



Guiding Spirit to Shipping Industry

Sagar Sandesh

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By Capt Sudhir Subhedar

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29 Cost of logistics in India is double that of richer Western countries like Germany (8-9%). These impacts both make in India, made in India for exports, and the Atma Nirbharta policy of the present government. This is so because logistics has been an unorganized sector overlooking modern investment. Especially in following a modal shift of cargo from road, rail to water. The need of the hour is technology-driven handling systems, a trained workforce, reduced middlemen and the use of multi-modal solutions.

30 Need for new innovative ports in India are waiting to replace the colonial IPA 1907 Act. Ports came as sheltered water areas in earlier days which have now become big major urban areas. Secondly, the ports suffer from a low draft for modern ships going for economy of scale. Satellite ports are a solution for deep draft ports such as the development of Vadhavan - multi cargo

facility. This should be generally supported in India while PPP may be for leasing berths, hinterland, and secondary areas. Going forward, MPA 2021 needs to be backed by trade enabling rules, the new IPA Act and rules thereunder, and the creation of an ombudsman to effectively put to rest TAMP.

31 Marine pilotage is an Art & Science (skill for moving vessels & ships in restricted waters). A master is not expected to enter & exit every port. Often pilotage is mandatory in such waters as per international or national or local rules. Even in inland waters like Ganga, one needs a local pilot between 2 points of travel due to the changing nature of the river, navigable channel, weather, currents, tides, and navigation aids and communication. Traffic systems and increasing water-bound traffic make pilotage extremely important in merchant shipping. Pilot serves employer port as a servant & also serves territory, often foreign flag needing necessary third party liability against (to err is human). In making



Capt Sudhir Subhedar

new IPA there should be a separate chapter (like UK Pilotage Act 1995) detailing pilotage training, licensing, recruitment, rights & responsibilities.

32 Reforming maritime governance has come

of age as shipping is facing monumental legislative change at the global & local level, growing mercantile marine economy; that is trade & industry itself. There is of course variance in regional economy and therefore of its governance, on the other hand, it is a pity that in 75 years Indian administration has changed little in the backdrop of colonial acts like MS Act 1958, 1857, IPA 1906, IV 1917, 2021. India needs simple

pragmatic new maritime acts for the end user, not the regulator. The reform should move from accident investigation by Magistrates to independent body as per IMO Code. There is also a need for robust professional maritime administration in sync with obligations under international conventions in real-time. IMO is neither a regulator nor policeman. It only does what its members want it to do.

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33 FAL convention 1965 & its importance is one of the most overlooked works of IMO especially by India. For global shipping work practices uniformity is the key. FAL is all about simplifying the ship port water interface. Going forward in a digital world, e-governance, digitization & MASS requires FAL a serious looking over by India & many others at IMO. India has no FAL provisions in its primary marine Acts. Primarily FAL's emphasis is on single window EDI exchange that will speed up ship turnaround efficiently in all ports of the world and become the norm mandatory minimum in secure effective documentation. FAL provisions if in

place could have made Covid times a little better for all concerned. It could have helped the sector get key worker status from relevant public authorities. Work in progress is to create reporting systems to prevent corruption, and illicit activities, create a national maritime transport framework & promotion international forms (formats in UN languages) India as a contracting party at IMO should attend FAL deliberations henceforth.

34 Due diligence & ongoing responsibility reflect the buyer be awareness of and need for truthful declarations. Increasingly ship reports are scrutinized tooth n comb in settling claims under HVB & YAR etc. Recently, undue weather

was linked to bad ISM manual clauses. The burden of proof lies on the carrier hence shore superintendence has heavy responsibility on their shoulders calling for close cooperation at the top management from ship to shore. Engine inspection, bearings, defect list, lube oil samples, crankshaft deflection, etc. reports could lead to causative findings denying GA claims. Therefore, there is a very thin line between the law of negligence and duty of care in the contest of third party marine ship management approaching ownership responsibilities.

35 Seat approach or underlying contract approach observes arbitration in India as per the 1966 Act. This is a specialized field presently dominated

by retired Judges and Babus and not many professionals in the field, unlike HK, Singapore, UK. Although High Courts recognize several Indian Arbitration Centres in Mumbai, Delhi, J & K.; ad-hoc Arbitration is more popular. The 2019, and 2021 amendments however are progressing towards institutional arbitration. The recent step in allowing foreign legal people in India (limited way) may lead to mediation centers maturing in India sooner rather than later. One of the other aspects of the Indian legal system is less solicitor work and more going to Court to settle disputes. In developed countries, there is more emphasis on settling disputes out of Courts. A fallout of this is an inadequate arbitration clause in

a contract/agreement clearly stating applicable law. Meticulous drafting of contracts is extremely important.

36 Latest trends and tools in maritime training are the most essential element in safe & efficient shipping (unusual environment for workers). Workers, whose house is also their workplace. Training of seafarers has evolved over 200 years but since STCW 1978 it has taken the shape of minimum mandatory standards for all but with less than uniform interpretation and implementation. Going forward, the new STCW has to be a better standard for MASS etc., and uniformly followed across the globe for both Exim & domestic shipping. ITES is way forward

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making judicious use of role models, role play, mentoring, VR, AI/simulation, appreciation of strength, weaknesses, limitations of electronic aids, online learning methods etc. The challenge is defining for all concerned standards of hardware & software in use & real-time change. Secondly, training under administration control has to be complemented by end users as per value addition and updating as required. CPD will play an important role in this purpose.

37 History of maritime training in India formally started in 1927 with TS Dufferin (20 years before independence). The World War I troop ship became a training ship in

Mumbai through the acts of freedom fighters & early visionaries such as the late M.A. Master & Scindia House. Marine Engineering College (DMET) started in 1953. Before then, both deck & engine cadets trained on the Dufferin that has given 8 Admirals, Chief of Staff, Indian Navy including Admiral R.D. Katari, role No. 1 on the Dufferin & first Admiral of independent India. Dufferin fondly called old lady by many of us was replaced by the Indian Vizag shipyard-built training ship called Rajendra in 1972. It is now TS Chanakya as a shoreside establishment in Nerul, Mumbai since 1993. It is affiliated to Indian Maritime University, Chennai. Dufferin

trained 80 cadets per year but Chanakya alone trains 500 cadets at any given time. This shows the demand for well-trained Indian seafarers. Pre-sea training also requires post-sea training and research. This takes place at Lal Bahadur Shastri Marine Engineering College in Mumbai again under IMU. Since COMET report of 1995 training has been engaged in the private sector and now both officers & ratings are undergoing training as per annual capacity of nearly 5000 trainees at any given time. However, there is visible gap between trained & competent seafarers.

38 Maritime higher education: The Indian scenario is similar to other developed states & maritime administrations following IMO mandate

and recommendations. STCW under comprehensive review is the only platform for increasing sea going competence. However, there is required to be done for experienced seafarer willing to pursue research in the scope of IMO which is catered by University. Steps in research in this sector by maritime professionals are nothing to write home about presently. At global level WMU is run by IMO where Indians train as well as take part in the faculty and its governing council. It would help if IMU recognizes certificate of competency and follows normal UGC system for progressing seafarer for higher education and research. There is also need for FDI in IMU and increased industry interaction.

39 Why the safety record

of shipping industry is so abysmally low? The answer lies in dwindling safety culture especially post-1980 when in fact there has been more training of seafarers than ever before. The world of shipping today at the same time is an integral part of the world economy & supply chains. This necessarily requires a more regulatory regime in a rather fragmented sector. Perhaps, one needs to revisit this regulatory regime to drive a safety culture and get away from a compliance culture. Analysis of accidents & incident reports could be a tool for this purpose. The key is honesty in reporting and determining route cause. However, error or to err is human is well known and needs

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to be guided against by overcoming weaknesses in software, hardware & ship board environment. That is, fit the task, equipment, environment to the capability & limitations of persons so as to enhance recorded performance for end users. Like quality, this must flow top down.

40 Safety audits – HSQE – is also a top-down system not dependent on departments. Unfortunately, ISM 1995 came into its own due to the identification of human error as the main cause of 80% of accidents/insurance claims. ISM has mostly failed to reach the objective (only 40% success). Due to this, the tanker industry by way of control on cargo introduced SIRE 2.0 using a carrot & stick approach which otherwise under ISM should have been win-win for all. The audit is not pass-fail but a continual improvement platform. If NC, observations,

both good and bad are analyzed for root causes with corrective and preventive measures; SIRE kind of audits would not be required. Later, poses the danger of two classes of ships which is harmful to global trade and its costs of too many audits. What is needed is the allocation of resources to HSQE. Hope in time to come, the focus will be on the success of ISM certification & end of multiple audits such as SIRE, and RIGHTSHIP. Good HSQE can add 1% to GDP.

41 Inland waterways in India – features, challenges & opportunities, missed from 1985 when the sector got an independent authority under the Shipping Ministry. Lack of investment in water transport compared to road, rail & air over 75 years makes this sector lagging behind giving India one of the highest logistic costs (15%). Water transport due to no friction in

a fluid is the cheapest mode of transport and should have been so recognized to leverage it for the national economy. It is also the most environmentally friendly. The sector has the potential to add 1% to GDP. The modal shift of cargo must necessarily mean more transport on Indian 14,000 km (5 + 111 national waterways). There are challenges of draft, rocky bottom, and dredging continuously for alluvial soil/silt but just like road making and repair it is surmountable. **Waterways** infrastructure needs updating including 365 x 24 x 7 operations. Dredging to give adequate depth (2-3 meters) for the economic viability of transport of about 2000 tonnes. This requires a structured plan of deploying made-in-India small cutter section dredgers, river training / bandaling (using water flow hydrodynamics): embankment: riverside forestation, smoothening “S” curves, using the green fund, NGO funds, builder’s involvement for taking virgin sand/silt and use of public funds like MNREGA. The way forward is only government support, fiscal measures (GST, Income Tax, etc.), PPP, VGF, and cargo reservation over the next few years. The new MS Act one hopes will synergize the new IV Act 2021 & new IPA within the concept of Sagarmala. Urgent steps are required to make IWT RSV interface from Chabahar to Myanmar / North East India / Thailand making shipbuilding and repair facilities and marine equipment for at least local use. Small ships passing through the Pamban bridge (Palk Strait) could be

very advantageous to both Indian shipping & Indian Navy.

42 Containerised trades came to the fore about 1970-80 which India missed to create capacity. India still does not make ISO “Box”. Container operators hire rent leases these boxes. Typically they require 3-5 times their slot availability rent of USD 1-3 per day. In an importing port, it is mostly exempt from customs duty for a few days (in India 180 days) as per unique identification in the customs declaration. This offsets break bulk handling, improves evacuation, allows for economies of scale, and prevents cargo damage and pilferage. A new concept in this segment ROTAINER. It is an ordinary container with tippler emptying and reuse at speed. Container trade is seeing the entry of very large ships – 20000 TEU – requiring very large ports supported by transshipment hubs and feeder services & offshore port facilities (OPL bunkering etc.)

43 Oil at sea; is price sensitive affecting all sectors and economy, and businesses. Indian economy is dependent on 85% of its need for energy by imported crude oil. As of now, there is no real alternative to diesel as transport fuel climate change issues notwithstanding. The price of oil based on supply demand (20 exporters and 150 importers) is also dependent on geopolitical issues like the Ukraine war. Movement of oil is enabled by special tank ships such as very large crude carriers or LNG ships. India needs well well-thought-out integrated energy policy within the climate change ecosystem.

44 Offshore ship owning has to do with getting oil from exploration at sea. This is a large employer of people and in one of the most dangerous workplaces. Without proper ships/vessels seafarers, this sector would not be able to function. ONGC mostly controls Indian offshore activity. However, there is a move to liberalize and attract private operators, investment, and expertise especially in EEZ+ areas more than 200 miles from the coast. Presently Indian OSV fleet is grade 2 and aging. It needs a renewal policy that is pragmatic not banning old age. Notably, shipping is a capital-intensive industry. Several other reforms are required in OSV operational clearances from MoD, MMD, police, etc. Also, owner-operator safety systems are required including Coast Guard support, trained seafarers, helicopter use, and standby vessels. In days to come, one would need readiness for deep sea mining, exploration, UDA technology, use of wind farms, tidal wave energy tapping etc.

45 ESG means focusing on the environment society and governance and affirmative action on all such fronts. CSR is now a new buzz word but its take-off in both private and public domains is less than transparent and ineffective. Pollution prevention and waste management is one area that is crying for help from NGOs. Sustainable shipping is another SDG that needs the attention of all concerned. Recycling may be the key. Continuing this reform should be gender-neutral all around.



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46 Women in shipping have finally arrived in an otherwise man's world. They have entered defense and fighter aircraft too. Agneevir Jawans has also seen women entering so also as ratings recently. In shipping, WISTA is spearheading the initiative. Their front-end role is the promotion of women in all facets of sea-going careers at sea and ashore. Creating a suitable work environment is the key objective of WISTA. Its members and officers are continuing to break the glass ceiling. Hip hip hooray !!!!

47-50 (1-4) addresses upfront of compendium; should India be chasing global supremacy via shipping? Is there an alternative strategy? History shows great empires have had great navies. Perhaps, dawn of AmritKal is upon us.

MARINE NEWS Navy is looking for a 3rd aircraft carrier

NEW DELHI
Sagar Sandesh News BUREAU

Chief of Naval Staff, Admiral R Hari Kumar, announced that the Navy is considering a repeat order of an Indigenous Aircraft Carrier following the induction of INS Vikrant.

Speaking at the launch of the advanced stealth frigate Mahendragiri in Mumbai last week, Admiral Kumar stated, **"We are working for a third aircraft carrier which will be a repeat of INS Vikrant.** There is a lot of expertise that has been generated in terms of building an aircraft carrier. We are looking at having an IAC and preparing a case for it."

This revelation highlights the Navy's commitment to enhancing its maritime capabilities and maintaining a roust presence in the Indian Ocean Region and the border Indo-pacific, where traditional security challenges persist.



INS Vikrant, indigenous aircraft carrier

The launch of the advanced stealth frigate Mahendragiri marks a significant milestone in India's maritime history, and it is the last of the seven warships of the Nilgiri-class stealth frigate to be launched at sea. The event took place at the Mazagaon Dock Shipbuilders Limited in Mumbai.

India's naval expansion and modernization efforts, including the potential procurement of another Indigenous Aircraft Carrier, demonstrate the country's commitment to safeguarding its maritime interests and maintaining security in the region.

Earlier this year during the aircraft carrier's maiden visit to Mumbai harbor, Captain Vidhyadhar Harke, Commanding Officer of INS Vikrant, had said **that India needs more aircraft carriers.** "In the blue economy, safe sea link communication is important.

Cars in containers the norm as ro-ro sector capacity crunch continues



Lack of capacity and congestion in the car carrier sector has driven some freight forwarders and manufacturers to move cars in containers rather than delay exports until space becomes available.

New Delhi
Sagar Sandesh News Service

However, differences between insurers of the questions of safety and the movement of cars in containers, particularly electric vehicles (EVs) have emerged following the publication of the International Union of Marine Insurance (IUMI) which published the findings of a recent study. **Soaring freight rates, congestion and a lack of ro-ro capacity has seen delays of up to three months or more in the shipment of cars as sky-high demand**

adds to the sector's problems.

One freight forwarder who specialises in the handling of cars told *Seatrade Maritime News*, "The cost of moving cars in containers is on a par with ro-ro because although the freight is cheaper the cost of loading and unloading containers is greater." Although the costs are similar from one sector to the other the forwarder pointed out that **most ro-ro companies only operate monthly services to key markets, whereas container services are weekly.**

SHIPPING NEWS

The forwarder pointed out that CMA CGM had a policy of shipping EVs in reefer containers, a policy that has now been reversed according to Marc Lefebvre, senior manager for cargo security and safety at CMA CGM. "Now we say it is the responsibility of the shipper to decide whether to put an EV into a dry or reefer container," explained Lefebvre.

He went on to explain that the policy was originally used to try and control the temperature inside the container, but now CMA CGM has put the responsibility for that decision, whether to store an EV in a dry or refer box on the shipper. "We ask shippers to sign a letter that shows that they are aware that the battery temperature of EVs can increase dramatically, above 60deg centigrade, and that the shipper accepts the liability for the carriage of an EV," said Lefebvre. TT Club risk management director Peregrine Storrs-Fox said, "It is uncomfortable to have a difference in views between international insurers."

PORT NEWS Kolkata Port to Offer Lighterage facility for bulk Cargo bound For Bangladesh

KOLKATA
Sagar Sandesh News BUREAU

In an effort to secure more transshipment business, Kolkata Port has approached the Customs to support the Port authorities for conducting Transshipment operation of dry bulk cargo destined for neighboring Bangladesh. The ports in the east coast of the country are vying with each other to secure transshipment business.

At present the Port is doing transshipment operations in liquid cargo alone.



Kolkata port

Port Chairman, Rathendra Raman, said: "We have received requests from the industry to start transshipment operations in dry bulk cargo. We approached Customs, Kolkata for the clearance.

However, Customs have expressed apprehension about this business

since liquid cargo can be easily transferred from one ship to another, or to a barge, and there is no chance of theft. But in the case of dry bulk cargo there can be theft while the consignment is en-route to Bangladesh.