.
- iv) Details of Death and Disability Compensation
- v) Repatriation of seafarers'
- vi) Repatriation of Mortal remains of seafarers'.
- vii) Health, safety and Environmental protection policy
- viii) Early Termination of contract
- ix) Service in war zone or war risk like areas (As declared by Lloyd's)

Note 2 : The death and disability compensation shall be minimum on the following lines.

<u>Category</u>	<u>Minimum death and disability compensation</u>
i) Seafarers (Ratings) recruited on Indian flag vessel -	As per the NMB (India) agreement.
ii) Seafarers (Officers) recruited on Indian flag vessel -	As per the INSA – MUI agreement.
iii) Seafarers (Ratings & Officers) recruited on foreign flag vessels	- As per the approved / accepted CBA of the concerned flag state
iv) Seafarers (Ratings) recruited on foreign flag	Atleast half of the amount of

- |  |                                 |
|--|---------------------------------|
| vessels of flag states which have no prescribed CBA. | - the NMB (India) CBA agreement |
|--|---------------------------------|
- 
- |    |   |  |
|----|---|--|
| v) | Seafarers (Officers) recruited on foreign flag vessels of foreign states which have no prescribed CBA | Atleast twice the amount specified - in Sl. No.11(iv) above. |
|----|---|--|
- 
12. Copy of profit and loss account and the Balance Sheet and acknowledgement copy of last I. T. returns filed.
  13. List of ships, with IMO nos., on which seafarers are recruited / proposed to be recruited against each form – IX signed, contract specified.
  14. List of authorized signatories, with specimen signatures and contact details, with → e - mail address.
  15. Proof of uploading of the on - line RPS data in form III A from January of the previous year and till date. and an undertaking by the RPS providers stating that their old RPS data from the date of their said original license will be uploaded within three months.
  16. An under - taking by the RPS providers indicating the list of death & disability compensation cases pending with it(in respect of the seafarers recruited by them ) and also the list of wages pending with it for more than 90 days (in respect of the seafarers recruited by them ).
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**Annexure II A**  
**Attachment with Annexure II of DGS Order of 2013**

**(Check List to be submitted along with application of Renewal of License by the RPS)**  
**Check List**

Submitted by M/s. ----- for renewal of Recruitment and Placement Service license

RPSL No:

Issue date:

Valid up-to:

Date of submission of application for renewal:

No of Seafarers being recruited per year:

No. of seafarers proposed to be recruited per year:

No.	Details	Compliance	
1.	Application fee Rs. Demand Draft No.                      Date: Bank:	Yes	No
2.	Bank Guarantee Rs. Bank: Date of issue:                      Valid up to:	Yes	No
3.	Submission of attested copy of RPS license: RPSL No: Date of issue:                      Valid up to:	Yes	No
4.	Filled and signed form I / Copy of Form I originally submitted with undertaking / copy of Form I originally submitted with changes.	Yes	No

5.	Filled and signed form III	Yes	No
6.	Filled and signed form VI	Yes	No
7.	Filled and signed form VIII indicating clearly all management personnel required and available	Yes	No
8.	Filled attested copy of form IX with signature and seal with undertaking / new Form IX for new business.	Yes	No
9.	Copy of agreement between RPS and ship owner/Employer	Yes	No
10.	Copy of agreement between Ship-owner & Employer, if form IX is signed with employer by the RPS	Yes	No
11.	<p>Details of collective bargaining agreement attached.</p> <p>i) Approved / accepted CBA of the concerned Flag state</p> <p>ii) ITF approved CBA for Flag of convenience</p> <p>iii) Undertaking</p>	Yes	No
12.	Copy of Incorporation Certificate clearly indicating the address of the firm	Yes	No

13.	List of ships with IMO Nos on which seafarers' are recruited / proposed to be recruited against each form IX signed.	Yes	No
14.	Profit and Loss Account and Balance Sheet copies for the last 5 years.	Yes	No
15.	List of Authorized Signatory with Specimen Signature & Contact details with e-mail address.	Yes	No
16.	Proof of uploading of the on line RPS data in form III A from January of the previous year till date and an undertaking by RPS stating that the old RPS data from the date of license will be uploaded within 3 months.	Yes	No
17.	An under taking by the RPS indicating the list of pending death and disability compensation for more than 1 year and also list of pending wages for more than 90 days.	Yes	No

Signature of Authorized Signatory

Seal

### **Annexure - III**

**DGS Order No. of 2013**

**Guidelines on applications for revised licenses by Recruitment and Placement Service providers due to change in address or change in name of the RPS.**

Applications for renewal by RPS license by its providers shall be submitted along with the following documents, duly signed by the authorized signatory, with official seal;

1. Self attested copy of the original RPS license .
2. Newly Filled Form I incorporating the new changed address or changed name etc.,

OR

copy of Form I submitted for obtaining original license duly indicating the present changes.

3. Filled form III with new changed address or changed name etc.,
4. Filled form VIII with new changed address or changed name etc.,

Management personnel should include persons with adequate sea experience and DG approved Doctors. Copies of Certificates to substantiate adequate sea experience and DG Shipping approval No. for Doctors to be enclosed.

5. (i) Revised original Filled form IX with signature and seal of RPS and Ship-owners/Employers incorporating new changed address or changed name etc.,
6. Revised Self attested Copy of agreement entered between Ship-owners/Employers and RPS with new changed address or changed name etc., to ensure responsibility of payment to seafarers etc.
7. Prescribed fee .Demand Draft to be submitted.
8. Bank guarantee in original with new changed address or changed name etc., The Bank guarantee shall be valid up-to full term of expiry of license. Otherwise, the license will be issued only up-to the validity of bank guarantee.
9. Copy of Revised Incorporation Certificate, with new changed address or changed name etc., which states the registered office address of the RPS.



10. A specimen copy of the collective bargaining agreement on which terms the seafarer is engaged / proposed to be engaged by the RPS has to be submitted duly signed by the RPS. In case there is no flag accepted CBA, the RPS has to furnish and undertake that the compensation will be paid as per details furnished in Note 2 below point (v) & (vi).

Note 1 : The collective bargaining agreement shall cover the following minimum clauses and shall be compatible with MLC requirement.

- i) Details of wages
- ii) Maximum duration of service period.
- iii) Details of Medical attention / Sick pay etc.
- iv) Details of Death and Disability Compensation
- v) Repatriation of seafarers'
- vi) Repatriation of Mortal remains of seafarers'.
- vii) Health, safety and Environmental protection policy
- viii) Early Termination of contract
- ix) Service in war zone or war risk like areas (As declared by Lloyd's)

Note 2 : The death and disability compensation shall be minimum on the following lines.

<u>Category</u>	<u>Minimum death and disability compensation</u>
i) Seafarers (Ratings) recruited on Indian flag vessel -	As per the NMB (India) agreement.
ii) Seafarers (Officers) recruited on Indian flag vessel -	As per the INSA – MUI agreement.
iii) Seafarers (Ratings & Officers) recruited on foreign flag vessels	- As per the approved / accepted CBA of the concerned flag state
iv) Seafarers (Ratings) recruited on foreign flag vessels of flag states which have no prescribed CBA.	Atleast half of the amount of - the NMB (India) CBA agreement

- v) Seafarers (Officers) recruited on foreign flag vessels of foreign states which have no prescribed CBA      Atleast twice the amount specified - in Sl. No.11(iv) above.
11. List of ships, with IMO nos., on which seafarers are recruited / proposed to be recruited against each form – IX signed, contract specified.
12. List of authorized signatories, with specimen signatures and contact details, with e - mail address if there is a change. Otherwise an undertaking to the effect that there is no change is to be furnished.
13. Proof of uploading of the on - line RPS data in form III A from January of the previous year and till date. and an undertaking by the RPS providers stating that their old RPS data from the date of their said original license will be uploaded within three months.
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**Annexure III A**  
**Attachment with Annexure III of DGS Order of 2013**

**(Check List to be submitted along with application for revised licenses by Recruitment and Placement Service providers due to change in address or change in name of the RPS.)**

**Check List**

Submitted by M/s. ----- for revised licenses by Recruitment and Placement Service providers due to change in address or change in name of the RPS.

RPSL No:

Issue date:

Valid up-to:

Date of submission of application :

No of Seafarers being recruited per year:

No. of seafarers proposed to be recruited per year:

No.	Details	Compliance
1.	Application fee Rs. Demand Draft No.                      Date: Bank:	Yes      No
2.	Bank Guarantee Rs. Bank: Date of issue:                      Valid up to:	Yes      No
3.	Submission of attested copy of RPS license:	Yes      No

	RPSL No:  Date of issue:                      Valid up to:	
4.	Filled and signed form I with change address/ change name.	Yes      No
5.	Filled and signed form III with change address/ change name.	Yes      No
6.	Filled and signed form VIII with change address/ change name indicating clearly all management personnel required and available	Yes      No
7.	Filled original copy of form IX with change address/ change name signature and seal with undertaking / new Form IX for new business.	Yes      No
8.	Copy of agreement between RPS and ship owner/Employer with change address/ change name	Yes      No
9.	Original Copy of agreement between Ship-owner & Employer, if form IX is signed with employer by the RPS with change address/ change name	Yes      No
10.	Details of collective bargaining agreement attached.	Yes      No

	i) Approved / accepted CBA of the concerned Flag state ii) ITF approved CBA for Flag of convenience iii) Undertaking	
11.	Copy of Incorporation Certificate clearly indicating the address of the firm with change address/ change name	Yes      No
12.	List of ships with IMO Nos on which seafarers' are recruited / proposed to be recruited against each form IX signed.	Yes      No
13.	Profit and Loss Account and Balance Sheet copies for the last 5 years.	Yes      No
14.	List of Authorized Signatory with Specimen Signature & Contact details with e-mail address with change address/ change name	Yes      No

Signature of Authorized Signatory  
Seal

#### **Annexure IV**

#### **Annexure to DGS Order No.    of 2013**

**Guidelines on applications for Recruitment and Placement Service license by approved Maritime Training Institutes(MTI).**

Applications for obtaining RPS license by approved MTIs by shall be submitted along with the following documents, duly signed by the authorized signatory, with official seal;

1. Filled form I duly signed with all enclosure mentioned.
2. Filled form III duly signed
3. Filled form VIII duly signed

Management personnel should include persons with adequate sea experience and DG approved Doctors. Copies of Certificates to substantiate adequate sea experience and DG Shipping approval No. for Doctors to be enclosed.

4. Prescribed Application fee.
5. Bank guarantee in original. The Bank guarantee shall be valid up-to full term of expiry of license. Otherwise, the license will be issued only up-to full term of expiry of license. Otherwise, the license will be issued only up-to validity of bank guarantee.
6. Copy of incorporation Certificate, which states the registered office address of the RPS.
7. Copy of profit and loss account and the Balance Sheet and acknowledgement copy of last I. T. returns filed.
8. List of authorized signatories, with specimen signatures and contact details, with → e - mail address.
9. Filled form IX in original with signature and seal of RPS and Ship-owner/Employers.
10. Self attested Copy of agreement entered between Ship-owners/Employers and RPS to ensure responsibility of payment to seafarers etc.
11. A specimen copy of the collective bargaining agreement on which terms the seafarer is engaged/proposed to be engaged by the RPS has to be submitted duly signed by the RPS. In case there is no flag accepted CBA, the RPS has to furnish and undertaking that the compensation will be paid as per details furnished in Note 2 below point(v) & (vi).

Note 1: The collective bargaining agreement shall cover the following minimum clauses and shall be compatible with MLC requirement.

- i) Details of wages
- ii) Maximum duration of service period.
- iii) Details of Medical attention/Stick pay etc.
- iv) Details of Death and Disability Compensation
- v) Repatriation of seafarers'.
- vi) Repatriation of Mortal remains of seafarers'.
- vii) Health, safety and Environmental protection policy
- viii) Early Termination of contract
- ix) Service in war zone or war risk like areas(As declared by Lloyd's)

Note 2: The death and disability compensation shall be minimum on the following lines.

<u>Category</u>	<u>Minimum death and disability compensation</u>
i) Seafarers (Ratings) recruited on Indian Flag Vessel -	As per NMB (India) agreement.
ii) Seafarers (Officers) recruited on Indian Flag Vessel -	As per INSA – MUI agreement.
iii) Seafarers (Ratings & Officers) recruited on Foreign Flag Vessels	- As per the approved / accepted CBA of the concerned Flag state
iv) Seafarers (Ratings & Officers) recruited on flag of convenience	- As per the ITF approved CBA for flag of convenience.
v) Seafarers (Ratings) recruited on vessels which have not accepted CBA	- Half of the amount specified in the NMB (India) agreement.
vi) Seafarers (Officers) recruited on vessels which have not accepted CBA	- Half of the amount specified in the INSA – MUI agreement.

12. List if ships, with IMO nos., on which seafarers are recruited/proposed to be recruited against each form – IX signed, contract specified.

Note: In case the applicant is requesting time for submission of Form IX, the documents at Sr. No 9 to 12 have to be submitted within the prescribed period as in this order to get a full term license.

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**Annexure IV A**  
**Annexure with DGS Order No. of 2013.**

**(Check List to be submitted along with application for obtaining of License by the approved MTIs)**

**Check List**

Submitted by M/s. ----- for obtaining Recruitment and Placement Service license

Date of submission of application

No. of seafarers proposed to be recruited per year:

No.	Details	Compliance	
1.	Application fee Rs. Demand Draft No.                      Date: Bank:	Yes	No
2.	Bank Guarantee Rs. Bank: Date of issue:                      Valid up to:	Yes	No
3.	Filled and signed form I	Yes	No
4.	Filled and signed form III	Yes	No
5.	Filled and signed form VIII indicating clearly all management personnel required and available	Yes	No



6.	Copy of Incorporation Certificate clearly indicating the address of the firm	Yes	No
7.	Profit and Loss Account and Balance Sheet copies for the last 5 years.	Yes	No
8.	List of Authorized Signatory with Specimen Signature & Contact details with e-mail address.	Yes	No
9.	Filled and signed form IX with signature and seal of shipowner/employer and the applicant with undertaking.	Yes	No
10.	Copy of agreement between RPS and ship owner/Employer	Yes	No
11.	Copy of agreement between Ship-owner & Employer, if form IX is signed with employer by the RPS	Yes	No
12.	<p>Details of collective bargaining agreement attached.</p> <p>i) Approved / accepted CBA of the concerned Flag state</p> <p>ii) ITF approved CBA for Flag of convenience</p> <p>iii) Undertaking</p>	Yes	No

13.	List of ships with IMO Nos on which seafarers' are / proposed to be recruited against each form IX signed.	Yes	No
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Signature of Authorized Signatory

Seal