



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

नौवहन महानिदेशालय, मुंबई
DIRECTORATE GENERAL OF SHIPPING,



File No. 23-UNI/3/2023-CREW - DGS

Dated.13.09.2023

DGS ORDER NO. 14 of 2023

Subject:-- Constitution of a committee to assess the legal considerations related to the Directorate's authority in determining seafarers' wages and to review Collective Bargaining Agreements signed by relevant unions, associations, and seafarers

The Director General of Shipping, Govt. of India has constituted a Committee to study and making recommendations on issues related to wages of Indian seafarers. The composition of the committee and Terms of Reference are as below:

2. Composition:--

| Sr. No. | Name | Organization | Position |
|---------|------------------------|--|------------------|
| (1) | (2) | (3) | (4) |
| 1 | Mr. Ashish Sinha, IRS | DDG (Crew) | Member Secretary |
| 2 | Mr. Ash Mohomad | DDG (Coastal) | Member |
| 3 | Mr. Anirudh Chaki | E&SS – cum- DDG (Tech) | Member |
| 4 | Capt. PC Meena | Nautical Surveyor-cum-DDG (Tech) | Member |
| 5 | Mr. Shitesh Ranjan | DDG (MSL) | Member |
| 6 | Mr. Amitava Majumdar | Maritime Advocate (Bose & Mitra & Co.) | Member |
| 7 | Mr. S. Priya | Maritime Advocate (Venky's Chamber) | Member |
| 8 | Mr. Aman Khare | Assistant Professor (Centre for Maritime Law and Research, Maharashtra National Law University, Mumbai) | Member |
| 9 | Ms. Sindhura Polepalli | Maritime Legal Consultant (DGS) | Member |
| 10 | Shri Mukul Dutta | Shipping Master, Govt. Shipping Office, Mumbai | Member |

3. Terms of Reference:--

- To examine the contentions raised by various Unions/Associations/Seafarers with respect to application of wages in accordance with the wage determined by the Joint Maritime Commission of ILO.

9वीं मंजिल, बीटा बिल्डिंग, आई थिंक टेक्नो कैम्पस, कांजुर गाँव रोड, कांजुरमार्ग (पूर्व) मुंबई- 400042

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- ii. To examine as to whether wages determined in various CBAs in India can be lesser than or comparable to the minimum wages set by the MoL&E for similar industries and vocation.
 - iii. Whether in accordance with the Rule 9(5) of the Maritime Labor Rules 2016 which lays down that "The wages included in the collective bargaining agreement or the Seafarers' Employment Agreement shall be in accordance with the guidelines as laid down in the Maritime Labor Convention." should the MLC guideline B.2.2.4 is to be mandatorily applied in Indian CBAs.
 - iv. The MLC Guidelines B 2.2.4 (2) states that , "Nothing in this Guideline should be deemed to prejudice arrangements agreed between ship-owners or their organizations and seafarers' organizations with regard to the regulation of standard minimum terms and conditions of employment, **provided such terms and conditions are recognized by the competent authority.**" The basis and modalities for recognition of the terms and conditions which includes wages, by the Directorate General of Shipping, being the maritime administration of India, which also has to take these CBAs on record as per Para 16.19 of MS Notice 07 of 2020 may also be examined by the committee.
 - v. The committee may also examine the provisions of Maritime Labor Convention 2006 and other international instrument of ILO/IMO in force, MS Act, 1958, Merchant Shipping Rules, DGS Circulars, MS Notices, DGS orders issued by DG Shipping, GoI and ascertain the role of DGS in recognition / determination of wages of seafarers and to suggest measures, reference to any other ministry or body engaged in determination of minimum wages, amendment if any, needed in the MS Rules, or DGS guidelines to reflect correct position of law in relation to wages of seafarers.
 - vi. Any other matter that the Committee may desire to look into and render their suggestion.
 - vii. The committee may submit its report by 30th of September 2023.
 - viii. The Committee may devise its own procedure.
 - ix. The Committee shall work on pro-bono basis, for the cause of welfare of Indian seafarers.
4. This issues with the approval of the Director General of Shipping, Govt. of India.



(Ashish Sinha)
Deputy Director General of Shipping.

To,

1. All the members of the committee.
2. To all stakeholders through DGS Website.