

(6) The Director-General shall conduct the third annual inspection from the date of issuance or renewal of the licence.

(7) The Director-General or Issuing Authority may, if deemed necessary, direct that a special inspection be conducted by the inspecting authority for any other purpose as may be specified by the Director-General or Issuing Authority.

15. Seeking assistance of police or law enforcement authorities.— (1) The Director-General or any authorised officer, may seek assistance of the police or other jurisdictional law enforcement authorities if circumstances so require, for facilitating inspections under these rules.

(2) Every recruitment and placement service shall extend all reasonable assistance and cooperation to the inspecting authority and shall not obstruct or hinder the lawful discharge of functions under these rules.

16. Recruitment and placement service without licence. — (1) Where the Director-General receives information indicating that any person, company, institution, agency or other organisation is conducting, or claiming to conduct, any recruitment or placement service without valid licence under these rules, the Director-General or an officer authorised by it may examine such information.

(2) Where, upon such examination, it appears to the Director-General that such person is operating without a valid licence in contravention of these rules, the Director-General may take the following actions, namely: –

- (a) issuance of directions to discontinue such activity;
- (b) dissemination of information for the notice of seafarers and other authorities;
- (c) reporting the matter to the appropriate law enforcement authority or agency; and
- (d) any other action as may be necessary in the public interest.

Chapter V

Duties of licenced recruitment and placement service

17. Change of top management. — (1) Any licenced recruitment and placement service desirous of making any change to its top management shall submit an application for approval electronically to the Issuing Authority.

(2) On receipt of an application under sub-rule (1), the Issuing Authority shall, subject to such conditions as may be specified by the Director-General, grant or reject the application.

(3) No order for rejection shall be issued under sub-rule (2) without giving the licenced recruitment and placement service a reasonable opportunity of being heard.

(4) No change to the top management shall be permissible except with the prior approval of the Issuing Authority granted under this rule.

18. Intimation of change in agreement or contract. — Where any change is made to the agreement or contract between the shipowner or employer and the licenced recruitment and placement service, the licenced recruitment and placement service shall, within thirty days of such change, intimate the Issuing Authority and submit a copy of the revised agreement or contract along with the requisite bank guarantee as specified in the Table under sub-rule (3) of rule 8, and the applicable fees as specified in Schedule I.

19. Intimation of change in place of business. — (1) The licenced recruitment and placement service shall, in the case of any change in place of its business, intimate the Issuing Authority electronically, along with fees as specified in Schedule I, giving details of such change, within seven days of the change.

(2) Subject to verification and the satisfaction of the Issuing Authority, the updated place of business shall be reflected in the licence issued under these rules.

20. Intimation for change of name of licenced recruitment and placement service. – (1) The licenced recruitment and placement service shall, in case of change in its name, intimate the Issuing Authority along with all supporting documents and fees as specified in Schedule I, within seven days of such change.

(2) Subject to verification and the satisfaction of the Issuing Authority, the updated name shall be reflected in the licence issued under these rules.

Chapter VI

Responsibilities of licenced recruitment and placement service

21. Responsibilities of a licenced recruitment and placement service. — Every licenced recruitment and placement service shall—

(a) maintain an up-to-date record of all seafarers recruited or placed through it, which shall be available for an inspection by the inspecting authority, as and when required;

(b) ensure that its management and staff, –

(i) are adequately trained, and have relevant knowledge of the maritime industry to the extent of the duties assigned to them in this context;

(ii) shall have at least one person in its top management who, for the purposes of these rules, has previously held or currently holds a valid management-level certificate under the International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978, as amended, which has not been cancelled or withdrawn, and which is issued or recognised or accepted by the Director-General:

Provided that where the licenced recruitment and placement service is engaged exclusively in recruitment and placement of seafarers for the cruise sector, relevant and verifiable industry experience at the management level may be accepted in lieu of a Certificate of Competency:

Provided further that, where the licenced recruitment and placement service is engaged exclusively in recruitment and placement for dredgers, fishing vessels, or any other class of vessels, an equivalent grade or certificate appropriate to such vessels shall be accepted for the purposes of this rule;

(iii) shall not be employed with more than one recruitment and placement service at any given time;

(iv) shall not be actively engaged in sea-going service while simultaneously serving in a management capacity in a recruitment and placement service;

(c) ensure that seafarers recruited or placed by it are informed of their rights and duties under their seafarer employment agreements, including the name and details of the ship owner, prior to or in the process of their engagement, and that proper arrangements are made for such seafarers to examine their seafarer employment agreements or contracts before and after they are signed on and also that they are provided with copies of the said agreements or contracts:

Provided that where any licenced recruitment and placement service does not disclose the name and details of the ship owner to the seafarer, while entering into the seafarer employment agreement or contract, such recruitment and placement service shall be deemed to be the ship owner for the purposes of offences and penalties under sections 281 and 282 of the Act;

(d) ensure that the seafarer employment agreement or contract shall, in all cases, contain the particulars mentioned in Form-IX and is electronically signed.

(e) verify that seafarers recruited or placed by them are qualified and hold the documents necessary for the jobs concerned; and that the seafarers' employment agreements or contracts are in accordance with the applicable flag State laws and regulations and any collective bargaining agreement that forms part of their employment agreements;

(f) ensure, as far as practicable, that the ship owner has the means to protect such seafarers from being stranded in a port; and in such an event, shall make adequate provisions for their repatriation along with the maintenance and required emergency medical assistance prior to repatriation and the transportation of the mortal remains of a seafarer in the event of death;

(g) ensure that the ship owner repatriates abandoned seafarers along with their maintenance and required medical assistance before such repatriation;

(h) examine promptly and adequately and respond to any complaint concerning its activities and inform the Director-General about any unresolved complaint;

(i) ensure that no means or mechanism or lists are used to prevent or deter seafarers from gaining an employment for which they are qualified;

(j) ensure that the ship owner bears the cost of visas, charges for pre-sign on and post-sign off medical examination, wherever required, seafarers' welfare fees, welfare fund contribution and fees for repatriation or replacement of seafarers:

Provided that the cost of obtaining a medical certificate, the continuous discharge certificate or identity document and a passport or other similar personal travel documents may be borne by the seafarers or any person on their behalf;

(k) ensure that any incident onboard the ship causing injury (excluding minor injuries), disappearance, death, loss overboard or homicide of an Indian seafarer, be reported in Form-X electronically to the Issuing Authority, or any other person authorised by the Director-General at the earliest not exceeding twenty-four hours of receipt of such information;

(l) ensure that information about available claims which can be made to the Seafarers Welfare Fund Society and the Seafarer's Provident Fund Organisation, as the case may be, in the event of death or disappearance or abandonment of a seafarer, is provided to the family of the seafarer;

(m) develop and maintain operational practices to verify the seafarers' medical examination, identity documents and such other items as may be required for seafarers to gain an employment;

(n) maintain, with due regard to the right to privacy and need to protect confidentiality in accordance with applicable law, full and complete records of the seafarers covered by their recruitment and placement system, which shall include but not be limited to—

- (i) the seafarers' qualifications;
- (ii) record of employment;
- (iii) personal data relevant to employment and related to next-of-kin; and
- (iv) medical data relevant to employment;

(o) maintain up-to-date lists of the ships, for which the licenced recruitment and placement services provide seafarers and ensure that there are reasonable means by which the ships can be contacted in an emergency, at all hours;

(p) ensure that seafarers are not subject to exploitation by their personnel with regard to offer of engagement on particular ships or by particular companies;

(q) put in place the procedures to prevent the opportunities for exploitation of seafarers arising from the issue of joining advances or any other financial transaction between the ship owner and the seafarer which are handled by the licenced recruitment and placement service;

(r) clearly publicise cost, if any, which seafarer is expected to bear in the recruitment process;

(s) ensure that the seafarers are informed of any particular condition applicable to the jobs for which they are to be engaged and of the particular ship owner's policies relating to their employment;

(t) ensure that the procedures followed while dealing with cases of incompetence or indiscipline are consistent with the principles of natural justice, the applicable law and practice and, wherever applicable, with collective bargaining agreements;

(u) ensure that all mandatory certificates and documents submitted for employment are up to date and have not been fraudulently obtained and that employment references are verified;

(v) where a certificate or document issued is found to be not authentic, the licenced recruitment and placement service shall report the case, and such fraudulently obtained certificates to be reported to Director-General;

(w) ensure that in circumstances where seafarers are kidnapped, abandoned, or subjected to comparable distress situations, all requests for information, assistance, or advice from seafarers or their families are addressed promptly, sympathetically, and free of cost;

(x) verify that the labour conditions including accommodation on ships where seafarers are placed are in conformity with applicable laws and collective bargaining agreements;

(y) ensure that the ship owner maintains adequate financial security to ensure the payment of compensation in the event of—

- (i) the death of a seafarer arising from any cause while such seafarer is serving under a Seafarers' Employment Agreement; or
- (ii) in the event of long-term disability due to an occupational injury, illness, or hazard, as provided for under the Seafarers' Employment Agreement or the applicable collective bargaining agreement, as the case may be.

(z) ensure that the ship owner receives, deals with and impartially settles contractual claims relating to compensation referred to in clause (y) through fair procedures expeditiously and not later than the timelines specified below:

- (i) the compensation for death under sub-clause (i) of clause (y) shall be paid within three months from the date of the incident;
- (ii) the compensation for long-term disability under sub-clause (ii) of clause (y) shall be paid, as far as practicable, within twelve months from the date of the incident;

(za) ensure that a copy of the licence granted under these rules is prominently displayed at the premises of the licenced recruitment and placement service at a place accessible to public;

(zb) ensure that the number, date of issue and the validity period, of the licence are mentioned in all of their advertisements published and the licence number is mentioned in all its communications;

(zc) ensure that where the seafarer is abandoned, it shall be reported electronically to the Issuing Authority, or any other person authorised by the Director-General, within twenty-four hours of receipt of such information;

(zd) ensure that measures are in place to prevent and address violence and harassment, including sexual harassment, bullying and sexual assault, in recruitment and placement processes in compliance with the Maritime Labour Convention;

(ze) ensure that the Indian ship owner pays the seafarers welfare fees and welfare fund contribution for every seafarer engaged by the licenced recruitment and placement service on such Indian ship in accordance with the Merchant Shipping (Seafarers Welfare Board and Levy of Fees) Rules, 2026;

(zf) ensure that the shipowner complies with the ship owners' obligations relating to repatriation as specified in the Merchant Shipping (Maritime Labour) Rules, 2026;

(zg) ensure that Indian seafarers on board a ship other than an Indian ship, who have been abandoned in any port or place outside coastal waters and are entitled to be repatriated, are repatriated in accordance with rule 22, by coordinating with the shipowner and authorities, as the case may be;

(zh) ensure that all the structured shipboard training programmes are planned and monitored to meet the applicable standards of competence as specified by the International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978, as amended, and the applicable rules made under the Act and encourage seafarers to achieve the higher levels of competence;

(zi) ensure that where a seafarer is held captive on or off the ship as a result of acts of piracy or armed robbery against ships or is detained or imprisoned, wages and other entitlements, including repatriation, under the seafarers' employment agreement, relevant collective bargaining agreement or these rules, as applicable, including the remittance of any allotments, shall continue to be paid during the entire period of captivity and until the seafarer is released and duly repatriated or, where the seafarer dies while in captivity, until the date of death;

Explanation.— For the purposes of this rule, the expression “armed robbery against ships” means any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property onboard such a ship, within a country's internal waters, archipelagic waters and territorial waters, or any act of inciting or of intentionally facilitating such acts.

(zj) ensure that a seafarer with whom an employment agreement is entered, is put on board the same ship, if the seafarer is ready and willing to do so and reports to the ship as directed.

Chapter VII

Repatriation of Seafarers and Welfare Fund Contributions

22. Repatriation of abandoned seafarers. — (1) If a ship owner of a ship other than an Indian ship fails to make arrangements for or to meet the cost of repatriation of abandoned seafarers in any port or place outside coastal waters who are entitled to be repatriated, then—

- (a) the financial security provider shall arrange for the repatriation of the seafarer concerned;
- (b) the competent authority of the Member whose flag the ship flies shall arrange for repatriation of the seafarers concerned; and if it fails to do so, the country from which the seafarers are to be repatriated or the State of which they are a national may arrange for their repatriation and recover the cost from the Member whose flag the ship flies;
- (c) costs incurred in repatriating seafarers shall be recoverable from the ship owner by the Member whose flag the ship flies;