

# **DIRECTORATE GENERAL OF SHIPPING, MUMBAI**

## **MERCHANT SHIPPING NOTICE NO. 12 OF 2008**

**No. 11- NT – (058) / 2007**

**Dated: 30.06.2008**

**Subject: Monsoon Advisory to Shipping**

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### **For the attention of:**

Exploration & Production (E& P) Operators, Ship Owners, Ship Managers, Shipping Agents, Ship Masters, Charterers, Ship Builders, Ship Breakers, Classification Societies recognized by DGS, Non Exclusive Surveying Companies, Insurance Companies, Coastal State including Administrators of Union Territories, Maritime Boards, Major and Non-Major ports, Sailing and Fishing Vessels, Allied Offices of DGS, National Hydrographic Office, Indian Meteorological Department (IMD), Director General of Lighthouses and Lightships, Director General of Hydrocarbons, Public Authorities (Customs, Coast Guard, Indian Navy, Offshore Defence Advisory Group – (ODAG), Immigrations, Port Health, Environmental Control Boards), Seafarers Unions, Maritimes Training Institutes, etc

The purpose of this notice is to regulate and facilitate safe operations and navigation of sea going vessels fitted with mechanical means of propulsion or otherwise having auxiliary machinery engaged in the carriage of lawful merchandise and specialized services as applicable, owned and chartered by Indian ship owners or ship managers or other entity as per section 21 of Indian Merchant Shipping Act, 1958 (as amended) or other flag ships under any contract of affreightment or under various types of charter parties. This notice provides guidelines to the above stated stake holders on lawful trading of such ships on the coast of India up to Exclusive Economic Zone (EEZ) and overseas from Indian waters for single or specific voyage's on time charter / Bare Boat Cum Demise (BBCD) throughout the year specially during June to August in Arabian sea and from May to November in Bay of Bengal.

### **A. Historical Background**

1. The Directorate notes its serious concern at the upward trend in marine accidents in and around Indian waters during hostile and stormy weather conditions, which prevail especially in the time of seasonal monsoon months.
2. In view of the experience gained in dealing with the consequences of such incidents including the lessons learnt from them, the Directorate considers it essential to reiterate the following advance warnings supplemented by preventive & prohibited measures as advisories. The list is only indicative.

**B. Preventive Measures conforming to relevant International Maritime Organization (IMO) Instruments (i.e. Conventions, Codes, Resolutions, Circulars etc. as applicable) & established best Shipping Practices**

1. The maintenance and condition of ship including hull, structure and equipments after survey under the relevant regulation of Safety of Life at Sea Convention (SOLAS 1974) as amended should enable the vessel to proceed to sea without endangering the ship, cargo or persons onboard.
2. In the event of any accident occurring on a ship or ship being overdue, defect discovered affecting the safety of the ship or the efficiency of the vessel's operation, the master / ship manager / ship owner of the ship shall as the case may be report at the earliest opportunity to the nearest Mercantile Marine Department (MMD) and the concerned MRCC under the control of Indian Coast Guard if at sea, or the port state authorities, if the vessel is in an Indian port. These authorities shall communicate this information to the DG Commcentre, Mumbai and MRCC immediately.
3. The Master of the vessel shall participate in the relevant Ship Reporting System under the **Search and Rescue convention (SAR 1979)** (for search and rescue purposes) and **SOLAS 1974 convention** (as amended), within the prescribed assigned area i.e. **Indian Search and Rescue Region (ISRR)**, territorial water or jurisdiction of Indian ports as applicable.
4. In the event of a breakdown or total disability making a vessel a wreck in proximity of Oil Development Area (ODA) in the Arabian Sea or Bay of Bengal or along the Indian coastline or within Exclusive Economic Zone (EEZ) of India, the master of such vessel shall immediately communicate such a situation to Maritime Rescue Coordinating Centre (MRCC), Mumbai/ Chennai as applicable. The concerned MRCC shall forward report of First Report of Marine Casualty / Incident as per prescribed format as Annex – 1, information to DG Commcentre, Mumbai. The master shall also initiate such suitable measures to prevent drifting of the vessel in disabled state towards manned / unmanned oil platforms or production platforms or other exposed dangers in these waters etc. to avert any shipping casualties which may lead to serious consequences. Such measures could namely be under the circumstances / limitation of the vessel to start with anchoring of the ship, effecting early repairs to the ships machinery to resume the voyage, seeking assistance from Indian Coastguard, Indian Navy, a competent salvage operators or any other organization / s as advised by the ship manager / shipping agents or Owners or Insurer of the vessel. He may also refer to documents "Perils of Sea & Salvage" or other such publications recommended by the flag state/ company's manuals under Safety Management System (SMS) / other system applicable to restore normalcy on board using ship board

resources supplemented by other arrangements. The usage of these documents would provide the master the general guidance in dealing with the situation on board by understanding the changing pattern of drift away from prohibited areas or vulnerable offshore assets in avoiding damage to the resources in the proximity of the vessel. The ship owner, ship manager or ship Master shall also arrange suitable competent salvage vessel as part of his obligation under the relevant law of the coastal state, which is properly equipped and manned by qualified persons for salvage operations.

5. In the event of release of oil or hazardous substances or other wastes from the ship specified in the Convention on Prevention of Pollution at sea (MARPOL 73/78) and other relevant conventions etc. as applicable, the master shall immediately report all such incidents to the concerned port authorities, Indian Coast Guard, MRCC, Maritime Board, Port State Control Authorities including the nearest Mercantile Marine Department office. These authorities shall send report of First Report of Marine casualty / Incident (As Annex – 1) Information on pollution incidents to the DG Commcentre, Mumbai. The Master shall immediately activate SOPEP (Shipboard oil pollution emergency plan) / SMPEP (Shipboard Marine pollution emergency plan) or vessels response plan or garbage management plan or other plan as applicable. He shall also seek the advice of the Indian Coastguard, who is the nodal agency of the Government of India for oil pollution response.
6. If such pollution incidents occur within the jurisdiction of a major / non-major port, the master of the vessel shall first report the matter to port authorities / port state control authority and mitigate the situation by implementing vessels SOPEP/ SMPEP or other plan as applicable. He shall also seek the advice from the port authorities under the provision of port by the laws to control the situation. The port may implement considering the gravity of pollution incident their Crises Management Plan (CMP) supplementing the measures taken by the polluting ship. The ports, coastal states, and other concerned shall send reports of oil pollution incident especially from tankers and make claims for damage under the fund 1992 Convention through DG Shipping. They shall also be guided by IOPC claims manual. (Details available on their website [www.iopcfund.org](http://www.iopcfund.org)).
7. In the event of medical evacuation of persons or salvage of a person within Indian search and rescue region (ISRR), the Indian coastguard (MRCC) should be contacted for necessary assistance. However, the coast guard should communicate such information to the DG Commcentre as soon as possible.

8. For the purpose of salvage operations, the ship owner / ship manager / ship master are advised to enter into the contract specified under international salvage conventions or applicable national law of the vessel or coastal state (India) to obtain timely assistance and avert any dispute at last stage for the settlement of claims. The payment of compensation should be settled in accordance with laid down terms and conditions of the contract entered between the ship and the salvors / charterers prior to vessel's departure upon satisfactory completion of services from Indian port or Indian waters. The dues of the Indian coastguard for salvage of persons, cargo and ship or preventive measures against pollution or clean up operation as the case may be shall be settled as per their schedule of tariff maintained by them. In case of any dispute the provisions of M.S. Act 1958 (as amended) shall apply.
  
9. The owner / manager / masters of the ship should be guided by **IMO Resolution A. 949 (23) "Places of Refuge"** in case of the total disability of a ship in need of assistance to carry out emergency repairs. The Directorate General of Shipping (DG Commcentre) is the Maritime Assistance Service (MAS) nodal point in India complying under **IMO Resolution A 950 (23)**. This is operational 24 x 7 and the contact point for ships in need of assistance and place/port of refuge as given below. The port / coastal state authorities should also be guided by **IMO Resolution A. 949 (23)** in the event of rendering assistance to disabled ships within their jurisdiction.
  
10. It is the responsibility of the master to obtain latest weather bulletins/ navigation warnings of Navarea VIII and adjoining navigational areas. The master of the vessel shall in Indian waters monitor navigational dangers, sea and weather conditions periodically. The Chief Hydrographer to Government of India (NHO Dehradun) & I.M.D. (India Meteorological Department), New Delhi are the National Coordinators for India with respect to navigational Warnings and weather warnings respectively. Additionally during the SW monsoon period, the master shall ensure that all weather updates and weather forecasts (prognosis report) are made available to him by ship owner / ship manager / ship agent prior vessel sailing from Indian port or entering/leaving Indian waters. The masters are advised to prepare comprehensive passage plan for the intended voyage by taking into account all navigational hazards / dangers and contingency plans including all latest weather/ tidal conditions in Indian waters during seasonal changes. The latest navigational warnings are issued by the Port authorities for the local area from time to time. The Coastal and high seas warnings are issued by the Chief Hydrographer, Dehradun. The exhibition of applicable storm signals under the various systems for the ports for various types of dangers should also be taken in account when

approaching or leaving Indian ports. However, **safe execution** of intended voyage should take in account following :-

- The masters of ships are encouraged to participate in voluntary weather observation systems as per the provision of regulation V of SOLAS 1974 as amended. The participation is free of charge.
- Use of latest updated largest scale Indian published charts while navigating in Indian waters.
- Vessel draws adequate draft and trim to achieve 100% propeller submergence.
- Readiness of both the anchor's in case of break down in congested waters.
- Readiness of main propulsions and steering system for maneuvering.
- Maintenance of look out and safe speed at all times.
- Readiness of LSA / FFA / Radio equipments at all times.
- Preparedness to deal with Southwest Monsoon weather conditions in advance and after the notified date for the onset of monsoon viewing the pattern of seasonal changes.

11. The Ship owners / managers are strongly advised to avoid undertaking towing voyages originating from Indian ports / Offshore Development Areas for the coast / overseas during the period of southwest monsoon. The vessels proceeding in Indian waters to ship breaking yards shall comply with all applicable IMO instruments including **IMO Resolution A.962 (23)** as amended and applicable Provisions of the Indian Merchant Shipping Act for safe navigation. The ship owners / managers are urged to have Port State Control (PSC) / Flag State Implementation (FSI) inspection completed prior to the departure of vessel for the intended voyage. In addition, the Master of the vessel should conduct periodical inspection prior to the departure and during the voyage, especially in foul weather season. Such vessels however, are discouraged to undertake voyages to ship breaking yards in foul season.

### **C. Additional Measures to Strengthen Ship board operational & Navigational Systems for Trading/ Non-trading ships**

1. The ship owner/ managers are encouraged to have their cargo vessel's inspected for seaworthiness, outside India to the extent possible / practicable prior entering into Indian water especially during Southwest Monsoon.
2. Ageing vessels, irrespective of flag, such as bulk carriers, tankers, passenger ships, OBO, etc. above 15 years of age should be well maintained, efficiently / adequately manned by qualified crew prior to their entry into or leaving Indian waters complying with requirements

on maintenance/Training & Certification of crew as stipulated in the relevant IMO instruments or the provisions of the Indian Merchant Shipping Act, 1958 as amended.

3. Old general cargo ships including container ship, timber carrier, car carrier, etc., engaged in coasting trade of India should be structurally sound, technically fit under the provisions of SOLAS/ Loadline conventions, as amended including the Class Rules and manned by qualified crew under the provisions of the STCW Convention as amended.
4. Offshore Supply Vessels (OSV), during fair/ foul weather season, whether flying Indian flag or foreign flag chartered by an Indian Company under the provisions of the Indian Merchant Shipping Act, 1958 shall be in seaworthy state from all aspects meeting the flag, Class and coastal state requirements.
5. The ship owner / managers should ensure that the prevailing single/ seasonal, towing voyage permission guidelines are strictly adhered to. The IV vessels shall not undertake sea voyages during the SW Monsoon. Towing voyages during this period are discouraged.
6. Fishing / Sailing vessels and small crafts etc. are cautioned to avoid venturing out to sea during the foul season or whenever cautionary dangers, storm warnings have been issued by the concerned port/coastal state authorities.
7. E & P operators are advised to closely look out for drifting vessels (dead ship condition) in the proximity of their operational areas. They are urged to provide assistance in consultation with SAR/Security agencies with suitable tugs for towing them away from any manned / unmanned oil platforms or production platforms or other exposed dangerous areas such as underwater high power cables / gas pipelines etc to a place of safety by levying standard tariff. The ports are also requested to make available adequate number of suitable tugs manned by qualified crew in a state of readiness for extending any assistance to such vessels in the proximity or within the jurisdiction of their ports/ by charging adequate compensation as per prevailing market rate.
8. The prevailing ship routing system in Indian waters shall be adhered to by masters of all ships for enhancing the safety of navigation.
9. The ship's owner/ manager/ master of all vessels should exercise due diligence and display reasonable care and skill in making the vessel

sea worthy with the purpose of executing safe/ economical intended voyages in Indian waters or proceeding overseas.

10. The ship owner / manager shall ensure that the provisions of **SOLAS Regulation 34-1** i.e. **“Master’s discretion”** has been incorporated in the company’s SMS (Safety Management System). They should assist the Master in efficient and effective implementation of this system while operating in Indian waters.
11. The DG Comm. centre operates as MAS on 24 x 7 bases should be contacted as advised above. The full style as follows:  
**DG Commcentre,**  
**Tel: 0091 22 2261 0606, 2261 4646, 32959320**  
**Fax: 0091 22 2261 3636**  
**E-mail: dgcommcentre@satyammail.net; dgcommcentre@vsnl.net**

The attention of all concerned is drawn to the content of this advisory and urged to comply with them to the extent practicable under the circumstances, while their vessels are trading in Indian waters during the fair/foul season. In addition, they are advised to read DGS orders, Circulars and Notices which are issued from time to time to enhance safe operation of ships. The following indicative list issued by the Directorate may also be referred in conjunction with these guidelines.

- i. Merchant Shipping Notice No. 3 of 2008, Single/Seasonal voyage permission. (on the DGS website [www.dgshipping.com](http://www.dgshipping.com), NT Branch)
- ii. Shipping Development Circular No. 1 of 2008. (on the DGS website [www.dgshipping.com](http://www.dgshipping.com), SD branch)
- iii. Memorandum - Shipping Development (SD) Circular Clarification No. 1 of 2008. (on the DGS website [www.dgshipping.com](http://www.dgshipping.com), SD branch)
- iv. Engineering Circular No. 88 of 2007, Structural Examination of OSV's more than 15 years. (Issued by Eng branch)
- v. Flag State Inspection of offshore vessels of more than 15 years, ENG/ FSI / 66 (1) / 2007 - Vol - I. (Issued by Eng branch)

**NT Wing Miscellaneous Circular No.1 of 2007 dated 19.07.2007** with regard to ship recycling, interim measures initiated by DG Shipping to curb & control marine accidents is revoked.

**This issues with the approval of Director General of Shipping and Ex-officio Additional Secretary to the Government of India.**

(Capt. Deepak Kapoor)

**Nautical Surveyor - cum – Dy. Director General of Shipping (Tech).**

Enclosure: ANNEX – 1, First Report of Marine Casualty / Incident.

**FIRST REPORT OF MARINE CASUALTY/ INCIDENT**

To be completed and faxed/ e-mailed to DG Commcentre at the earliest but within 24 hrs. positively

Fax: 00 91 2261 3636; E-mail: dgcommcentre@satyammail.net

<b>SHIP/ OWNERS/CREW DATA</b>	
Name of ship & call-sign	
IMO no.	
Flag	
Official no.	
Registration no. (MSV/ SV)	
Year built/rebuilt/conversion	
Classification Society, if applicable	
Type of ship	
GRT	
Summer deadweight	
Loaded/ light condition	
Draft F & A in metres	
Freeboard in metres	
Cargo type & quantity (serious/ very serious casualty)	
Bunkers: (HFO/ DO/ LO) in metric tonnes	
Name & full style of owners	
Name & full style of Hull & Machinery Underwriters	
Name & full style of P & I Club (IG or Non IG Group)	
Whether owned/ leased/ chartered	
Recruitment agents full style & RPS Licence no.	
Master's name & Nationality	
Total crew with nationality (Attach crew list)	
In service/last voyage/ laid up	
<b>SHIPPING CASUALTY DATA</b>	
Last port/ departure date, Next port/ ETA	
Place of casualty: Indian Coast/ EEZ/ Overseas	
Date & time of Casualty	
Location (Latitude Longitude), from nearest landmark	
Port/Sea/ Ocean name	
Nature of casualty/ incident & brief details*	
If SAR / Salvage services required, if applicable	
Extent of oil pollution, if applicable	
Weather conditions prevailing (sea, swell, wind, temp, ice etc)	
Tidal current prevailing (LT,HT,drift rate, +ve/-ve surges etc)	
<b>DETAILS OF SEAFARERS/ PASSENGERS/ SUPERNUMERARIES/ INVOLVED</b>	
No. of deaths/ injuries	
Name/ Nationality of persons involved**	
Date of birth and age	
Rank & date of joining	
P & I/ other insurance cover for persons applicable	
CDC/ Passport no.	
COC no. & date of issue (if applicable)	
Type of CBA/ Articles of agreement)	
Name & full style of next of kin**	
Name of appointed Investigation Officer (if applicable)	
Name & designation of person reporting casualty	



COC no. & date of issue (if applicable)	
Type of CBA/ Articles of agreement)	
Name & full style of next of kin**	
Name of appointed Investigation Officer (if applicable)	
Name & designation of person reporting casualty	
<b>Note: * Additional sheet may be used for detailed information</b>	

**\*\* If Indian persons involved, full details of persons & next of kin to be furnished to be furnished**