THE OCEANITE

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Editor : Mr. Amar Singh Thakur

Head Office: Udyog Bhavan 4th Floor 29 Walchand Hirachand Marg
Ballard Estate, Mumbai 400 001. India
Telephone: (91-22) 2261 3052, 2261 5507 Fax: (91-22) 2262 0606
mail@maritimeunionofindia.com; www.maritimeunionofindia.com
For MEMBERSHIP QUERIES kindly email: membership@maritimeunionofindia.com

Office Timings: Monday to Friday - 09:30 a.m. to 5:30 p.m.

All Credit / Debit Cards accepted for payment of MUI membership at MUI Office, Ballard Estate.

Head Office: Udyog Bhavan, 4th Floor, 29, Walchand Hirachand Marg

Ballard Estate, Mumbai 400 001. India

Telephone: (91-22) 2261 3052, 2261 5507 Fax: (91-22) 2262 0606 mail@maritimeunionofindia.com; www.maritimeunionofindia.com

For MEMBERSHIP QUERIES kindly email: membership@maritimeunionofindia.com

Office Timings: Monday to Friday - 09:30 a.m. to 5:30 p.m.

Office: 204 National Insurance Building, 2nd Floor, Dr. Dadabhai Naoroji Road

Near CST Railway Station, Above Suvidha Restaurant, Mumbai 400 001. Tel.: (91-22) 22075607 **Branch Office Kolkata:** Bhagat Chambers, 2nd Floor, 12A Netaji Subhas Road, Kolkata 700 001.

Tel.: 033-22304169 Fax: 91-033-22310900 E-mail: maroffcal@gmail.com; maroffcal@hotmail.com

It is suggested/advisable to contact MUI Mumbai directly for assistance and information

Chandigarh: Ms. Meenakshi

SCO-114, 2nd Floor, Sector 47C, Chandigarh 160047.

Tel.: (0172) 2633114, (0172) 5089492 M: 9815631301 Email: muichandigarh@gmail.com

Chennai: Mr. P.A. Khan

Krystal Scan Building, Ground Floor, Room No:01, 59/A, 4th Cross Street, M.K.B. Nagar

Land Mark: Ambedkar Government Arts College, Chennai – 600 039,

Tel.: 044 - 26733064 Fax: 044 - 26733064 Mobile: 91 (0) 9003275182 E-mail: oceanitechn@yahoo.co.in

Tuticorin: Mr. V. Sathyanarayanan

Tuticorin Port Mariners' & General Staff Union

Beach Road, Zone 'B' Extention Port, Opp. Customs Office, Tuticorin 628 001. Tamil Nadu.

Tel.: 0461-2326519/2339195 Fax: 0461 2311668 Email: sathya_viji74@yahoo.com

Kochi: Mr. Thomas Sebastian, Mr. C.S. Ganesh Prabhu

Cochin Port staff Association (CPSA), Willingdon Island, Kochi 682 009.

 $Tel.: (0484)\ 2666409,\ 2666871\text{-}2140\ Fax: (0484)\ 2669468\ E\text{-}mail:\ cpsacpt@yahoo.com$

Visakhapatnam: Mr. S. Satyanarayana

Maritime Union of India, C/o. Post Box No.631, P&T Colony Post Office,

Visakhapatnam 530 013 Andhra Pradesh Mob: 081068 07206 Email: ssjula1950@gmail.com

Directorate General of Shipping (please note change of address) w.e.f. 16.09.2013

I-Think Techno Campus, BETA Building, 9th Floor, Kanjurmarg (East), Mumbai 400 042.

Tel.: (91-22) 25752040 / 41 / 42 / 43 / 45 Fax: (91-22) 25752029 / 35

Email: dgship@dgshipping.com Web: dgshipping.gov.in

The Maritime Floating Staff Welfare Trust (MFSWT)

Abhishek Premises, Gr Floor, Unit No. 1 & 2, Kuber Complex Lane, Next to Oberoi Chambers

Opp. SAB T.V. Lane, New Link Road, Andheri (West), Mumbai - 400 053

 $\label{eq:compact} \begin{tabular}{ll} Tel No: (91-22) \ 26730306, \ 26730307 \ Tele \ Fax: (9-22) \ 26730309 \ E-mail: mail@mfswt.com \ Web: mfswt.com \ Web$

The Merchant Navy Officers' Welfare Fund (MNOWF)

Udyog Bhavan, 4th Floor, 29 Walchand Hirachand Marg, Ballard Estate, Mumbai 400 001 Tel.: (91-22) 2261 9321 Fax: (91-22) 2264 4670 Email: mail@mnowf.com Web: mnowf.com

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"The Oceanite" is distributed to members of The Maritime Union of India

Editorial

MUI would like to wish you All The Best For the year 2018 and beyond.

As per reports appearing lately, there are indications of improvements in the coming year for the merchant shipping industry. Let us all hope for the best and continue to walk together in the coming sunny days, as we have during the last painful decade.

It has been a very eventful year for The Maritime Union of India in terms of major issues cropping up within the Indian and foreign Shipping industry which had direct repercussions on Indian Seafarers.

Right from resolving issues concerning Income Tax, High Voltage course, apart from holding meetings for enhancing employment for Indian seafarers, interaction with Directorate General of Shipping to discuss and iron out issues concerning examinations, wherever they exist, and a host of other meetings touching various issues, MUI has been in the forefront. Ofcourse, we could not have achieved anything without the goodwill, co-operation and willingness of people within the industry. We cannot forget individuals from outside our industry, who helped us. These individuals are the ones who mattered the most, for example in the government ministries etc.

The sole purpose of our existence is our dear Members. They have provided us support concerning various issues, in the form of feed backs, suggestions, recommendations, pros and cons of prevailing issues, and other similar inputs concerning national and international regulations.

Instances of companies practically ceasing to provide even basic provisions, drinking water, bunkers, for months together. Wages are ofcourse non-existent in such cases. MUI has done its best to reduce the suffering of those on board as much as is possible. In

cases of such vessels arrested, abandoned overseas poses immense difficulties. We all need to ensure that lastest provision within MLC 2006 to provide financial security in such cases is strictly followed.

We also have the ongoing issue of Privatisation of Dredging Corporation of India. This Government owned dredger company, based in Visakhapatnam, has been in the forefront for all the crucial dredging projects undertaken till date. It has never been a loss making company. However, it is one of the many Government owned companies in India, which have been earmarked for privatisation. MUI has taken an extremely firm stand as far as the on board Officers are concerned, that their employment and promotion prospects are not jeopardised. The DCI office staff are also extremely disturbed and have already resorted to strikes and one of them has also unfortunately committed suicide. MUI is in touch with relevant Government departments in this matter.

MUI also has plans to establish hostel and training facility in and around Mumbai limits for its members. We have a lot of hard work ahead, but we are positive that we shall accomplish this feat for member Officers who have to visit the city for examinations, sign-on-off and such other purpose. Training facilities, with latest equipment will also be offered at this facility.

We would like to reiterate that MUI stands by to assist all Seafarer Officers whenever they need our assistance. At the same time, it must be mentioned that it is always better if you are a Union Member to take your matter/case forward with various authorities/companies.

We will go out of our way to assist all who approach us and we too need your Good Wishes for the coming year.....

PAYMENT METHODS FOR RENEWAL OF MUI MEMBERSHIP

Kindly allow ten (10) working day for delivery of MUI Membership Card to your residence

KINDLY ENSURE TO RENEW YOUR MUI Membership EVERY YEAR, using any of the following methods

- 1) Credit and Debit Card (Personal visit to MUI Mumbai or Kolkata office)
- 2) MUI website: www.maritimeunionofindia.com (details on next page)
 OR
- 3) Through your banks' net banking facility to MUI bank account/s (details on next page)

After carrying out online transaction kindly email us at membership@maritimeunionofindia.com your name, date, amount membership number, residential address and online payment receipt / screen shot of transaction. This email will help us to confirm your transaction, update our records and post MUI Membership Card and Receipt to your residence.

- 4) Download MUI software application <u>"MUI App"</u> on your Android or IoS phone using Google Play Store)
- 5) Print Membership Form from MUI website and post it alongwith your Cheque or Bank Demand Draft (Add Rs. 60 for outstation cheque)
- 6) Personal visit to MUI Mumbai Head Office or branch office at Kolkata or liaison offices at Chandigarh, Chennai, Kochi, Tuticorin, Vishakhapatnam (see page 2 for contact details)

MUI REQUESTS ALL OFFICERS TO ENSURE THAT SUFFICIENT BALANCE IS PRESENT IN THEIR BANK ACCOUNTS WHEN A CHEQUE IS ISSUED BY THEM OR THEIR FAMILY MEMBERS, FOR MEMBERSHIP TO THE MARITIME UNION OF INDIA

This will ensure faster and efficient delivery of MUI Membership Card to your residence

You can tear the MUI Membership form on Page 35 in this issue along the dotted line, fill it up and post it to MUI Mumbai Office alongwith a Demand Draft or Cheque in favour of The Maritime Union of India to: Udyog Bhavan, 4th Floor, 29 Walchand Hirachand Marg, Ballard Estate, Mumbai 400001.

OFFICERS' MEMBERSHIP FORM is included on page no. 35
CERTIFICATE OF COMPETENCY (COC) PROTECTION FORM is included on page nos. 33 and 34

When corresponding with MUI offices for your grievances, inquiries or for any other purpose, kindly ensure to mention your:

- 1) CDC Number
- 2) MUI Membership Number
- 3) Rank
- 4) Name of your Company
- 5) Land line, and mobile numbers, email identity

For all queries related to medical expenses reimbursement kindly contact:

FOR MEMBERS SERVING IN FOREIGN FLAG COMPANIES The Maritime Floating Staff Welfare Trust (MFSWT)

(this office has shifted to Andheri, from Bajaj Bhavan, Nariman Point):

Abhishek Premises, Ground Floor, Unit No. 1 & 2, Kuber Complex Lane Next to Oberoi Chambers, Opp. SAB T.V. Lane, New Link Road Andheri (West), Mumbai 400053.

Tel.: (91-22) 26730306, (91-22) 26730307 Telefax: (91-22) 26730309

Email: mail@mfswt.com; mail@mfswt.in Web: mfswt.com

FOR MEMBERS SERVING IN INDIAN FLAG COMPANIES The Merchant Navy Officers Welfare Fund (MNOWF)

Udyog Bhavan, 4th Floor, 29 Walchand Hirachand Marg Ballard Estate, Mumbai 400001.

Tel.: (91-22) 22619321 (91-22) 22644670 Email: mail@mnowf.com: Web: mnowf.com

Dear Members

Convalescent Home facility at various locations which you, as Member of the Union can take advantage of :

For Indian Officers serving in Foreign Flag companies The Maritime Floating Staff Welfare Trust (MFSWT)

Abhishek Premises, Ground Floor, Unit No. 1 & 2, Kuber Complex Lane, Next to Oberoi Chambers Opp. SAB T.V. Lane, New Link Road, Andheri (West), Mumbai – 400 053 Tel No: (91-22) 26730306, 26730307 Tele Fax: (91-22) 26730309

E-mail : mail@mfswt.in Web: mfswt.com

<u>Maharashtra</u>: Lonavala; <u>West Bengal</u>: Raichak; <u>Uttaranchal</u>: Mussourie

For Indian Officers serving in Indian Flag companies
The Merchant Navy Officers' Welfare Fund (MNOWF)

Udyog Bhavan, 4th Floor, 29 Walchand Hirachand Marg, Ballard Estate, Mumbai 400 001. T: (91-22) 2261 9321 F: (91-22) 2264 4670 E: mail@mnowf.com Web: mnowf.com

Maharashtra: Lonavala, Mahabaleshwar, Matheran; Goa; Gujarat: Valsad

FOR ATTENTION OF MUI MEMBERS AND SEAFARER OFFICERS

Kindly ensure that your Maritime Union of India (MUI) membership is kept validated every year.

This will ensure that you are supported in case of eventualities that may occur during your service on board vessel or after sign-off. In case you need to resolve any matter with your ship owner/Agent, interceding by the MUI can effectively assist you more effectively, if you are a fully-paid up member Officer of the Union.

MUI MEMBERSHIP

Log on to our website: www.maritimeunionofindia.com

Enter your Log in Details (Membership Number and Password provided by MUI.

If you do not have Log in details, you can click on "Forgot Password." You will then have to fill up details like MUI Membership Number, CDC No., Date of Birth. After you click to submit these details, you will be asked to provide your email id. On entering the same you will have to click "submit" once again.

You will then receive all the Log In details on email id provided by you, and using them you can log on to MUI website.

Alternatively, you can also <u>visit your bank website</u> and using below details carry out a transaction:

Following details would be essential for carrying out the transaction, which will ensure safe and proper deposit to MUI account. Your MUI Membership Fees can be deposited through online process in ANY ONE OF THE BANK ACCOUNTS OF THE MARITIME UNION OF INDIA:

Account Title: THE MARITIME UNION OF INDIA	Bank Account Type: Savings Account
Bank Name : HDFC Bank, Elphinstone House	MICR Code: 400240052
17 Murzban Road, Near C.S.T., Mumbai 400001.	IFSC Code: HDFC0000355
Account Number: 03551450000409	Swift Code: HDFCINBBXXX

OR

Accou	<i>unt Title</i> : <u>THE MARITIME UNION OF INDIA</u>	Bank Account Type: Current Account
Bank	Name: Standard Chartered Bank,	MICR Code: 400036013
90 M.	.G. Road, Fort, Mumbai 400001.	IFSC Code: SCBL0036001
Acco	ount Number: <u>232-0-500759-1</u>	Swift Code: <u>SCBLINBBXXX</u>

After carrying out the online transaction kindly make sure you send us an email at membership@maritimeunionofindia.com

mentioning your name, MUI Membership Number, date and amount of transaction, your name and MUI membership number. Alongwith these details, a Snapshot or Image of the transaction receipt from your bank can also be included.

You can also use your Credit or Debit Card to renew MUI membership online by visiting website of The Maritime Union of India at http://www.maritimeunionofindia.com/MemberLogin.aspx

THE MARITIME UNION OF INDIA

TO ALL MUI MEMBERS / SHIPPING COMPANIES & SHIPPING AGENTS

Dear Sir/s,

Sub.: Enhancement in MUI Membership and Entrance Fees w.e.f. 01 January 2018

This is to inform all concerned (Shipping Companies and afloat officers) that with effect from 01 January, 2018 The Maritime Union of India (MUI) annual membership fees and one-time Entrance Fees shall be enhanced to Rs.1,800/- per annum and Rs.500/- respectively.

You are probably aware that membership fees have not been enhanced since the last 5 years. At present, the affiliation fees to International Transport Workers' Federation (ITF) and other related offices have also been enhanced. These organizations are very much looking after our members in overseas ports whenever need arises, particularly during emergencies.

The Maritime Union of India also represents seafarers grievances with the Government of India, IMO, ILO and other international offices. Moreover, MUI administration expenses, such as maintaining Head Office, Liaison Offices in important cities of India, legal expenses, consultation fees and travel expenses for wage settlement etc. have gone up exorbitantly due to inflation. In addition, MUI now has enhanced software and hardware to increase its membership base and create more awareness about MUI.

Under these circumstances, it has become inevitable to enhance membership fees to meet the entire Union administration and functioning expenses to serve our members better.

A resolution to enhance membership fees w.e.f. 01 January 2018 from Rs.1,020/- to Rs.1,800/- per annum has been agreed upon by a majority of members during the Annual General Body Meeting held in the month of July, 2017. The Maritime Union of India has also enhanced the one time Entrance Fees (for New member) from Rs.100/- to Rs.500/- (one time), which was also accepted by the majority of the members during the Annual General Body Meeting.

The Maritime Union of India is looking forward to your support in order to maintain relationship with Indian, Foreign Shipping companies as well as Maritime Organizations around the world.

Your co-operation, support and understanding is highly appreciated. Long Live MUI.

Best Regards,

Amar Singh Thakur General Secretary

Maritime Union of India celebrates its 78th Foundation Day

Maritime Union of India marked its 78th Foundation Day on 3rd December, 2017.



Founded in 1939, MUI has grown leaps and bounds over the years. Today, MUI is one of the most influential trade union under the strong leadership of Mr. Amar Singh Thakur General Secretary and other MUI members, who

stood against all odds to reach the pinnacle.

The celebrations of 78 glorious years, held at The Lalit, commenced with lighting of the lamp and a dance performance dedicated to Lord Ganesha. A short movie about the Journey of MUI was displayed for the audience to connect. It highlighted the significant achievements of MUI and its members till date.

The occasion saw large gathering comprising of dignitaries from JSU, IMMAJ, ITF, Ver.di, NUSI, MASSA, FOSMA, INSA, IMF, Port Workers and Railway Workers Unions under one roof. Taking this opportunity, MUI thanked the members of each association by bestowing them with a momento and a fresh bouquet.

Over to the dais, Mr. Amar Singh Thakur stated "Since 1939, MUI has acquired a name for itself and the credit goes to our Founder, and all

seniors who have worked day and night under very difficult circumstances to ensure that MUI acquires a name which till date no one can match. Today, we remember them all, and we are sure that with their blessings we will grow in strength day by day".

"The last 3 years have been very positive for us

Yasumi Morita San President Japan Seamens Union (JSU)



and the seafarers. First and foremost is the tax benefit on income of seafarers. I would also mention NUSI, Shri.

Nitin Gadkari Ji and Mr. Gajendra Shekhawat Ji who supported us in the task."

Commencement of MUI's Womens' Committee, led by Mrs. Saleha Shaikh, received much appreciation from the audience after its announcement by Mr. Thakur

"You can approach us without any hesitation. MUI members are the backbone of our existence and we will always stand by you and never let you down," said Mr. Amar Singh Thakur to the family of MUI Members.

"We have excelled under the dynamic leadership of Mr. Amar Singh Thakur. You can approach us anytime of the day or night and I can guarantee that we will never turn our backs on you," assured Mr. Manoj Chaudhuri, President, MUI.

Mr. Abdulgani Serang, General Secretary, NUSI addressed the gathering. He said "MUI and NUSI are the birds of same feather who flock together. We both are very different from the usual trade unions. We work for the welfare of our seafarers and their families and it is the support from the Government of India and Shipping fraternity that makes it possible, he concluded.

Mr. Yasumi Morita, President, Japan Seamen's Union (JSU) graced the occasion as Chief Guest. He appreciated the efforts taken by MUI for the betterment of Indian Seafarers. "JSU and MUI are closely knitted within the framework. Our unions have contributed to a great

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cause. We must walk hand in hand in order to maintain ITF policies and strive for a strong labour movement." He was then presented with a momento.

Other well-wishers – Capt. Koichi Akamine, Chairman, IMMAJ; Mr. Steve Trowsdale, Inspectorate Coordinator, ITF, London; Mr. Torben Seabold, National Maritime Coordinator, Ver.di Germany; ITF; Capt. Rajesh Tandon, Director, FOSMA; Capt. Prashant Rangnekar, Chairman, MASSA; Mr. Ujjwal Chaudhary, Chairman, IMF; Capt. Prabhat Nigam, MTG; P.M. Mohammed Haneef, Working President/Trustee – The Cochin Port Staff Association and Mr. Sangam Tripathi, Regional Secretary-Asia Pacific, ITF who shares their earnest greetings for MUI were subsequently presented with momentos. A video message specially sent by Mr. Stephen Cotton-General Secretary of ITF, London was

displayed. Capt. Sanjay Prashar - Managing Director - V.R. Maritime Services Pvt. Ltd. also sent his greetings and congratulations.

Awards for the Longest Active Membership with MUI were presented to the recipients in various categories as follows:

- 1. Master Category: Capt. Jayanta Basu
- 2. Chief Engineer Category : Mr. Krishna Behari
- 3. Electrical Engineer Category: Mr. Gurdeep Singh Dhillon
- 4. Radio Officer Category : M. R. Ramakrishnan 5.Purser Category : Mr. Ashok Kumar Chaudhury

Mr. Dores Colaco, Treasurer, MUI concluded the session with Vote of Thanks and acknowledged all the guests who attended the MUI Foundation Day.

The jovial ambience continued past midnight along with cocktails and lip-smacking dinner.

The Maritime Union of India forms 'Womens Wing'

Mr. Amar Singh Thakur - General Secretary- MUI has formed a 'Womens Wing' led by Ms. Saleha Shaikh.

In conversation with Mrs Saleha Zubair Shaikh, MUI Women's Wing, (Head Co-ordinator)

Wife of a sailing Master, Mrs Saleha always had the interests of women seafarers and women members of a seafarer's family at heart. MUI has given an opportunity to Mrs Shaikh to work in that direction with her appointment as MUI Women's Wing, Head Co-ordinator.

As a seafarer's wife what do you believe are prominent problems facing women seafarers and seafarer families?

One of the prominent problems women face when their husband is sailing is that they are all alone to deal with stress and other issues. Many a times people do not understand our problems and the emotional issues we go through as ladies. So having a platform like this is like a support group, like a mass counselling wherein we share and bond, and also get suggestions and solutions from other members. Women seafarers tend to face issues like stress and loneliness at sea as they are many a times the only lady among men. We can help them deal with such issues and more.

What are your immediate priorities as MUI Women's Wing, Head Co-ordinator?

Reaching out to women is one of our immediate priorities. We want as many women to connect with the women's wing so that they can benefit from our timely workshops and skill building activities. A lot of seafarers' wives are completely clueless as to whom they should get in touch with in case of any problem. This is a platform for women to open up with any of their problems and get them addressed. MUI is one of the oldest unions working for the welfare of seafarers. It has the means and the expertise to find solutions. Uptil now MUI was focussed towards the seafarer, but now we will focus on the entire family.

What is that one important message you want to give women seafarers and families of seafarers?

I would like all women seafarers and the family members to join us. Grow with us as a family. Help us to form the Merchant navy community so that together we can address issues and find solutions. We have a plethora of activities planned ahead which include workshops where we will address family and women specific topics. We have a panel of lawyers, doctors, and counsellors to address specific issues and needs, as and when required. We would also like to address topics related health, education, parenting as well as financial advice, investment and legal rights among other things.

Directorate General of Shipping, Ministry of Shipping, Govt. of India, Mumbai

A .1	Examination, Assessment & Certification (EAC) Branch	IS/ISO Clause No. 7.5.1
Authorized by Chief Examiner of Engineers	Subject: High Voltage Training course not mandatory for Certificate of Competency Examination/	ENGG. Circular No. 04 of 2017
or Engineers	revalidation by Engineer Officers and Electro Technical Officers	Dated: 18.10.2017
	F. No. ENG / EXAM / CIRC-25(1)/2017	Dated : 10.10.2017

- 1. The 2010 Manila Amendments to STCW 78 Convention brought in the requirement for engineer officers to undergo education and training in High Voltage (HV) systems, at both the operational and management levels. This requirement came into effect from 1st January 2017 and is applicable to all Engineer Officers and Electro-Technical Officers who work on ships. The compliance with the same was later extended by IMO for six months as majority member States were not ready with certification of their seafarers complying with 2010 amendments.
- 2. The Directorate has extended the date to fulfil the requirement of undergoing training in HV systems to 1st July 2018 vide corrigendum No.2 to EAC branch circular No.134 of 2017 dated 5.5.2017.
- 3. Subsequently, the Directorate has received several queries from various stake holders with a request for clarifying on the requirement of undergoing training in HV systems by the Engineer Officers (both operational and management level) and Electro Technical Officers.
- 4. The Competent Authority after due deliberations and on receipt of clarification from IMO has decided that no additional training on HV systems be undertaken by Engineer Officers (operational and management) and Electro-Technical Officers who do not or don't intend to, work on ships with HV systems. Hence the necessity for completion of approved High Voltage Training course by Engineer Officers and Electro-Technical officers is no more a mandatory

requirement for working on board ships not fitted with HV systems. However, such Engineer Officers and Electro Technical Officers will receive Certificate of Competency (CoC) with following limitation:

"Not valid for service on ships fitted with High Voltage (over 1000V) systems".

- 5. The Engineer Officers (operational and management level) and Electro-Technical Officers with above High Voltage limitation on their CoC, preferring for deletion of the limitation in due course of time, may do so with a request for the removal of this limitation by providing documentary evidence of having undergone approved HV systems training course.
- 6. Considering the propulsion and power distribution systems onboard ships have changed substantially over the years and the current changed technology has already enabled the construction of bigger and newer ships installed with I-IV equipment to handle the massive power requirements and that the STCW 78 Convention, as amanded, require these ships to be operated by personnel competent in the safety/design/operation/ maintenance of I-IV systems; it is advised that all operational level/management level Engineer Officers and Electro-Technical Officers may keep their CoC valid for sailing on such type of vessels in future by completion of necessary HV training.

Sd/-Vikrant Rai Engineer & Ship Surveyor cum-DDG [Tech.]

AMET UNIVERSITY OPENS THE GATE FOR HND CADETS & QUALIFIED MERCHANT MARINE OFFICERS TO OBTAIN A BACHELOR DEGREE

Directorate General of Shipping Circular For Information of Members

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A .1	Examination, Assessment & Certification (EAC) Branch	IS/ISO Clause No. 7.5.1
Authorized by Chief Examiner of Engineers	Sub.: Procedure for online application for issuance of Certificate of Competency (CoC) for MEO Class IV	ENGG. Circular No. 142 of 2017
o. <u>_</u> goo	F. No. ENG / EXAM / CIRC-25(1)/2017	Dated: 23.10.2017

- 1. Noting that there has been phenomenal success in expeditiously issuing Certificate of Competency (CoC) to MEO Class I and MEO Class II candidates upon passing the examination.
- 2. The Directorate desires to extend the online application facility to MEO Class IV candidate through the ePariksha module.
- 3. The Directorate therefore prescribes the following procedure for on-line submission of CoC application, review, approval and issuance of CoC to candidates who have successfully passed their MEO Class-IV grade of engineering examination. For issuance of CoC for other engineering grades the existing procedure shall continue till further orders.
- 4. Procedure for submission of on-line application for issuance of MEO Class-IVCoC by CANDIDATE
- >>Login to account using ePariksha Login credentials
- >> Click on Certification tab and then select Fee Detail subtab. Click on pay button which will redirect to bill desk and pay the fee for COC application.
- >> After the payment, click on the COC Application Form subtab.
- >> Click on page 2 at the bottom of the application form.
- >> Click on the submit button at the bottom of the page 2 to apply for COC.
- >> Click on the Print Option to print the COC application form in case you wish to keep a hard copy of CoC application.
- >> The CoC shall be dispatched by speed post

and the applicant will receive a confirmatory mail including speed post tracking details.

- >>In case a query is raised and application is kept on hold, answer the query satisfactorily and resubmit. The query should be answered in two working days failing which the submitted application shall be deemed to be rejected and the candidate has to apply afresh.
- >> Candidate desiring to have his EXN-45 booklet may collect the same from MMD as per his convenience.
- 5. The examiner of engineers at the MMD examination centre shall review the application submitted by the candidate. If any deficiency is noted, same is mentioned in the remarks column and application kept on hold until the candidate complies with the noted deficiency. If the application is found satisfactory, the examiner of engineers shall forward it to the Directorate.
- 6. The application of the candidate is approved at the Directorate and the CoC is sent by speed post to the candidate.
- 7. The Directorate has made it mandatory for successful candidates of MEO Class-IV to follow the above online procedure for applying for MEO Class-IV CoC with effect from 30/10/2017. Physical submission of CoC application at MMD for MEO Class IV shall not be entertained from 30 / 10 / 2017.
- 8. This issues with the approval of the Competent Authority.

Sd/-

(A. Wankhede)

Engineer & Ship Surveyor-cum-DDG [Tech]

Directorate General of Shipping Circular For Information of Members

Merchant Shipping Notice No. 10 of 2017

F.No. CR/GRW/12/2015-I Dated: 28.11.17

Sub.: Addendum to Merchant Shipping Notice No. 7 of 2017 on "Launching of e-migrate system for seafarers-reg.

E-migrate system was launched by the Directorate General of Shipping for prevention of Indian seafarers from leaving Indian ports/airports unless they are recruited through registered RPS/Indian shipowners. The emigrate system was launched to be run on a pilot basis for verification of seafarers' details at Immigration Check Points (1CPs) for 3 months with effect from 1st September, 2017. This was to enable addressing any technical problems, which may be encountered by the DGS/MEA/Bot team and also to ensure that genuine seafarers are not interrupted/barred for travelling and jobs are not lost.

2. In this regard various sessions have been organized with the Indian Shipowners, $\ensuremath{\mathsf{RPS}}$

companies, Shipowners Associations, Seafarers Unions, Bureau of Immigration, Protector of Emigrants by the Directorate General of Shipping for better understanding of the e migrate system and to address any difficulty being faced by the end users.

- 3. During the trial run of the system it was observed that there were technical glitches that need to be attended to. Therefore it has been decided to extend the trial for further period of forty five days from 01.12.2017.
- 4. This issues with the approval of the Director General of Shipping, Gol, Mumbai.

Sd/-

(Subhash Barguzer)

Deputy Director General of Shipping (Crew)

DIRECTORATE GENERAL OF SHIPPING, Gol, MUMBAI NOTICE

ATTENTION: ALL SEAFARERS / STAKEHOLDERS

All Seafarers / Stakeholders are requested to send their queries /problems related to e-Governance issues and other issues/queries by e-mail to this Directorate as per the following details:-

Sr. No.	Description	e-mail id	Telephone No.	Extension No.
1.	E-Governance related issues/	egovernance-dgs@nic.in	022-25752040/41/42/43	282/283
2.	Other issues / queries	helpdesk-dgs@gov.in	022-25752040/41/42/43	236
	9001100	Wishing You All The Best	t in your career	

Officers are requested to keep with their next of kin a copy of the Bilateral Agreement they have signed before sign-on with the respective company they are serving under. It can also be sent to MUI office, Mumbai, for our records.

Directorate General of Shipping, Ministry of Shipping, Govt. of India, Mumbai

	Examination, Assessment & Certification (EAC) Branch	IS/ISO Clause No. 7.1
Authorized by Chief Examiner of Engineers	Subject: Engagement of Indians holding Certificate of Competency (CoC) issued under STCW Regulation II/2 and	
or Engineers	III/2 from Australia, Singapore, Ireland and New Zealand, in addition to UK, to sail on Indian flag vessels	Dated: 12.10.2017
	F. No. ENG / EXAM / CIRC-25(1)/2017	Batoa : 12.10.2017

1. Introduction

- a) In the year 2014, the Directorate received representation from various stakeholders including INSA to allow engagement of Indians, holding Certificate of Competency (CoC) issued under STCW Regulation 11/2 and 111/2 from Australia, Singapore, Ireland and New Zealand, in addition to UK, to sail on Indian Flag vessels as a measure to address inadequacy in the availability of management level officers to man Indian Flag vessels.
- b) After due deliberation, the Director General of Shipping in his/her powers under Section 456 of MS Act, 1958 had partially relaxed Section 86(I)(a) and allowed Indian Nationals holding Australia, Singapore, Ireland and New Zealand Certificate of Competencies to sail on India Flag vessels apart from UK COC holders on fulfilment of certain specific conditions such as deployment of one Nautical Cadet and one trainee Marine Engineer during each period of such deployment.
- c) In view of above relaxation, the Directorate had issued following circulars apart from DGS Order 2 of 2015 & DGS Order 1 of 2012 on 09.05.2012 (meant only for Indians holding UK COC) which was valid for two years from date of issue of 09.05.2012:
- NT/ENG Circular No. 02 of 2014 dated 27.05.2014.
- Engineering Circular No. 4 of 2014 dated 23.04.2014.
- Engineering Circular No. 4A of 2014 dated 02.06.2014.
- Corrigendum to NT/ENG Circular No. 02 of 2014 dated 04.08.2014.
- d) The above relaxation was valid till 31st December 2016 vide Corrigendum No. 2 to NT/ENG Circular No. 02 of 2014.
- e) INSA and other stakeholders vide their representation in July 2017 to the Director General of Shipping has again requested the

- extension of said relaxation for a further threeyear period citing continuous shortage of management level officers to man Indian Flag vessels.
- f) Noting the shortage of management level officers to man Indian Flag vessels and after due deliberations, the Director General of Shipping has agreed to extend issuance of Certificate of Endorsement till 31.12.2019, to Indians holding Certificate of Competency from Australia, Ireland, Malaysia, New Zealand, Singapore and UK under certain specific conditions mentioned in this circular.
- g) To consolidate all the requirements, following circulars are now superseded by this circular:
- i) All circulars mentioned in paragraph 1
- ii) Corrigendum No. 2 to NT/ENG Circular No. 02 of 2014 dated 10.02.2016.
- iii) Training circular No. 7 of 2002 dated 30th July 2002.
- iv) Training circular No. 57 dated 21st January 2004.
- v) Training circular No. 90 of dated 2nd June 2005.
- vi) EAC Branch Circular No. 90 dated 2nd June 2005.
- vii) NT/ENG Circular 14 dated 30.08.2013

2. Applicability:

- This circular is applicable to
- a) Management level officers (Master, Chief Engineer, Chief Officer and Second Engineer) holding CoC issued under STCW Regulation II/2, Regulation III/2 from either Australia, Ireland, Malaysia, New Zealand, Singapore and UK and are willing to work on Indian Flag vessels and
- b) Operational level officers such as Fourth Engineer, Third Engineer and Second Officer and Third Officer holding CoC issued under STCW Regulation II/1, Regulation II/1 from any

country mentioned in Paragraph 2a) above and had been issued Certificate of Endorsement by Indian Administration prior to 27th April 2014.

3. Requirements

- 1) CoE under Regulation 1/10 of STCW 78 as amended may be considered subject to fulfilment of the following:
- A) The prospective employer to submit a declaration that the authenticity of the CoC held by the Officer to be employed has been verified and a copy of print out of internet verification duly certified by them to be attached.
- B) Indian citizens holding management level certificates under STCW 78 as amended, issued by the Maritime authorities of countries stated in Paragraph 1f) above may either undergo training of three days in Indian Maritime legislation Course conducted by LBS, CAMSAR or successfully pass an oral examination conducted at various Mercantile Marine Department/Director General of Shipping to obtain endorsement under Regulation 1/10 of STCW-78, as amended. The syllabus for the said course and oral examination is attached as an Annexure-I attached with this circular. In case the seafarer opts for the said Indian Maritime Legislation training course, a copy of the course completion certificate to be attached for obtaining CoE.
- 2) The issuance of CoE to holders of CoC from Maritime Nations stated in Paragraph 1f) above shall also be subjected to the following conditions:
- a) Deployment of such COE holders on any Indian ship shall be done in conjunction with the deployment of one Nautical Cadet pursuing a B.Sc.(Nautical)/DNS (Diploma in Nautical Science leading to B.Sc. in Nautical Science) for each CoE issued to a Nautical Officer and/or one trainee Marine Engineer pursuing the G.M.E. (Graduate in Marine Engineering)/D.M.E. (Diploma in Marine Engineering)/ATS (Alternate Training Scheme)/Four-years Bachelor Degree in Marine Engineering, for each CoE issued to an Engineer officer during the period of deployment of the COE holder and at each time the CoE holder is deployed.
- b) The deployment of the trainees mentioned under paragraph 3(2)(a) shall be over and above the Tonnage Tax commitment of the concerned

- company. An undertaking to the same effect to be submitted by the prospective employer with the following details:
- i) Name of the trainee to be deployed and his/her CDC number.
- ii) Name and IMO number of the vessel on which he/she is contemplated to be deployed,
- c) Ship owners may have the option to arrange providing of such training on another Indian ship or a ship of the company's subsidiary abroad.
- d) The Master and/or the Chief Engineer of the ship are required to supervise the quality of the training imparted to these trainees as per the prescribed TAR books. In case the Officer to be employed is joining as Master/Chief Engineer, an undertaking stating his/her responsibility to train all the trainees sailing on board the vessel, he/she is contemplated to join to be taken and submitted along with the application for issuance of Certificate of Endorsement.

4. Procedure for issuance of Certificate of Equivalence and its revalidation

a) Application for Certificate of Endorsement along with self-attested copies of the declarations/certificates/documents mentioned in Paragraph 3 (Requirements) above to be submitted at any Mercantile Marine Department. Self-attested copies of all pages of the Certificate of Competency including any restriction imposed on the COC, Medical Certificate

The required STCW course certificate and a copy of valid Indian CDC are to be attached.

- b) Payment of prescribed fees.
- c) After a satisfactory review of above submissions, the Principal Officer of concerned Mercantile Marine Department may issue "Acknowledgement of Application "using the format attached as **Annexure-II** with this circular. This Acknowledgement is valid for three months from the date of receipt of application form and may be used to place the officer on board an Indian Flag vessel by the prospective employer.
- d) The concerned Mercantile Marine Department would forward the application form along with copies of all declarations/certificates/documents received and acknowledgement to the Directorate General of Shipping for the issuance of CoE till 31st December 2019.

e) The revalidation of the CoE issued by the Director General of Shipping may be carried out by the Principal Officers of the MMDs after ensuring that all requirements mentioned in Pragraph3 (Requirements) are met with. No CoE shall be re-validated to a date beyond 31st December 2019.

5. Issuance of Dangerous Cargo Endorsements to holders of CoE

- a) Dangerous cargo endorsements can be issued to Indian CoE holders in accordance with procedures for issuance of Dangerous Cargo Endorsements to Indian CoC holders.
- b) The Dangerous Cargo Endorsements issued must carry a note stating that "This endorsement shall remain valid till the time

CoE/Acknowledgement of receipt of CoE application, issued to the candidate remains valid".

6. Note:

The issuance of Certificate of Endorsement is a one-off measure granted to the Indian Seafarers stated in Paragraph 2 above. It does not give any right to an Indian seafarer with foreign COC or an Indian Flag Ship-owner to request for issuance of COE beyond 31st December 2019.

This Circular is issued with the approval of the Competent Authority. Sd/-

(Vikrant Rai) Engineer & Ship Surveyorcum-DDG [Tech]

UNFORTUNATE SINKING OF M.V. EMERALD STAR ON 13 OCTOBER 2017

All in the shipping industry were saddened by the news of year 2010 built bulk carrier M.V. Emerald Star in the Pacific Ocean. With an entire complement of twenty six comprising of Indian seafarers. Japanese Coast Guard received a distress call sent by the vessel about 280 km. east of northern tip of the Philippines and nearest merchant vessels were diverted to toward the last known position. Two merchant vessels picked up survivors. One reached port of Xiamen, China with eleven seafarers and another port of Irene, Philippines with five seafarers. Ten seafarers are still not accounted for.

Two of the seafarers were injured and needed medical attention. All seafarers obviously were without any documents including passport in their possession. Our prime concern was getting them on shore and commencing treatment and documentation for all seafarers.

The Maritime Union of India (MUI) immediately began to initiate communication with the relevant departments and individuals in various government departments. Co-ordinating with the company, agents, Search and Ressue vessels, and other agencies was our prime work. MUI has

also kept in touch and co-ordinated with family of Officers.

Here, we must mention the important role played by Honourable Minister, Shri Gajendra Singh Shekhawat to assist us in this matter and ensure that Search and Rescue operation continued and to that effect, Indian Navy dispatched a reconnaissance aircraft since ten Seafarers were still unaccounted for. Our efforts continue and coordination with the company continued from our side. The honourable minister. Ministry of Exeternal Affairs played an all important role and ensured that the Seafarers are put through minimum of hardship in China and Philippines. so that they do not have to suffer further due to lack of any identity documents and ensure their return to India at the earliest. Unfortunately, ten seafarers are missing and presumed to be no more.

The Maritime Union of India will always strive to stand up for Seafarers during times of need such as these and otherwise. We assure the industry that MUI will use all resources possible during times of suffering .

You can visit our website : maritimeunionofindia.com

MERRY MARINER and His Rudderless Boat By A.K. Girisam Sailing Chief Engineer

A.K. Girisam is a sailing Chief Engineer on ships. Gleaned from more than thirty years of sailing and working as a sailing chief engineer, he relates memorable and hilarious events from his college days, his fun filled days as a junior engineer on his first ship, —the joy, the fun, parties, and laughter as well as the tensions, anxiety and worries, and many rib tickling stories about his family and friends.

Here are excerpts from the book:

GOLDEN DAYS AS A JUNIOR ENGINEER

In this folder, I have written all pleasant memories of sailing as a junior engineer and also with family.

In was very fortunate to have excellent support and encouragement from all officers and crew of my first ship. That factor alone can make or break a career in shipping.

You are leaving the comfort zone of family, friends, and Mother Earth and venturing into a realm of unknown spheres, literally and figuratively. Some of my friends quit sea life after some traumatic experiences not with machinery or ship but with colleagues and superiors.

I wish to give a brief introduction to some terminology of shipping for the benefit of readers not conversant with shipping.

All of you have seen the Hollywood Titanic.

Imagine yourself to be standing at bow of the ship with hands stretched out and feeling fresh air and warm sunshine like in that famous scene in that movie (Kate Winslet or Leonardo DiCaprio as your gender may be).

Your left-hand side is called port side and right-hand side is called starboard side. (I use abbreviation 'stbd' since I am lazy to type 'starboard'.

Simply put, when you are facing forward, left side is port and right side is stbd. Where you were

standing with arms stretched out is called the bow of the ship.

Where Kate Winslet wants to jump and commit suicide is called the stern of the ship......

JOINING SHIP

I thought that nothing could be worse than the summer in Bombay during May. Madras (Chennai's name in those days) took offence and roasted me in June as I went to the agent's office to complete the ship-joining formalities.

The agent dropped me at the gangway of the ship and left. I looked up and the gangway seemed to be set at 90° to the vertical to test my stamina and strength. The ship looked huge. (Later, I was C/E in ships six to eight times larger). I huffed and puffed and dragged my heavy luggage (uniforms, boiler suits, warm clothing, books, etc.) and managed to reach the peak.

My heart was beating fast not only from exertion but also from anxiety. All the stories of how the tough second engineers make fifth engineers with they were not born and how DMET (Diploma in Marine Engineering) engineers bear a grudge against graduate engineers and harass them were playing in nonstop mode in my brain. I was praying to all the gods to grant me a kind-hearted second engineer (graduate, if possible, but I should not be too greedy while asking gods for favours) and entered the accommodation from the main deck. The sudden A/C cool air felt wonderful. As I looked at the deserted alleyways, I found a door saying 'Engine Room'.

I opened it and saw a man in a white boiler suit, white cap and sporting a walrus moustache. He was putting on his shoes.

Authors Contact Details:

Mob.: 9441212276, 040-27426393

Email: raoos45@gmail.com

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JAYANT MENEZES, FCA, Chartered Accountant

Wishing you Seasons Greetings and A Very Happy and Prosperous New Year

Income Tax: Decisions made by Courts

Income tax changes:

The Supreme Court has recently pronounced an important judgment that CBDT cannot issue any circular having retrospective effect. This will help several assesses.. Supreme Court held that the circulars issued by CBDT prescribing limit of tax effect cannot apply to pending cases. In view of this judgment, there is a fear that CBDT might reopen in the Court that have been disposed of .

II In another case The Delhi High Court has come out with an important judgment in which, in order to preserve constitutionality of Income Computation and Disclosure Standards, along with section 145(2) of Income Tax Act, that

restricts power of Central Government to notify ICDs so as to ensure that they do not override provisions of the Act. Delhi High Court has struck down ICDs I, II, III, VI, VII, Part-A of ICDs VIII as ultra vires of the Income Tax Act or which is contrary to settled position of law as laid down by Supreme Court, It also observed that the tax cannot be changed by way of an Executive action; It is ruled that the power u/s. 145(2) cannot permit changing the basic principles of accounting recognised in various provisions of Income-tax Act, unless amendments are carried out in the Act itself.

However the Central Government may go in appeal to strike down the judgment of the Delhi High Court. in this respect. However till the matter is stayed by the Supreme.Court. the Delhi High.Court. decision will remain in force. To over come this, the Central Govt can also make changes in the Budget 2018.

Goods and Service Tax Changes

After various representations made to the Government of India, the 23rd meeting of GST Council has decided-

- 1. to ease the return filing process for all types business which includes-
- a) Assessee having an annual aggregate turnover is up to Rs1.5 crore are required to file GSTR-1 on quarterly basis.
- b) Assessees are required to file monthly return in Form GSTR-3B along with payment of tax by 20th of the following month till March, 2018.
- c) Assessee whose aggregate turnover is above Rs.1.5 crore are required to file GSTR-1 on monthly basis.
- d) The time period for filing GSTR-2 & GSTR-3 for the month of July, 2017 to March, 2018 would be reviewed out by a committee of officers and till then the taxpayers are not required to file GSTR-2 & GSTR-3.
- e) Late fee payable by the taxpayers for GSTR-3B for the month of July, August & September, 2017 have been waived and the same will be re-credited to their Electronic Cash Ledger.
- f) From 1st October, 2017 onwards, the amount of late fee payable by taxpayer shall be Rs.20/- per day if tax liability for the month is "Nil" (This consist of Rs.10/- for each day under CGST and SGST Acts).

- g) Manual filing of application for advance ruling is being introduced for the time being.
- h) Government has decided to exempt suppliers providing services through an E-commerce Platform from obtaining compulsory registrations, provided their aggregate turnover does not exceed Rs.20 lakh.
- I) TRAN-I Due Date 31/12/2017

GSTR-4 he quarter July to September. 2017 has been extended to 24/12/2017.

- j) The happy point is that the rate of tax has been slashed from 178 out of current 228 items reduced from 28% to 18% w.e.f. 15/11/2017. Only 50 items will remain under 28% tax slab. Certain articles with tax rates reduced to "Nil" from 5%.
- k) All restaurants by itself irrespective of airconditioned or otherwise, will have to pay 5% GST without input tax credit. Those having Restaurants in hotel premises having declared room tariff of less than Rs.7,500/- per room per day will attract GST of 5% without Input Tax Credit.

It has been decided by the Government that maximum "Annual Turnover" eligibility for composition scheme has been increased to Rs.1 crore to 2 crores.. However, the eligibility for those assesses falling in the composition scheme will be increased from Rs.1 crore to Rs.1.5 crore p.a.

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MTM Tortola conducts rescue near Socotra Island 120 nautical miles East North East of Yemen

On the morning of 26th June at 0237 UK time the Merchant Tanker (MT) Rama 2 put out a "Mayday" call that was passed to the UK Maritime Trade Operations (UKMTO) office in Dubai. The Rama 2 was reporting a heavy list to starboard with 14 crew members on board; weather conditions were very difficult in the area with a sea state 5 and a swell with tall waves of over 25 feet / 5 metres. This call was relayed to the Maritime Rescue Coordination Centre (MRCC) in Fareham, Hampshire who began to coordinate a rescue plan.

The United Kingdom Maritime Component Command (UKMCC) and Combined Maritime Force (CMF) in Bahrain were informed and assessed options to assist the rescue plan with Naval ships, helicopter and maritime patrol aircraft support deployed in the region. Later in the morning Rama 2 was reported 'sunk' as the combined action plan was put into place to assist the stricken crew. HMS Monmouth's Wildcat helicopter, known as 'Black Jack' from 815 Naval Air Squadron, was launched to meet up with RFA Cardigan Bay who was closer to scene and able to transit towards the area for an airborne search and rescue operation, this is a technique often used by the Fleet Air Arm and is referred to as a 'lily-pad' jump

Concurrently merchant vessels MTM Tortola, MV Soyo and MV Sea Power were able to locate and assist the crew members in the area 120 Nautical miles East North East of Yemen's Socotra Island. Of the 14 crew men in the water, Tortola was able to recover 10 of them and two were recovered by Sea Power, but two were still missing at this point.

RFA Cardigan Bay was making best speed towards the scene and as soon as the Black Jack was within range it was launched to conduct a search for the remaining crew members in the water. A Japanese Maritime Patrol Aircraft ('Japan 41'), operating under Combined Maritime Forces CTF 151 and supporting the efforts, gave positions for Black Jack to search and just towards the end of the

flight time a crewman was spotted in the water and at the time he was not showing signs of life. Due to critically low fuel his location was marked and Black Jack returned to Cardigan Bay to quickly refuel and then made best speed back to the scene.

Upon arrival the remaining survivor was located and marked with smoke by MV Soyo. Black Jack was at the limit of its safe operating window with darkness approaching, fuel running low again and weather conditions hampering the search when the rescue began. In difficult seas with tall waves and worsening conditions, Black Jack was able to reach the survivor and after various attempts connect him to the wire for a last minute lift out of the water. There were times when the waves engulfed both winchman and survivor in exhausting conditions which took over half an hour to get him connected to the wire.

Just before sunset Black Jack landed on the flight deck of Cardigan Bay. The survivor was immediately checked by the Medical Officer and assessed to be fit and well but somewhat battered, it was estimated that he had been in the water since the sinking earlier in the day, none of the Rama 2 crew had been able to get into life rafts because of the bad weather. All crew were reunited on board MTM Tortola and recovered to Salalah in Oman. Flight Commander and aircraft Observer Lieutenant Ash Morgan RN said: "This rescue was tricky due to the time we had to transit after the Lilypad onto RFA Cardigan bay and then looking for a sole survivor in open water with very choppy conditions", Pilot Lieutenant Si Hall RN added: "The efforts of Japan 41 and the assisting merchant vessels were particularly humbling and I have no doubt that it was the combined efforts that resulted in a successful recovery". The aircraft Winch-man AET Stu Rogers said: "That was a difficult sortie, we were close to the wire on that one but it was great that we were able to get him on board, a thirty minute attempt to get him hooked up was one of the hardest things I've had to do since joining the Fleet Air Arm."

In spite of extensive searching with all the assets searching for most of the day, unfortunately the last crew member could not be recovered who was estimated has been in the water for over 12 hours and was previously assessed to be lifeless.

Captain Simon Staley RN, Chief of Staff of CMF's CTF151 said: "We were asked to assist a vessel in distress following a mayday signal. Details were sparse at first but we understood

that the vessel was sinking" he added: "with a known reported position we were to support the rescue with our Maritime Patrol Aircraft call sign Japan 41."

Commodore Will Warrender RN Commander of the UKMCC and Deputy Commander of CMF said to all those involved: "Well done to those involved for a swift response, your resolve in adverse weather conditions allowed you to contribute towards the recovery of 13 people, including the one lifted by Black Jack. Your efforts saved lives, BZ."

You can also use your Credit or Debit Card to get fresh MUI membership or renew it online by visiting website of The Maritime Union of India http://www.maritimeunionofindia.com

TAX PROBLEMS OF SEAFARERS IN FOREIGN WATERS

A. MUKHERJEE & ASSOCIATES

NRI TAX CONSULTANTS

ADVOCATE AMIT MUKHERJEE (M, COM, LL.B)

HELP LINE:

MOB: (0) 9830436752/8910204612/9874385448

EMAIL ID: amitmukherjee895@gmail.com



Commander United States Coast Guard Sector Hampton Roads 400 Coast Guard Boulevard Portsmouth, Virginia 23703 Staff Symbol: s Phone: 001-1-757-483-8565 Fax: 001-1-757-295-2046

5700 SEP **0 5** 2017

M.T.M. Ship Management Att: Captain Murad M. Mulla 78 Shenton Way #13-01 Singapore, 079120

Dear Captain Mulla:

On behalf of United States Coast Guard Sector Hampton Roads, I would like to thank you for your professional tact and unshaken resolve to protect the crew of the STRATEGIC VENTURE on the morning of July 23rd, 2017, while underway inbound to Chesapeake, Virginia.

After a Virginia State Pilot boarded your vessel to pilot the inbound transit you were alerted by your Second Officer that the Pilot smelled of alcohol. You took immediate action to ensure the safe navigation of your vessel by respectfully and firmly confronting the Pilot to question his physical condition and request he submit to a breathalyzer test. Although the Pilot refused, you did not yield to his challenging and dismissive behavior but instead, persistently pursued other options to ensure a safe transit to berth. Despite delays and resistance from the Pilot, you maintained exacting control of your vessel until the dangerous situation was finally resolved and your vessel safely anchored. Your actions throughout the three-hour evolution are most heartily commended and directly averted a potential marine casualty. You steadfastly ensured the safety of your crew, your ship, and the waterways of the United States. Your actions serve as a model and reminder of the diligence and fortitude required to hold the position of ship captain.

I extend to you my sincere appreciation for your professionalism, persistence, and courage.

Sincerely,

Richard J. Wester

Captain, U. S. Coast Guard

Captain of the Port Hampton Roads

Copy: Singapore Shipping Division Maritime and Port Authority

India Directorate General of Shipping

10 Essential Factors of Structuring Property Purchase, Home Loans & the Seafarer Tax for 100% Compliance – Part 1

If you are a Seafarer or an NRI and you are planning to buy a property in India, the time could not have been better for you to do so. The Indian Real Estate sector, has seen a price correction in the recent past, due to various factors. Few of the current market scenarios are:

- 1. Builders are ready to negotiate a deep discount on premium properties.
- 2. More Sellers the Buyers, hence a Buyer's market.
- 3. Home Loan rates are very low.
- 4. Exchange rates are favourable, hence more bang for the buck.
- 5. You may get Properties at rates that were applicable, 3-5 years ago.

I have come across multiple Property offers, where, the Seller is ready to sell at the cost price for properties bought 3-5 years back.

Hence, it's a complete buyers market, where you can get a Property, which is ready for fitout, at rates which were prevailing 3-5 years back.

Is this the 'Right Time' to buy? I will NOT be the right person, to answer this question. Please speak to your Financial Advisor and do a proper Asset allocation. I am a little conservative, hence I do not find it comfortable having an over exposure in any particular Asset class. I also donot see, an across the board, appreciation and returns from property investments, like what has been in the past 10 years. However, the underlying factors, in terms of cost of purchase, are more favourable than what was available 3-5 years back.

In this article, I will be delving into, a few important factors, on what should and should not be done, from a Tax, Legal, Finance perspective, once you have decided to make a Property purchase.

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1. What Property is allowed to be Purchased:

As Seafarers, you may already be having a Property purchased or in many cases, there may be multiple properties, in various states of possession and construction. In general, as per various applicable laws, NRI's can buy all sorts of immovable properties in India, including Residential and Commercial, other than Agricultural Land, Farm House and Plantations. However, if a prohibited property is inherited, you are allowed to hold on to it. Hence, if you have inherited a Plantation or a Farm House, then it is not an issue, even if you are an NRI.

2. Should you buy Property in Wife or Family Members Name:

Many Seafarer's purchase properties like Apartments or Land in the name of the Spouse or in the name of Parents or Family members. Most reasons, I hear for this, is 'Effective Tax Planning'. I am not sure where this 'Tax Planning' concept originated, but, in most cases, this is very far from any Tax Planning, that I know of.

If you are funding a property purchase in your Wife's name and there is any Rental Income, then the Rent will be received by your Wife, however, as per Law, it will be required to be clubbed with your Tax File. Where is the Tax Planning in this?

However, by doing the purchase in your Wife's name, you are complicating the Tax situation for both you and your Wife.

For example, almost all Property transactions are getting reported to the Income Tax Department (ITD) nowadays. Hence, place yourself in the shoes of the ITD, where they have the transaction data for your Wife, which shows that she has purchased a Property worth, say Rs 75 laks, but she has No Tax Returns and No Income. This is a proper trigger

for a Tax Notice. In case she receives a Tax Notice, then automatically, your Tax File will also be asked for, as you have transferred the funds to her, to prove the money is genuine.

This logic, is applicable to the Seafarers also. I have seen, many Seafarers, who were not Filing Tax Returns, have got Tax Notices, for Property Purchases, Investments in Shares, Mutual Funds etc. One of the primary reason for the Tax Notice is that the Purchases were not backed by Tax Returns.

Moreover, by buying a Property in your Wife's name, you are converting your NRE funds into Resident money. In case you invest in Property, through the NRE Account directly, then when you sell the property repatriation is easier. Hence, NRE funds can go back to NRE Account, post a few Tax Clearance certifications, which is not too complicated.

I have seen few Seafarers, transferring their Allotments directly to Wife's account or to Parents accounts, for either Property Purchase, Monthly Expenses or Investments, among other reasons. In case you are one of them, please STOP doing this immediately.

I donot see any effective 'Tax Planning' in this, where you are making Tax Free money, completely taxable.

Hence, my advise will be, to keep Property Purchases absolutely clear from an Accounting, Tax & Legal perspective. You can do structuring; however, it depends on specific requirements.

If the property is bought in a Lady's name, then in a few States, there are some Stamp Duty benefits, however, we need to take a call, on cost and benefit on a case to case basis.

3. Cash transactions are NO more a part and parcel:

Please avoid any Cash transactions in your Property Purchase or Sale. It has been specifically made illegal and a punishable offence, now. Moreover, it does not provide an NRI or Seafarer any specific advantage, in general.

I will elaborate with a Property Purchase example. Suppose you have bought a Residential Apartment, for Rs 75 laks, and later, when you sell this property in 7-10 years for say Rs 1.5 Crores, you will end up paying a higher Capital Gains Tax because of the cash component.

A.Selling Price of the Property:

Rs 1,50,00,000

B. Purchase details of the Property Case 1: Purchase with a Cash Component

Cheque Amount during Purchase:

Rs 50,00,000

Cash Amount during Purchase:

Rs 25,00,000

Total Purchase Amount:

Rs 75,00,000

Hence Capital Gains is:

Rs 1,50,00,000 - Rs 50,00,000

Rs 1,00,00,000

Approx Capital Gains Tax:

Rs 20,00,000

Case 2: Purchase without a Cash Component

Cheque Amount during Purchase:

Rs 75,00,000

Cash Amount during Purchase:

Rs 00,00,000

Total Purchase Amount:

Rs 75,00,000

Hence Capital Gains is:

Rs 1,50,00,000 - Rs 75,00,000

Rs 75,00,000

Approx Capital Gains Tax:

Rs 15,00,000

Hence, you end up paying more Capital Gains Tax, of Rs 500,000, in case you have paid Cash during purchase of Property, plus, you have converted your white money into black money. Not a wise and advisable proposition as per me.

There is also a law, where if you have purchased a Property below the Circle Rate or the Stamp Duty Valuation, then the difference will be added back to your Tax as an Income

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and you will be taxed on the same.

For example:

Actual Purchase Price:

Rs 75,00,000

Circle Rate/Stamp Duty Valuation:

Rs 95,00,000

Difference in the two: Rs 20,00,000

Hence this Rs 20,00,000 will be Taxed, and you may need to cough up approx Rs 5 laks in Taxes unnecessarily.

In case you are self constructing a Building, then please make most (if not all) payments in Cheques and maintain a proper Invoice and Bill File. I had a case, where a new Client of mine, had build a house a couple of years back, where only the House construction was for Rs 4-5 Crores, other than the land cost. However, he could provide Bills and Invoices for only Rs 1 Crore. Because of this lack of Bills and Cheque payments, he ended up paying an extra Rs 40 laks in Capital Gains Tax.

I will discuss property sale in some next article, as this article is getting a little too long for your comfort and mine, I believe.

In the next editions I will discuss the following:

- 4. What is TDS on Property Purchase:
- 5. If you have multiple Properties, is there any Tax implication:
- 6. Document Management essentials:

- 7. How to Fund the Property Purchase:
- 8. How much Home Loan to take:
- 9. Should you do a Down Payment for a Discount:
- 10. Should you appoint a Lawyer to represent you:

NB: Above calculations are only indicative in nature. Actual calculations will be much different on a case to case basis. Please connect with your Tax Advisor before taking any decision.

Mr. Rohit Bajoria has more than a decade of experience in International & NRI Taxation, Strategic Consulting & Banking services. He has worked across the country in various domains of Cross-Border Tax, Banking & Finance, across Industries in the MNC's, Government & Non-Government organisations.

Currently, he is a Partner in Tax Assist (An Alfred Jordan initiative) and Advises Clients located globally, on Cross Border Taxation & Compliance.

His other interests lie in writing articles in International & National Journals on Tax & Financial matters and he is working on a Book which is to be published soon. He spends a lot of time & resources in Orphanages and for Under-privileged children.

He can be reached on rohit@TaxAssist.in

OFFICERS' MEMBERSHIP FORM

is included on page nos. 35

CERTIFICATE OF COMPETENCY (COC) PROTECTION FORM

is included on page nos. 33 and 34

Officers are requested to keep with their next of kin a copy of the Bilateral Agreement they have signed before sign-on with the respective company they are serving under. It can also be sent to MUI office, Mumbai, for our records.

The Ship With Five Anchors

Fuad Siddiqi (G-1107) & Sachchidanand Dhar (FEx-0350)

Extract: After being anchored for 3 days in heavy seas in a GMT Time Zone, a ship-while heaving anchor for pilot- heaves up 3 discarded anchor chains from the sea bed entangled with her own. Getting rid of those was SOME task.

Introduction:

All voyages are subject to GOD WILLING & WEATHER PERMITTING.

Running a ship is never an easy task. No sailor claims to have full understanding of the internal systems of a ship. Externally, her environment is controlled by Nature's (or the Almighty's) whims.

No sailor could claim to have full understanding of that either.

As a sailor on board - one can only try to solve problems - somehow- as they occur, by the meagre experience they have.

It is even more difficult for Superintendents to solve the problems from shore - because they do not even have the advantage of being IN the situation. Superintendents can only imagine the conditions. Only tool for them is feed-back from the Ship Board Management.

What happens if it is an UNPRECEDENTED or very rare problem? And one of the solutions – if followed - is threatening to throw away the entire costing & voyage plan? Well, The Shore Management still has recourse to that one resource, the grace of assistance of the Almighty.

The Incident:

This article is a story of one such situation.

One Winter, our ship was anchored in treacherous territorial waters of those who once owned the Jewel in the Crown. Ship Managers were stationed in Eastern Longitudes (city of Lions) – and owners were close to the International Date Line. Total of 9 hours separated the ship from the owner / manager.

The Master was asked to anchor the ship upon arrival and wait for orders from local Port

Control. It was Icy cold with extremely rough sea conditions & gale force winds. Vessel was kept waiting at anchor for 3 days.

Due to poor visibility & extreme bad weather, all berthing operations had earlier been suspended. As the weather improved, she was ordered to weigh anchor and move to Pilot Boarding Ground. Confident of the charts, the Mate & Master went ahead with heaving up operation.

Heaving the anchor appeared extremely slow & arduous, but the winches were somehow successful. When the anchor flukes cleared the waterline, 3 additional anchor chains were seen to be twirled & entangled on the anchor shaft.

These would have been Anchors/Chains of those other ships who may have faced similar trouble in the same anchorage. They must have cut & abandoned their chains quietly and sailed away without reporting.

Fortunately (for the ship board management!), the weather was turning hostile again, so the Pilots postponed all plans to come out to board. The anchor was dropped back and Master reported the matter to offices of the owner and the manager.

Owners went ahead with PROACTIVE planning that morning. They quickly appointed local protective agents, arranged advance bank remittance, prepared to hire Deep sea-divers and sub-sea welders, a tug, and floating barge and other paraphernalia; to get rid of the 3 chains. Projected Minimum Expenditure − € 150 K.

Did you notice that the PROACTIVE planning was done alone, by OWNERS? Well the Manager's office was ticking independently. It wondered as to how can a ship drop one anchor and pick up 4 of them.

Master was contacted and asked to re-check his position. Had he dragged anchor? After checking, it was confirmed that she had indeed dragged by around a mile.

Ah! That is how the chains came up entangled. No one had noticed her drag in the dense fog!

It was not the time to berate the watch keepers. Managers were keen upon solving the problem. So they advised to lift her anchor once again. Be sure just to clear the flukes off the sea bed; and start to move Dead Slow Astern, slowly away from the anchorage; in order to be able to negotiate out & away from the area. Their reasoning: if the anchor had dragged once, it would perhaps easily drag again.

It was done. The vessel smoothly moved another mile astern and Master reported that vessel had no problem moving astern. The 3 extra anchors were smoothly dragging with the vessel.

Office confirmed with the Master, this was a good sign. Since weather was worsening, Master was requested to continue dragging astern, gently but slowly & look for any sheltered bay or area nearby. He mentioned a location about 12 miles astern, which may (or may not) be suitable. It did take nearly 8 hours of slow & gentle Dead Slow Astern all the way. The ship was stopped many times, in

between, to heave & see the condition, then lowering again & continuing astern.

By early next morning 4AM, all 3 extra anchors and chains had fallen off the anchor one by one; stuck probably to the same sub-sea obstacles because of which they were initially abandoned.

The Happy Ending:

Owners were then asked to cancel all their prior made arrangements – Agency Appointment, Bank Remittances, Sub Sea Divers, Oxygen & Acetylene Equipment, Tugs, Barges, Workshops - et all.

The ship remained anchored 2 more days awaiting safe berthing conditions & hence no delays & no off-hires to the vessel occurred.

Owners Comment on the Incident : "Unbelievable" !

Managers Response:

"For us too - Unbelievable"!

NOTICE OF ACCOMMODATION FACILITY FOR MUI MEMBERS AT VIRAR, MUMBAI.

PLEASE TAKE NOTE that the MARITIME UNION OF INDIA is having two flats viz. (i) Flat No.403, 4th Floor, admeasuring No.361 square feet in the Building No.41, Rustomjee Evershine Global City, Avenue "J", Building Nos.41 to 44 Co-operative Housing Society Limited, Narangi Bye Pass Road, Virar (West), Palghar: 401 303 situated at Village Narangi, Taluka: Vasai, District: Palghar

(ii) Flat No.501, 5th Floor, admeasuring 503 square feet in the Building No.33, Rustomjee Evershine Global City, Avenue "J", Building Nos.32 to 36 Co-operative Housing Society Limited, Narangi Bye Pass Road, Virar (West), Palghar: 401 303 situated at Village Narangi, Taluka: Vasai, District: Palghar, which are available to seafarer officers who are members of The Maritime Union of India at nominal charge of Rs.1000/- (Rupees One Thousand Only) per day.

Seafarer officers, who desire to avail this facility, may please contact the head office of the Maritime Union of India.

Thanking you
For the Maritime Union of India
Sd/Amar Singh Thakur - MUI
General Secretary

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BRAIN TEASERS DID YOU KNOW?

WILDLIFE BY THE MONTH (continued from last issue)

OCTOBER - AUSTRALASIA

Easy living for Honey Possums

In springtime the heathland bordering the arid centre of Western Australia bursts into a blaze of red and yellow blossoms. Lured by the bright colours and strong scents, bees, beetles and flies alight on the blooms, sip the nectar and accidentally spread the pollen as they go. Birds such as honey eaters and lorikeets also take their fill of nectar.

There is a night shift too... the mouse-sized honey possum, one of the few mammals in the world to feed exclusively on nectar and pollen. With its tail wound round a eucalyptus shoot and its brown fur speckled with pollen, a honey possum pokes its long snout into a flower and sticks out its tongue, which is long and bristly at the tip to pick up more nectar.

The honey possums can breed at any time of the year but most litters of two or three young are born at the end of the summer. They stay in their mother's pouch for about eight weeks, by which time each weighs a bit less than a sugarcube – little enough but a colossal gain since birth, when each weighed less than a grain of rice. The mother suckles them in the nest for 11 weeks during winter. So most young honey possums are weaned in time to benefit from the spring feast of nectar as they venture off alone to raid the flowers under cover of darkness.

NOVEMBER - ANTARCTICA

Singing of Weddell Seals

As the icy Antarctica blizzards abate in the Southern spring, seals begin to appear on the untidy icescape that surrounds the frozen continent. They are small-headed, 9 ft. long Weddell seals, rarely seen out of the water, except in November when the females haul themselves out into ice floes to give birth. Often about 20 mothers with youngsters are

spaced along the edge of a floe.

The females emerge from the sea through long cracks in the ice used as breathing holes. Below the crack, a male seal patrols its underwater territory while he waits for his female to wean their pups and be ready to mate. As he swims, he male sings a loud song of buzzes, trills and whistles to warn off other males. The song is learned from older seals and the song sung by Weddell seals on one side of the Antarctic is different from the one sung by those on the other side. If a rival ignores the warning, the two bulky males fight underwater, manoeuvring with speed and agility.

DECEMBER - AFRICA

Vanishing Antelopes

Amid the tall, vellowy-brown grass of the southern African plains, a female Oribi is resting after giving birth. December-January are best times for small antelopes to rear their young because the summer rains ensure good flushes of tender new grass. The female is motionless, and her newborn fawn is nowhere to be seen. It is hidden in the grass some distance away for she does not want to betray its presence to predators such as lions. The voungster lies flattened behind a chunk of coarse grass. Not even an evelid flickers and its yellowish brown coat blends into its surroundings. Oribi fawn remains immobile for hours at a stretch, and preadtors walk past unaware of their presence.

Like most small antelopes, pairs of Oribi have their own territory. To mark their territory, both male and female Oribis have small scent glands, one just in front of each eye. They mark twigs and grass stems on the boundary by positioning the gland so that the tip of the twig or stem enters it. Then they move their head to wipe the twig or stem round inside the gland, which exudes a sticky brown fluid. Successive coatings form dark brown beads as hard as grass.

MIXED BAG

Answer to the last MATCH PRACTICE:

The Lake Palace x Udaipur

Perhaps the most famous Lake Palace in India is the one at Udaipur on Lake Pichola. Built by Raja Jagat Singh using white marble, it is a blend of Rajput and Mughal architecture.

Phoolsagar x Bundi

Boondi's Phoolsagar Palace was built around its lake as a hunting lodge in 1945 by Maharaja Bahadur Singh, complete with a ballroom, to entertain British dignitaries.

Vijay Mandir x Alwar

Alwar's Vijay Mandir palace was built beside the Vijay Sagar Lake in 1927 with a vast sprawl of 105 rooms, a temple and many gardens.

Uday Villas x Dungarpur

Dungarpur boasts of a marble extravaganza called Uday Villas built in 1943, originally on a small lake which was later turned into a paved courtyard.

Govind Garh x Rewa

One of Rewa's prettiest landmarks is the Govind Garh palace built in the late 19th century by Raja Raghuraj Singh on a lake surrounded by mangroves and jungles.

Neel Mahal x Tripura

In Tripiura the Neel Mahal on Lake Sonam was built by the local ruler in 1934 for his queen, who was homesick for her native Udaipur.

DID YOU DREAM OF...

A KING?

The figure of a king in a dream refers to supreme psychic state. The king can be seen as a symbol of the innermost core of the dreamer's personality. To some extent, this signifies spiritual great father figure.

EYES?

The eyes are commonly held to be the mirror of the soul. The ancient Egyptians regarded the sun and the moon as the eyes of the heavenly gods. For Shakespeare, the sun was the beauteous eye of heaven. In a dream, the eye acquires a significance of an organ of consciousness. Impaired vision, for example, would mean that a particular problem, or the possibilities that life holds, are not being seen clearly.

ROAD?

Roads or paths in dreams can take many forms. Generally they are symbolic expressions of the dreamer's path through life. Crossroads or forks symbolise a necessary decision. The nature, condition and direction of the roads and paths are indications of the dreamer's present situation.

SOME MATCH PRACTICE till we meet again: MATCH THE ANCIENT INDIAN DYNASTIES TO THEIR CAPITAL

Pallavas Pataliputra
Chalukyas Kanchipuram
Mauryas Dwarasamudra

Hoysalas Vatapi Tomaras Madurai Pandyas Dhillika

Officers are requested to keep with their next of kin a copy of the Bilateral Agreement they have signed before sign-on with the respective company they are serving under. It can also be sent to MUI office, Mumbai, for our records.

^{*}Answers in the coming issue*

YOU SHOULD INSURE YOUR CERTIFICATE

Because: The Maritime Union of India provides COC protection to you against Competency Certificate affected by any Court of Law and/or Authority.

BENEFITS

- Suspension of Certificate: A maximum compensation of Rs.3,20,000/- (Rupees Three Lakh Twenty Thousand only) which is spread over 8 months.
- 2. Cancellation of Certificate: A maximum compensation of Rs.6,00,000/- (Rupees Six Lakh only) over period of 18 months.
- 3. Certificate replacement: Certificate replaced by the lower certificate upto Rs.22,500/-(RupeesTwenty Two Thousand Five Hundred only) per month not exceeding 8 payments as Compensation. Provided that this MUI COC ProtectionApplication is in force on the day of the incident giving rise to an official inquiry into a Shipping Casualty (or was in force at least six months prior to same).
- Legal Assistance in India: Legal assistance in India before any Court of Inquiry where Competency would be disputed upto a sum of Rs.5,00,000/- (Rupees Five Lakh only).
- 5. Legal Assistance outside India: Legal assistance outside India before any Court of Inquiry where Competency would be disputed upto a sum of Rs.5,00,000/-(Rupees Five Lakh only). MUI COC Protection Application covers Competency Certificates only, but not against cancellation of disciplinary misconduct or legal offences. The Maritime Union of India is not bound to give notice for renewal of premium.

REMEMBER:

- 1. **THE RENEWAL DATE** so that you may remit your annual premium at least one month before the due date
- 2. To keep membership up-to- date. MUI COC Protection Application is extended only to fully paid members of the Union.



THE MARITIME UNION OF INDIA

Head Office: Head Office: Udyog Bhavan, 4th Floor 29, Walchand Hirachand Marg, Ballard Estate Mumbai 400 001. India.

Telephone: (91-22) 22613052, 22615507

Fax: (91-22) 2262 0606

E-mail: mail@maritimeunionofindia.com membership@maritimeunionofinilia.com Web: www.maritimeunionofindia.com

Branch Office: Bhagat Chambers, 2nd Floor 12A Netaji Subhas, Road, Kolkata 700001. Tel.: 033-22304169 Fax: 91-033-22310900

E-mail: maroffcal@gmail.com;maroffcal@hotmail.com

Chandigarh: Ms. Meenakshi SCO-114, 2nd Floor, Sector 47C Chandigarh 160047.

Tel.: (0172) 2633114, (0172) 5089492

M.: 8196994555

Email: muichandigarh@gmail.com

Chennai: Mr. P. A. Khan Krystal Scan Building, Ground Floor, Room No.01 59/A, 4th Cross Street, M.K.B. Nagar, Land Mark Ambedkar govt Arts College, Chennai - 600 039.

Tel: 044-26733064 Fax: 044-26733064

Mobile: 91 (0) 9003275182 Email: oceanitechn@yahoo.co.in

Tuticorin: Mr. V. Sathyanarayanan Tuticorin Port Mariners' & General Staff Union, Beach Road, Zone 'E' Extention Port, Opp. Customs Office, Tuticorin 628 001. Tamil Nadu. Tel.: 0461-2326519/2339195 Fax: 0461231 1668

E-mail: sathya_viji74@yahoo.com

Kochi: Mr. Thomas Sebastian, Mr. C.S. Ganesh Prabhu Cochin Port Staff Association (CPSA), Willingdon Island Kochi 682 009.

Tel.: (0484) 2666409, 2666871-2140 Fax: (0484) 2669468 E-mail: cpsacpt@yahoo.com

Visakhapatnam: Mr. S. Satyanarayana Maritime Union of India, C/o. Post Box No.631 P&T Colony Post office, Visakhapatnam 530 013. Mob.: 081068 07206 Email: ssjula1950@gmail.com

APPLICATION FORM CERTIFICATE OF COMPETENCY (COC) PROTECTION

Important : Please ensure that all columns are filled up for acceptance of this application by office of The Maritime Union of India

	MUI Membership No.:	Valid Upto :
1.	Name in full : (BLOCK LETTERS - Surname first)	
2.	Date and Place of Birth	
3.	Permanent Address for correspondence	
4.	Grade, Number and Complete	
	description of certificate	
5.	Date and Port of Issue	
	(a) INDOS No.	
6.	Has your Certificate ever been (a) Suspended? (b) Cancelled? (c) Successfully defended in an (d) official Enquiry?	
	If so, please give particulars	
7.	Have you ever been in a ship that has met with an accident in respect of which there has been an official enquiry? If so, please give particulars	
	If so, please give particulars	
8.	Name of your present ship	
9.	In what capacity are you now serving?	
10.	Name of Owners / Agent	
11.	How long have you served with them?	
info I pa eve	ormation calculated to influence the decising herewith the sum of Rs. 200/- (Rupees ery year.	Two Hundred only) being the first application cost and agree to renew it
υa	te	Signature

MEMBERSHIP FORM

[TO BE FILLED IN BLOCK LETTERS]



THE MARITIME UNION OF INDIA

Regd No.: BY-II-198-A 30-3-1941

Registered Office: Udyog Bhavan, 4th Floor, 29, Walchand Hirachand Marg,
Ballard Estate, Mumbai 400 001. Tel.: 91-22-22613052 / 22615507 Fax: 91-22-22620606
E-mail: mail@maritimeunionofindia.com or membership@maritimeunionofindia.com
Website: maritimeunionofindia.com

Affiliated to The International Transport Workers' Federation, London & Hind Mazdoor Sabha, India

Membership Fees: Rs. 1800/- per annum
Entrance Fees (For first time members - one time payment): Rs. 500/-

Please Affix your recent photograph

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FOR ATTENTION OF MUI MEMBERS AND SEAFARER OFFICERS

You can tear the MUI Membership form in this issue along the dotted line, fill it up and post it to MUI Mumbai Office alongwith a Demand Draft or Cheque in favour of: The Maritime Union of India to: Udyog Bhavan, 4th Floor, 29 Walchand Hirachand Marg Ballard Estate, Mumbai 400001.

Kindly ensure that your Maritime Union of India (MUI) membership is kept validated every year.

This will ensure that you are supported in case of eventualities that may occur during your service on board vessel or after sign-off. In case you need to resolve any matter with your ship owner/Agent, interceding by the MUI can effectively assist you more effectively, if you are a fully-paid up member Officer of the Union.

MUI REQUESTS ALL OFFICERS TO ENSURE THAT SUFFICIENT BALANCE IS PRESENT IN THEIR BANK ACCOUNTS WHEN A CHEQUE IS ISSUED BY THEM OR THEIR FAMILY MEMBERS, FOR MEMBERSHIP TO THE MARITIME UNION OF INDIA

This will ensure faster and efficient delivery of MUI Membership Card to your residence

When corresponding with MUI offices for your grievances, inquiries or for any other purpose, kindly ensure to mention your:

- 1) CDC Number
- 2) MUI Membership Number
- 3) Rank
- 4) Name of your Company
- 5) Land line, and mobile numbers, email identity