

THE INDIAN MERCHANT SHIPPING (AMENDMENT)  
ACT, 1951.  
No. XLIII OF 1951



Act further to amend the Indian Merchant Shipping Act  
1923.

[16th July, 1951]

It is enacted by Parliament as follows:—

**1. Short title.**—This Act may be called the Indian Merchant Shipping (Amendment) Act, 1951.

**2. Insertion of new sections 26A and 26B in Act XXI of 1923.**—In the Indian Merchant Shipping Act, 1923, under the heading "*Engagement of Seamen*" and before section 27, the following sections shall be inserted, to wit:—

**"26A. Medical examination of seamen.**—(1) Subject to the provisions of any rules made under sub-section (3), no person shall engage or carry to sea any seaman to work in any capacity in any ship unless the seaman is in possession of a certificate in the prescribed form granted by the prescribed authority to the effect that he is physically fit to be employed in that capacity.

(2) If any person engages or carries to sea any seaman in contravention of sub-section (1), he shall, for each seaman in respect of whom the offence is committed, be liable to a fine which may extend to one hundred rupees.

(3) The Central Government may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of this section, and, in particular and without prejudice to the generality of such power, any rules so made may provide for—

(a) the standard of physical fitness required of seamen, and different standards may be laid down in different cases or for different classes of seamen, having regard to the age of the seamen to be examined or the nature of the duties to be performed by them;

(b) the nature of the medical examination of seamen, the authorities by which the examination shall be conducted and the fees payable therefor;

(c) the form and contents of medical certificates and the period of their validity;

(d) the re-examination by such medical authority as may be specified of persons who have been refused medical certificates

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of physical fitness in the first instance and the fees payable for such re-examination;

(e) the circumstances in which or the conditions subject to which any seaman or class of seamen may be exempted from the operation of sub-section (1).

26B. *Qualifications for seamen.*—(1) From such date as may be fixed in this behalf by the Central Government by notification in the Official Gazette, no seaman shall be engaged or carried to sea to work in any capacity in any ship unless he possesses the prescribed qualifications.

(2) If any person engages or carries to sea any seaman in contravention of sub-section (1), he shall, for each seaman in respect of whom the offence is committed, be liable to a fine which may extend to one hundred rupees.

(3) The Central Government may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of this section, and, in particular and without prejudice to the generality of such power, any rules so made may provide for—

- (a) the courses of training to be pursued, or
- (b) the vocational standards to be attained, or
- (c) the tests to be passed,

seamen generally or by any class of seamen in particular."