

34th STCW Compliance Board Meeting to be held on 08.08.2024

Sr. No.	Agenda	Decision taken
1	Matter of Sri Nandhanam College of Engineering and Technologr, Tiruppattur	<p>Sri Nandhanam College of Engineering and Technology, Tiruppattur filed W.P. No. 2113 of 2024 and, the Hon'ble High court of Madras has disposed of the said writ appeal and passed the Judgement Order dated 31.07.2024 wherein the Hon'ble High court ordered that "In the light of the rival submissions and considering the larger interest of the students we direct the second respondent to consider the application of the appellant in the light of the additional documents furnished by them and process the same in accordance with law and all applicable rules and regulations and pass appropriate order within two weeks i.e on or before 14.08.2024."</p> <p>Accordingly, the MTI was called for an online hearing in the 34th STCW Compliance Board scheduled to be held on 8th August, 2024. Shri PMN Mohan Krishna, the representative from the MTI presented his case and grievances with the write up on the matter which was displayed online before the STCW Compliance Board. DG informed him that his submission has been taken on record.</p> <p>It has been informed to the STCW Compliance Board that present status of the faculties is not known. Further, the Principal has been changed, and he has not done AECS Course. MTI has not submitted any satisfactory reply for unauthorized batches conducted in 2021, 2022 and 2023. The arrangement of swimming pool is far from the institute and the swimming pool nearer to the MTI is not complying with the DGS guidelines. Further, he informed that two courts cases are pending, one is adjourned upto 28.08.2024. One more petition regarding swimming pool is pending. One of the chief examiners pointed out that the said MTI has been approved for one batch of GP Rating however, he has commenced another unauthorized batch of GP Rating in July, 2024 as well. It has also been informed to the STCW Compliance Board that there are judgements given in the past in cases of other MTI and the same can be included in the speaking order and reply affidavit.</p>

		<p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <ol style="list-style-type: none">1. To issue Speaking Order in accordance with the time limit granted by the Hon'ble Madras High Court.2. The submission by Shri PMN Mohan Krishna before 34th STCW Board Meeting should be included in the speaking order.3. The online Application submitted by the MTI for approval of 12 additional batches to be rejected. This should be included in the speaking order.4. Speaking order to be prepared in consultation with the Legal Consultant of Training Branch.5. The speaking order, structured in the format of a reply affidavit, should meticulously refer all relevant precedents, including significant judgments rendered by the Hon'ble High Courts in similar cases, to ensure that our position is strongly supported by judicial precedents in the court of law.6. After issuance of speaking order, an advertisement/public notice be published in the Newspapers regarding unauthorized batch(es).7. Govt. of Tamilnadu may be informed about the unauthorized batches and be requested to give publicity of the same for awareness of the public, in their publications or referred to their concerned department for the purpose.8. The record/references about the students of unauthorized batches, conducted the past and the decisions thereof, may be taken on record.9. Letter to be issued to the BEST about the unauthorized batches with the brief of the case.
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2	Matter of OERC Academy, Mumbai – Automatic lapsed courses:	<p>It has been informed to the STCW Compliance Board that the owner of the premises of the said MTI is selling the premises and at present, the MTI is functioning on part of the premises and that while shifting of the premises of MTI, only the active course will be shifted and for the lapsed course, the MTI is required to submit fresh application as per procedure. One of the Chief examiners informed the STCW Compliance Board that the MTI is talking about the shifting of the premises for last 2 years. Their lease deed of the existing premises might have expired, which needs to be checked.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <ol style="list-style-type: none"> 1. The course approvals that are lapsed can not be shifted to new premises, but the MTI is required to submit fresh applications for lapsed courses as decided in 32nd STCW Compliance Meeting. 2. The request may be sent to PO, MMD, Mumbai to examine the premises, with its leased deed, existing courses, etc.
3	Swimming Pool tie ups:	<p>Jurisdictional PO wise list of MTIs and the draft circular placed before the STCW Compliance Board for deliberation and decision.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <p>Draft circular on the swimming pool requirements may be circulated among the members of the STCW compliance board. The same will be deliberated in the next STCW Compliance Board meeting.</p>
4	Presentation on pendency of online in-principle approval and course approval of MTIs.	<p>The presentation of the pending in-principle applications and course applications was made before the 34th STCW Compliance Board meeting held on 08.08.2024. It has been requested to clarify whether inspection is required before recommendation of in-principle approval.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <ol style="list-style-type: none"> 1. No inspection is required for recommendation in-principle approval but it will be examined on the basis of the documents submitted.

5	Update on examination reforms.	Shri Praveen Nair, E&SS and Capt. Ravi Shikharwar, NS could not attend the meeting since pre-occupied with other official work of Audit. However it has been informed that CDAC has been finalised.
6	Comprehensive Review of STCW Convention and Codes :	<p>In the 33rd STCW Compliance Board meeting held on 25.07.2024, it was informed that Shri Senthil Kumar, E&SS has initiated comprehensive Revision of STCW code and convention. It has been directed that the review and updates shall be the continued agenda for every STCW Compliance Board.</p> <p>Accordingly, matter is placed before the STCW Compliance Board for updates.</p> <p>Shri Senthil Kumar, E&SS submitted the updates.</p>
7	Review of legal matters in Training Division – updates thereof.	<p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <p>It has been advised that the Legal Consultant shall maintain a comprehensive record of similar judgments, in collaboration with Training branch to ensure their inclusion in circulars addressing non-compliance issues. These judgments should also be cited in speaking orders in various court matters, and should serve as a basis for future references and these will be instrumental when providing legal opinions or discussing the agenda and issues related to Maritime Training Institutes (MTI), thereby ensuring that decision-making processes are legally sound and effectively supported.</p>
8	Issues related to swimming pool tie-up w.r.t. Hoon Maritime Institute, Kolkata.	<p>MMD, Kolkata, vide email dated 30.07.2024 has submitted the following recommendations towards resuming of BST & RPST courses :</p> <ol style="list-style-type: none"> 1. Pool utilization chart to be attached to approval letter. 2. Adequate lifesaving devices and lifeguard shall be joint responsibility of both MTIs. 3. Video recording to be kept by both MTIs and should include embedded date and time for the whole period of training including that of assemble of candidates.

		<p>It is also requested that approval letter should also be copied to M/S. Sensea Maritime Academy with whom there is a tie up. The matter is placed in the 34th STCW Compliance Board Meeting for deliberation and decision.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <p>Recommendations of the PO, MMD, Kolkata has been accepted.</p>
9	<p>Post Facto Approval : CMC Maritime Academy, Kochi [Application No.100691] :</p>	<p>MMD Kochi informed that during inspection the inspection team had noted 6 nos. non conformities / deficiencies and the same were conveyed for compliance to the MTI on the day of inspection. The MTI had offered for verification compliance on 07/03/2024, the inspection team has noted that all noted non-conformities been addressed except the ISO Certification and the requirements of swimming pool. The MTI agreed to submit the ISO certification within 6 months of starting of the institute. Also, the MTI had submitted a tie-up agreement with Seafarers Club, Kochi for a swimming pool facility for PST practical training and the same was communicated to DGS for consideration though the swimming pool is not complying with DGS Training Circular No. 07 of 2018 by the PO, MMD, Kochi on 12/03/2024.</p> <p>Since the MTI proposed tie-up swimming pool is not complying with DGS guidelines, the MTI is not qualifying for 3 courses (i.e. BST, Refresher Training for Proficiency in FFFF & Refresher Training for Proficiency in PST) and not eligible to start new MTI in accordance with para 1.7.8 of DGS Training Circular 31 of 2018 (Minimum 5 courses criteria). In other similar cases the Directorate hasn't considered for relaxation to swimming pool requirement in compliance with DGS Training Circular No. 07 of 2018. Hence PO, MMD, Kochi recommended for rejection for approval of the MTI. Accordingly, the application was rejected online, for non-compliance of various observation and swimming pool related issues as per the inspection report of MMD Kochi. Post-facto approval for rejection of application No. 100691 is granted by STCW Compliance Board.</p>

10	<p>Post facto approval : institute of marine engineers, Kolkata [applications no.100647, 100648 and 100649] :</p>	<p>The institute of marine engineers (India), Kolkata applied for approval of following courses vide Applications no. 100647, 100648 and 100649 dated on 20/09/2023:</p> <ol style="list-style-type: none"> 1. 100647 – BASIC TRAINING FOR SHIPS USING FUELS COVERED WITHIN IGF CODE – FOR 24 CANDIDATES 2. 100648 – SSO AND STSDSD COURSES – FOR 24 CANDIDATES 3. 100649 – CROWD MANAGEMENT PASSENGER SAFETY & SAFETY TRAINING AND CRISIS MANAGEMENT & HUMAN BEHAVIOUR – FOR 24 CANDIDATES <p>MMD, Kolkata officials conducted inspection on 24.11.2023 and 19 observations raised. MTI requested extension of time to comply with the same. Re-inspection was conducted on 20.05.2024 and the deficiencies found partially complied. 15 days time was granted for compliance of remaining deficiencies. MTI submitted the compliance.</p> <p>MMD Kolkata found all deficiencies were complied satisfactorily. It has been mentioned that the MTI initially applied for 24 candidates with 12 batches per year. However, the classroom size found to be only 30 sq.mtr and thus suitable for only 20 candidates and hence it has been recommended that the MTI may be approved to conduct following courses :</p> <ol style="list-style-type: none"> 1. 100647 – BASIC TRAINING FOR SHIPS USING FUELS COVERED WITHIN IGF CODE – FOR 20 CANDIDATES, WITH 12BATCHES IN A YEAR 2. 100648 – SSO AND STSDSD COURSES – FOR 20 CANDIDATES WITH 12BATCHES IN A YEAR 3. 100649 – CROWD MANAGEMENT PASSENGER SAFETY & SAFETY TRAINING AND CRISIS MANAGEMENT & HUMAN BEHAVIOUR – FOR 20 CANDIDATES WITH 12BATCHES IN A YEAR <p>Accordingly, the online approval was granted on 26.07.2024. Post-facto approval for approval of Applications no.100647, 100648 and 100649 is granted by STCW Compliance Board</p>
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11	Unblocking of the INDOS Numbers :	<p>The Directorate has received requests from the four candidates to unblock their INDOS.</p> <p>As three of the four candidates have redone the courses as seen in the master checker; their INDoS numbers have been approved by the STCW Compliance Board to be unblocked.</p> <p>The certificate of STSDSD course in respect of fourth candidates is not seen in his master checker, therefore, it has been decided that his INDOS would not be unblocked at this stage and clarification to be sought from the candidates.</p>
12	In-principle approval applied vide application no. 100212 by Bernhard Schulte Ship Management, Ernakulam.	<p>The Mercantile Marine Department, Kochi has scrutinized the application along with submitted documents in accordance with DGS Order 05 of 2016 and applicable guidelines and found few documents viz. CV of the Trustees / managing committee/ directors, Names of the managing committee who are shipping professionals, CV of the Principal, number and qualifications of the faculty etc. were not submitted through online application. However, the above referred documents were submitted by email to MMD, Kochi and the same reviewed and found to be in order. Also, the management of the MTI has submitted the copy of the letter issued by the "Office of the Development Commissioner, Ministry of Commerce and Industry" for carrying out authorised operations of maritime training in the Smart City (Kochi), SEZ. In view of above, MMD Kochi has recommended to accept the proposal of the management of the MTI for grant of In-Principle approval. As per discussion, in-principle approval applied vide application no. 100212 by Bernhard Schulte Ship Management, Ernakulam is approved by the STCW Compliance Board based on recommendations of PO MMD Kochi.</p>
13	Asha International Institute Of Marine Technology (AIIMT), Varansi – compliance on Swimming Pool Requirements reg:	<p>MTI Asha International Institute of Marine Technology (AIIMT), Varanasi was issued Show Cause Notice dated 08.04.2024. Vide letter dated 25.07.2024, MMD Kolkata has informed that MTI has complied with deficiency. In view of the above, PO MMD Kolkata has recommended that the Show Cause Notice to M/s. Asha International Institute of Marine Technology, Varanasi may be withdrawn.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p>

		As recommended by PO MMD Kolkata, the Show Cause Notice to M/s. Asha International Institute of Marine Technology, Varanasi may be withdrawn.
14	Asha Marine College owned by the RMU Charitable Trust, Sikkim – relaxation of certain infrastructure requirements reg.:	<p>M/s. Asha Marine College, Sikkim is approved to conduct GP Rating course with the intake capacity of 80 candidates per batch and 2 batches in a year on 07.07.2016.</p> <p>Vide letter dated 26.07.2024, RMU Charitable Trust has requested for relaxation of certain infrastructure requirements for conduct of DGS approved courses at North Eastern Region, in line with other affiliating bodies like AICTE, UGC, MCI, et. . The same are given below :</p> <ol style="list-style-type: none"> 1. Establishing an MTI is an tremendous task. It is situated in the Himalayan mountains. On experiencing for past eight years, it is observed that land area of 10 acres could not be utilized fully as part of area is hilly. Further land area cannot be purchases by other than locals of sikkims. <u>MTI has requested that requirement of land area of 4 hectares be reduced to 0.5 hectare.</u> 2. Availability of faculties and other resources for training activities are limited thereby cost of managing MTI increases. <u>MTI has requested to allow 560% of the faculties to impart training through e-learning /online video method by making recording, which can be crossed checked by the DGS and MMDs.</u> 3. Similar to the scholarship to girls candidates, <u>MTI has requested that scholarships to students of North Eastern regions be sanctionbed.</u> 4. <u>Permission may be given to construct the residential accommodation, training infrastructure in concrete and wooden combination as exist in hilly area to maintain climatic conditions.</u> <p>This is to state that MTI was granted approval for only GP Rating course on 7.07.2016 with the key condition that from 2017 onwards the MTI shall enroll 50% students belonging to North Eastern States.</p>

		<p>The Directorate has issued Training Circular No.06 of 2016 which is a guideline for the MTIs functioning or proposed to start the institute at North East Sector.</p> <p>MTI's request for various relaxations, as mentioned above, submitted in the 34th STCW Compliance Board meeting scheduled on 8.8.2024 for deliberation and discussion.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:- Jurisdictional PO to examine the matter and submit its comments as per DGS guidelines, with the same parameters as done in other MTIs.</p>
15	<p>Conduct of Non DGS approved courses by DGS approved MTIs – revised draft circular reg.</p>	<p>The Directorate has received several complaints and found that some of the approved MTIs are conducting Non-DGS approved training courses, value added course, Courses of other flags from the same premises and using faculty and infrastructure approved for conduct of DGS approved maritime courses. The Directorate has also received representation from RPS companies explaining the need to conduct 'Non DGS/value added' courses, to meet customer requirements, and to better utilize the resources established by Maritime Training Institutes</p> <p>Accordingly, the draft circular, revising the conditions for conduct of value added courses by the MTI is placed before the STCW Compliance Board for deliberation and decision.</p> <p>As per discussion the following decisions have been approved by the STCW Compliance Board:-</p> <p>Draft circular on the conduct of value added courses by the MTI, may be circulated among the members of the STCW compliance board. The same will be deliberated in the next STCW Compliance Board meeting.</p>