

Casualty Circular No. 10 of 2009
(Regulatory/Guidance/Information)

NO:11-NT(54)/2007

Dated: 17.07.2009

Subject: Sinking of General Cargo ship of over 25 years age during her voyage in Indian waters.

NARRATIVE

A General Cargo vessel, Flag - India, built in - 1969, GRT - 866GT, was lying idle for almost two years. During this period the owners were trying to make the vessel operational for the intended voyage. The vessel having completed all the repairs was inspected by the authorized surveyor of the Administration and issued with Certificate of Fitness on 09.5.2007 for undertaking single direct voyage from Island port to Mainland port. This permission for single voyage valid for 15 days was also granted by the Flag Administration on 01.6.2007.

The vessel sailed out on 08.6.2007 at 1630 hrs. for the mainland port after taking bunkers from Port of Departure. In course of voyage, the vessel encountered main engine malfunctioning due to exhaust leakage from exhaust pipes on 09.6.2007 at 0900 hrs and again maloperation of Stbd alternator at 1930 hrs. on the same day. The vessel returned to Port of origin's outer anchorage after aborting the first voyage. This fact was informed to the Island port authority on 18.6.2007 at 1500 hrs., but the Flag Administration and the class were not notified.

The vessel resumed her voyage from Island port's anchorage on 15.6.2007 at 1700 hrs. without taking fresh voyage permission from the Flag Administration. After sailing out her main engine exhaust gas started leaking from unit No.2 & 3 exhaust pipes. On 16.6.2007 at 1630 hrs main engines were stopped to effect repairs. The vessel continued to face series of machinery problems. The ship's staff made attempts to repair the main engine as well as associated machineries till 18.6.07 without much success. On 20.6.2007 at 0600 hrs, the ship's staff observed couple of holes on the ship's side (two numbers on stbd and four numbers on the port side). The ship's staff tried to plug these holes by inserting wooden plugs and cementing them. These attempts proved unsuccessful. This breach of integrity resulted in flooding of one of the cargo holds.. The crew tried to control the ingress of water by using bilge/ballast pumps.

On 21.6.2007 the Master of the vessel sent distress signal i.e. SOS at 1700 hrs. through EPIRB and VHF DSC, while the vessel was in position approx. 60 NM south of Island. On 22.6.2007 at 0830 hrs., the Coast Guard received this message and located the distressed vessel in position approx. 47 miles off Island. On 23.6.2007 at 0045 hrs. the vessel was observed to be in position approx. 29.5 NM from Interview Island.

The vessel was observed to be drifting at 1.5 knot per hour in total disabled condition and having sea water in the cargo hold. The Master and crew members (16 Nos.) decided to abandon the vessel on 23.6.2007 at 0800 hrs. as they failed to receive any assistance from the tug and from the nearest port. All crew members were rescued by the Coast Guard in the position approx. 26 NM from Island on 23.6.2007 at 2030 hrs.

On 29.6.2007 the Coast Guard reported that the distressed vessel could not be sighted at the last known position. The vessel was presumed to have broken loose its anchor and drifted under the prevailing strong wind.

In view of this, it was concluded from EPIRB alert that the vessel might have sunk in above stated position. The Directorate did not receive any confirmation. There was no loss of life and oil pollution reported.

OBSERVATIONS/ANALYSES

- The Vessel was 38 years old and all statutory certificates were invalid for her last voyage for the purpose of ship-recycling.
- The Vessel commenced her voyage in spite of sub-standard machineries and suspect hull integrity which was evident from her frequent break down at sea and various holes noticed on both sides of the vessel.
- The Master and ship's staff displayed exemplary professionalism in spite of unseaworthy ship condition of the ship. This was evidenced from the efforts made by the crew in controlling the ingress the water and attempts made to execute the voyage.
- In spite of exercise of diligence, the Master didn't use his overriding authority with regard to safe and efficient conduct of voyage under ISM code.

RECOMMENDATIONS/LESSONS LEARNT:

- The owner of the vessel should ensure that unseaworthy ship is not sent out to sea under any conditions as this poses not only threat to lives of crew but also goes against the statutory provisions of M.S. Act, 1958.
- The Master and the crew of the vessel should not accept unreasonable instructions of the owners if he finds the vessel to be unseaworthy prior to the commencement of the voyage.
- The Master and crew should be aware of their legal rights and responsibilities under the provision of M.S. Act, 1958 and applicable crew agreements/Collective Bargaining Agreements (CBA) to proceed to sea in seaworthy ship.
- The Master should be well conversant with the provisions of ISM Code.
- The Master should not hesitate in exercising his legal/statutory authority with respect to safety of his crew and ships and protection of marine environment.
- The Master and the crew should not hesitate in notifying serious defects in the ship to the concerned authorities which is part of his statutory duty under the provision of Chapter-I of SOLAS 74 and the relevant provision of Indian Merchant Shipping Act, 1958.
- The Island Port Authorities should have efficient and effective Vessel Traffic Service to monitor the movement of all vessels.
- The Flag Administration and the Recognized Organization should closely monitor the structural and machinery fitness of aged vessels to prevent similar type of incidents.

Sd/-

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