



Guiding Spirit to Shipping Industry

Sagar Sandesh

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IMF Conference- Concern raised on DGS Orders on “Vessels Age Norms” and “Imposing a huge amount of penalty for errors in providing certificate data on DG portal”

DGS order 06 of 2023 on Age Norms, DGS Circular 03 of 2023, the stakeholders have raised their concerns, and a conference was organized on 5th May 2023 at Acres Club, Mumbai by International Maritime Federation (IMF) to discuss these serious issues. A large number of member lines from IMF, RPSL holding companies,

MTI representatives, and industry stalwarts attended the conference.

Mr. Vivek Rastogi, Chairman IMF welcomed all the esteemed guests and the conference began with the lighting of the lamp ceremony.

On DGS order 06 of 2023 on Age Norms, Capt. Ramji S. Krishnan,

SLOAN Fellow, London Business School presented detailed data/survey reports, and here is the concluded summary:

1. Discrimination against older vessels is not only unjust but also unproductive.

2. Deprives the Indian Maritime industry of some of its most valuable assets.

3. Vsl's worth is not just measured in terms of age, but also in terms of performance, reliability, and safety record.

4. By focusing solely on age, we are ignoring other qualitative parameters that are just as important.

5. DGS order goes against the IMO guidelines.

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Vivek Rastogi



Capt. Ramji S. Krishnan



Lighting of Lamp ceremony by Mr Vivek Rastogi, Ms Aishwarya Pilankar, Capt. L. K. Panda and Capt. Abhayankar.



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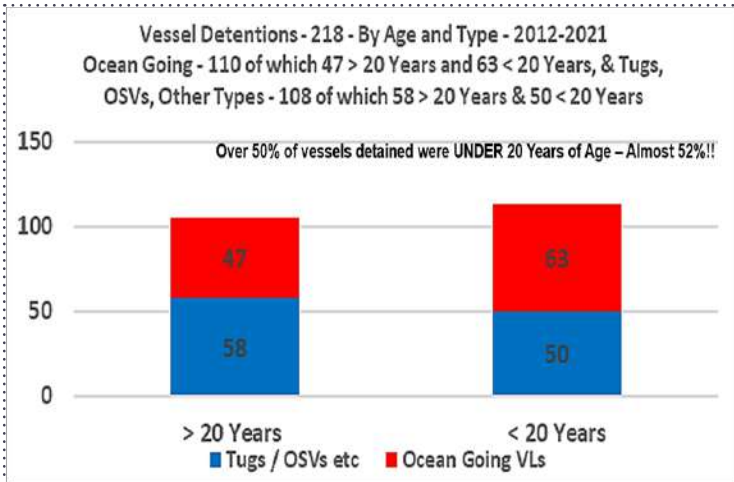
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The following were recommended in his presentation:

1. DG Shipping to conduct a cost-benefit analysis to weigh pros and cons
2. Conduct more research to better understand the correlation between the age of ships and marine accidents.
3. Encourage the retirement of or modernization of

vessels that do not meet safety standards by providing incentives

4. Identify the most effective measures to enhance the safety of ships.
5. Since we have no clarity as yet on the type of fuel to be used in the future, and changes envisaged by IMO in fuel regulations, it is prudent to allow

existing vessels regardless of age meeting regulatory requirements to continue functioning.



Capt. Sudhir Subedar

On DGS order 06 of 2023, Capt. Sudhir Subedar, Former CEO ICCSA, Past President of the Indian Coastal Conference Shipping Association a nodal body of Indian coastal ship owners and operators, representing the industry

at the highest levels of government including the National Shipping Board, Indian delegation to IMO, sub-committees at the Centre and States. He gave a detailed presentation and his highlights were the following:

1. The DGS order has not undergone adequate stakeholder consultation. Though the Order cites dates of consultation with stakeholders it is unclear whether the suggestions and concerns have been incorporated. DGS needs to provide the list of the concerns and suggested remedies in an objective manner.
2. There will be a direct loss of revenue to the government especially for ship owners for smaller tonnage ships.

3. The order appears to benefit a few owners' operators that are mainly in the EXIM trade of large, newer ships.
4. Order has not been issued after cost-benefit analysis of executive decisions or analysis of statistical data made available.
5. Recent accident report of P 305 has not been released nor finding against the age of the vessel. It is recommended that the official report on such a major accident involving loss of life (and the country's reputation) be prioritized before concluding that age alone was the determinant and that making legislation and orders based on such assumptions

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its purview immediately, was concluded by him.

6. Domestic shipping has started playing a significant role in the logistic supply chain so essential for GoI's policy on making in India, Atmanirbhar.

7. A significant number of coastal owners' operators have been adversely affected by the said order. Coastal ships tend to be smaller in size and their owners and operators will be subjected to higher capital outlay by the insistence on the purchase of only younger tonnage. Conversely, such ships are plying near the coast or on short sea voyages and are available readily for any flag state inspections. This should bring comfort to the Administration

that safety norms and statutory compliances can be better monitored and in turn, give confidence that older tonnage can be deployed without compromising safety.

8. **There is likely to be a loss of jobs** both ashore and afloat. As the order does not apply to foreign flag vessels Indian operators are at a disadvantage in comparison to their foreign counterparts who can compete with older tonnage, and offer lower freight rates, particularly in cross-trades. This will translate into fewer Indian ships and jobs.

9. Trying to maintain an Indian fleet of less than 20 years of age will have a negative impact. Both safety and quality have to follow from

top to bottom not the other way around. And, increasing the fleet requires affirmative action, for example, Government support in Green Fund, etc. Infra status for coastal shipping has been a long-standing demand of ship owner's operators and reservation of cargo to make modal shift policy happen. These vital issues have not been addressed while Imposing a sudden ban on older tonnage may not achieve desired objectives

Finally, as a growing economy with increased energy needs India will continue to import fossil fuels in the near term while its ambitious plans for exports will also require

competitive and well-run shipping tonnage. By imposing this order Indian shippers and Importers (mostly PSUs) will be put at a disadvantage as they will have to pay a higher freight.

It is well-known that international ocean freight rates follow the golden rule of demand and supply. When supply gets curtailed due to orders such as the one under discussion freight rates will go up. Lastly, an Order of this magnitude which has deep commercial, national, reputational, societal, and safety repercussions should be imposed without any lead times

The Industry in particular seeks everyone's assistance to revise the order or keep domestic shipping out of



Aishwarya Pilankar

On DG Circular 03 of 2023, Ms Aishwarya Pilankar, Vice Chairperson IMF and MD of Nautical Marine Management Services India, having over 24 years of experience in shipping briefed the audience on the said circular. it was important to note that in one ship data & manning agreement, the data covers 33 fields, and data are required to

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enter manually. If the data is erroneously entered manually, the fine would be over Rupees 1,50,000 per ship considering the penalty amount fixed by DGS is Rupees 5000 per field. This is a huge amount. With advanced digitalization and AI available, the manual entries should have been avoided, this needs a good review of the DG Portal software & hardware both and if the penalty is to be imposed and if this is permissible under MS Act, it should be in a small amount of not more than Rs 1000 for one ship and not per field and importantly the provision of error of the said field should be available for correction and not the complete ship to rewrite manually again. There is a NEED to review the compatibility of DG Portal/e-governance.

The questions were raised in the meeting if DGS also has a penalty clause for the certificate issued by DG Shipping office. There are many cases seen in the past

where certificates with errors were issued by DG Shipping office.



Capt. R. Venkat

On making Seamen Provident Fund compulsory, Capt. R. Venkat Master Mariner having over 44 years of experience in shipping including law practice, addressed the guests and also Capt Subedar discussed at the conference the following:

1. Govt of India has not entered into any bilateral agreements with traditional Flags (FOCs) that engage Indian nationals onboard their ships in order to compel the ship owner to send the PF contribution to the SPFO India.
2. Post MLC2022

resolutions in ILO wide Amendments to the Code relating to Regulations 1.4, 2.5, 3.1, 3.2, 4.1, and 4.3 and to appendices A2-I and A4-I of the MLC, 2006 the Govt Of India has not engaged in any discussion with Seafarer's unions and Foreign Flag owners in order to find out the possible solutions.

3. The act must also have scope for exemptions if a particular flag state does not want to allow the owner to send PF to India and agrees to maintain it with itself until it is claimed for its own reasons until and unless the bilateral agreement has been signed and all points have been covered.
4. Govt of India does not have any pension schemes for seafarers based on their contributions and that should be worked out and linked to these Social Security schemes.
5. Contribution collected is not for accumulating to be lost in Market-related instruments... This has happened twice now and how is that going to be ensured? DG

own website account says that almost Rs.100 crores are going to be written off in stages now during 2018-2021-2023 having lost through the SBI capital market.



Raj Sinha (Q&A session)



Vote of Thanks from Capt. Nazir Upadhye



IMF Team L to R Vivek Rastogi-Ravi Kumar Rai-Ashish Singh-Arun Kumar Saini-Aishwarya Pilankar-Ujawal Chaudhary-Sourabh Sharma-Mr. Sajesh



Union representatives Capt. Tushar Pradhan/MUI and FSUI/Mr. Manoj Yadav also addressed the gathering in support of the issues raised. Next followed was a Q&A session by Mr. Raj

Sinha and thereafter the Conference concluded with the IMF Team taking up the highlights of the meeting with the DGS office and Vote of Thanks from Capt. Nazir Upadhye.

Nariman Point Jetty to get Walkers' Plaza

MUMBAI
Sagar Sandesh News BUREAU

The Nariman Point jetty which was once declared a 'no man's land' will soon get a walkers' plaza to be built at a cost of nearly Rs One crore. This jetty at the South of Marine Drive promenade was shut down due to safety concerns and to prevent anti-social activities. The

MARINE NEWS

proposal will be a relief for those who want to breathe fresh air away from the pollution. Visitors will also be able to enjoy being at the lands' end.

The jetty was declared a 'no man's land' and nobody was allowed to access it. Since the jetty is 53-metre in long and 6.9-metre wide, we felt that a walker's plaza should be developed for an uninterrupted view of the sea. It will have granite cobblestone pathways with a selfie point.

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