



Madras High Court orders Korean ship's seizure

The Madras high court on Wednesday ordered the arrest of a Korean ship on the outer anchorage of Chennai port. The 14-member crew of MV OSM Arena, including its Korean captain had approached the court petitioning against non-payment of their salaries since the ship anchored off the Chennai coast in February 2010. The crew members, nine Koreans and five Myanmarese, had been supplied from the land with the help of Madras Port Trust Employees Union. Two Koreans and two Myanmar nationals, however, left for their native lands in September last year. A Korean Consulate official visited the Chennai port last Friday to hear out the Korean crew members. International Transport Workers' Federation inspector and Madras Port Trust Employees' Union assistant secretary K Sreekumar said the ship could not move out of Chennai's outer anchorage since February last year following a Kolkata court order after the cargo owner complained of non-discharge of cargo.

Why should the SEAFARERS be mercilessly dealt-with, on account of the differences with the Cargo-owner and the ship's owner? The Judiciary, to view the consequences of the Kolkata Court Order putting the innocent seafarers in a state of misery leading worst than human lives in the prisons on land, for no fault of theirs. www.marinewaves.com



Indian Registry appointed as Recognised Organisation by Liberia

THE Liberian Registry has accorded the status of Recognised Organisation to the classification society IRS (Indian Register of Shipping), to act on behalf of vessels operating under the flag of Liberia.

Captain J C Anand, Chairman of IRS, says, "This recognition by Liberia is a matter of great significance and prestige to IRS, coming as it does from one of the world's

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(contd. from page 1)

leading flag states, which has an enviable reputation for quality and service and an outstanding safety record. The Liberian Registry and IRS look forward to working together so that IRS can discharge its delegated authority, in accordance with the registry's established high standards."

Scott Bergeron, Chief Operating Officer of the Liberian International Ship & Corporate Registry (LISCR), the US-based managers of the Liberian Registry, says, "The Liberian Registry adopts a proactive approach to the service which it provides to the record numbers of ships which fly the Liberian flag. This involves using our own highly trained staff to carry out audits, inspections and certification and, where appropriate, delegating authority for those activities to Recognised Organisations which we know and trust. Subsequent to IRS's admission to IACS as a full member, we conducted our own audit of IRS's systems and procedures and are satisfied with their competence and capability to provide statutory services in accordance with Liberia's robust standards.

"India is a global economic power which generates increasing demand for shipping. It is a very important market for the Liberian Registry. As we increase our market share in India, we have great confidence in IRS's ability to work alongside us to help maintain the quality of our fleet to the highest standards and beyond."

The Indian Register of Shipping is an internationally recognised ship classification society founded in India in 1975. It provides professionally competent, completely independent and highly efficient third-party technical inspection and certification services for all types of ships, marine craft and structures. In 2010 it was recognised as a full member of the International Association of Classification Societies (IACS).

The Liberian Registry is one of the world's largest and most active shipping registers, with a long-established track record of combining the highest standards for vessels and crews with the highest standards of responsive service to owners. It has recently surpassed all-time tonnage records.

Crew competence is not up to scratch

Crew competence is failing to keep pace with the development in ship operations. This is despite the advancement in technology and design, which is giving rise to progressively sophisticated vessels with greater efficiency and environmental-friendly features, said DNV. Among the areas of improvement, effective bunker management as a basic requirement for safe vessel operations is particularly lacking attention, said DNV Petroleum Services (DNVPS) regional manager Bill Stamatopoulos. "We see a major problem with young seafarers working on a big ship and not knowing enough about fuel quality, bunkering procedures or proper fuel handling. Very few of them have seen how contaminated bunkers can cause the ship engine to break down suddenly and threaten the safety of everyone on board, especially in rough weather conditions," he said.

Besides safety considerations, Stamatopoulos said shipboard personnel must manage strict fuel regulations as well as the

economic imperative of ensuring the right quality and quantity of fuel is received, given today's high bunker prices. Current fuel regulations include MARPOL Annex VI, which involves the current ECAs with more to come. From 1st Jan, 2012, the global sulphur cap will be reduced to 3.5% and the North American ECA will also enter into force on 1st Aug next year. This move will probably raise demand for the more expensive low sulphur fuel products, which in turn will add to the fuel expenses of companies trading in the ECAs. In addition to MARPOL Annex VI, the EU Directive 2005/33/EC requires ships in the EU community ports and inland waterways to use fuel with a sulphur content not exceeding 0.1%. "It's vitally important for the ship crew to know how to get the most out of their fuel - safely and without contravening the applicable fuel regulations," said Stamatopoulos, adding that "training and competence development in bunker management must start in school, not on the vessel." Upon entering the industry, shipboard personnel should undergo regular competence assessment and continual training to keep abreast of changes in the operating environment. "Most important of all, their employers - the shipping companies - must invest in a strong safety culture," he said. In another move, DNVPS has launched 'Fuel Insight', an advanced data analytics product for bunker fuel. It provides real-time information on deliveries worldwide as an aid for effective procurement and benchmarking. 'Fuel Insight' is a subscription-based web application that links up to DNVPS' live bunker quality database - claimed to be the most extensive in the shipping industry. It contains complex data on fuel prices, ISO 8217 quality parameters and regulatory compliance into accurate insights for supplier evaluation and purchase decision-making, helping vessel charterers, operators and owners optimise costs and reduce risks.

Insured Loses on "Sole Negligence" Language

So far the dissemination of legal decisions in the maritime field has not been much of a feature in the new precincts of social networking. But we have noticed how FOB Member Michelle Otero Valdés who is a Partner at Houck Anderson in Miami is pushing out the boat via LinkedIn.. She notes the decision in *Barden Mississippi Gaming LLC v. Great Northern Ins. Co.*, 2011 WL 1262264 (5th Cir. Apr. 6, 2011), where the U.S. Court of Appeals for the Fifth Circuit held that an insurer did not have a duty to indemnify an additional insured because the policy provided coverage only for the named insured's "sole negligence" and the named insured was only found 50% negligent in the underlying action. In a previous appeal in the same matter, the Court held that the insurer had a duty to defend because it was possible that the additional insured could be found 100% liable. The court, however, also concluded that the question of indemnification was premature as the underlying case had not yet reached a verdict. Ultimately, the jury in the underlying action found the additional insured 50% negligent and the insured 50% negligent. As a result, the Fifth Circuit ruled that the insurer was not obligated to indemnify the additional insured for the judgment in the underlying case because the additional insured was not "solely negligent." She comments: "be wary of "solely negligent" language in either an insurance policy or any other contract.

From the Editor's Desk



"Laws are meant to restrain citizens from committing crimes and harming other people without getting punished.

"Laws must apply equally to all citizens and discrimination of citizens in the eyes of law on any basis is not only unconstitutional but also inhuman in nature."

"The love of truth has its reward in heaven and even on earth." — Friedrich Nietzsche

"Competitiveness comes from, first being disciplined, with "Alertness and Activeness", to surroundings, atmosphere and environment, in one's own perspective, with an urge to excel by absorbing the relevant good around, you see, hear and feel for the best, taking the right pathway towards 'pursuit to excellence'.

"Media should be unbiased in its approach and should follow the high standards of professional ethics considering discipline, with clear perception of transparency, social-commitment, responsibility to society, properly dressed with code of conduct,

certainly NOT as a mere messenger or to misguide the common people to be carried away with wrong messages, but for viewing themselves of their inherent flaws in the system, as words to be weighed instead of being just counted. The need for a regulatory body in this grey area as well. — Dr. Chandran Peechulli

During the present times, people are more reminded of the word 'Satyagraha' which is a combination of the Sanskrit words Satya and Agraha. Same when loosely translated, means "Truth Power." Satyagraha was popularized by Mohandas Gandhi during his fight for Indian independence. It became synonymous with the use of civil disobedience as a political tool. Gandhi believed that truth had great moral power to galvanize resolve against an oppressor, while also garnering support from the rest of the world. And history proved him right. A young black minister in America studied Gandhi's struggle and ideas and was profoundly influenced. He used Gandhi's Satyagraha precepts to achieve a similar human rights triumph in the West. His name was Martin Luther King Jr., in both cases, people from around the world with no direct interest in the conflict sided with the freedom fighters. Unyielding non-violent revolt in the face of violent counter-reaction was shocking. It seized global attention and sympathy. Eventually, these outsiders-bound to the protestors by nothing more than their humanity - put unbearable pressure on those they perceived to be outside of the realm of truth and justice was served. These watershed moments in history prove that human nature has a built-in recognition and appreciation for what's right and just and true. Therefore, there is a strong urge amongst the people for a government that works for the people and not be abused by people's representative, thereby betray the people, during the present times of over communication. People have been awakened by the enlightened modern media with massive communication, resultant of RTI followed by movement of Social Activist Anna Hazare's, Baba Ramdev's followers in the "fight against corruption" to push for a stringent Jan-"LokPal Bill" out of mere necessity, all owing to revelations on scams over scams. Govt.'s crackdown on public (unarmed protestors) and their emotional out-burst to retaliate, is not an end for peaceful co-existence. Hence, the media and the people need to be more vigilant on matters of corruption, caused more particularly by the people's representative, as it will have a bearing on what is in store for the common citizens of India, in the near future.

Therefore, this is an age of awakening, for all the regulatory bodies as well, i.e. DGCA, for issue of fake pilot licenses at the cost of public safety, Office of the DGS, despite expositions of several genuine deficiencies and defects, the subject being neglected, pretending to sleep over their subject, in an autocratic and monopolistic, self-styled, work-style. After several complaints, SEBI another regulatory body now realizes to regulate private equity funds (Times of India, Chennai Edition dated 11-04-2011). Kerala DGP issued circular on CrPC 41 (A) Amendment. Posted: 02 Apr 2011 06:17 PM PDT. RTI had hit the nail on the head, Kerala DGP acknowledges."Right to Information Act, 2005, finding great success in making the Government work faster and efficiently, than ever before". Now, with corruption being the issue of the moment and scams tumbling out in quick succession, the Union Law Minister Veerappa Moily, arranging to prepare a proposal for the setting up of an Indian Regulatory Service, announced in (T.O.I. Newspaper, Wednesday, 08-06-2011) along the lines of IAS, and IPS, to ensure that regulators become more affective vibrant bodies, instead of post retirement slots for bureaucrats and ex-judges. Functions of the Regulatory bodies are of very specialized nature, where the officials need to know the in and out of the subject, to perform efficiently, than be carried away from those of the ranks. Indian Shipping, is in a very bad shape. Why has our Government authorities concerned, not looked into the grave deficiencies and defects, expressed in the editorial archives of www.themarinewaves.com CDC scams are continuing from the 1980's, view the recent MARINE NOTICE No. 08 of 2011, (No.3(15)/CR/2006 dated the 14th March 2011. Issuance of CDC's for GMDSS Certificate Holders. Continuance, of commercial-crime gains of the department. Discussion with the issuing authority of the said order, as a reminder (27-05-2011) reveals he is ignorant of the whole issue being a non-mariner but was asked to issue, while many mariners (Ex.Chief-Engineer and Captains of Merchant Navy exists, in the department). He, however assured to speak with the DGS for onward corrective action instead of continuing the trial and error methods, for such CDC scams. This speaks of the professional competence and loyalty, of the regulators belonging to our nation, going unchecked. REMINDED of the recent Press-Release(TOI) which said "Regulatory Body are also under the pressure of the elected public representatives". Therefore, where is the solution to this, other than RTI and the proposed Lokpal Bill.

It's high time, young bright, I.A.S.personnel be inducted, from the Under-Secy. Grade onwards, for the office of the DGS, for specialization, be trained in Ports, Shipping, Environment, Academy of higher- Maritime Education and Research, for the needed subjective knowledge, to instill better administration, in a more professional manner, taking to their fold as future leaders of SHIPPING, PORTS, and the ENVIRONMENT, Maritime Universities, to reach at a conducive atmosphere for better national maritime regulation. Mariners for supportive services (Captains & Chief Engineers of Merchant vessels) be inducted purely on merits, compensating a higher scale as of now, and be trained on management of documentation with INSDOC, DRTC etc. who have the will to work ashore with the real urge to serve the nation, as a thorough professional in national maritime administration (Office of the DGS), certainly not those comparing the compensatory salary of seafarers, (paid for hardships). Salary out at sea, is still said as their wages, known from ages, therefore phenomenal sum of money, paid as compensation is for all their hardships, serving on the high seas with occupational-hazards, living and working away from their near and dear ones, (*a combination of risks and sacrifices). Good words of thought, for those who take their life seriously. Honesty is the best policy for those serving the people truly with transparency, commitment and responsibility. We want your feedback! For the editorial contents. Let's know your thoughts on "MARINE WAVES" monthly issue. Email us at: pkc484@yahoo.com*

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Insurance Industry Must Take Data Governance Seriously:

Leading accountant and insurance industry adviser Moore Stephens has questioned whether data governance is being accorded the attention it deserves by the insurance industry.

Recent FSA Arrow visits have highlighted a number of frequently recurring problems in insurance firms relating to risk management, governance, data and reporting. These include poor risk control culture, poor reporting, ineffective governance, inadequate allocation of control staff, lack of integration across controls and risks, and poor formalisation of roles and accountability.

Moore Stephens Director Charles Portsmouth says, "Data is the lifeblood of any organisation. It feeds everything a company does. It informs the overall decision-making process and is a vital part of risk management. The proper use and application of complete and accurate data is a central part of the overall Solvency II regime. But is data governance being accorded the importance it merits in the insurance industry?"

Writing in the latest issue of the firm's Insured Interest newsletter, Portsmouth says, "The FSA requires firms to have a proper data policy in place, and it calls for proper board engagement. Data, and the risks associated with it, should form an integral part of a board's established risk reporting, and not merely constitute a moveable item on the board agenda influenced by technology-related developments within the firm. Improved management of data to feed reporting systems, and greater board engagement, are vital ingredients for better information relating to management, risk and general business conduct.

"Simply writing a data policy is not enough, in itself. Proper data management is essential, and the data must be accurate, complete and appropriate. Data policies, meanwhile, should facilitate the identification and control of the risks associated with data. Poor information can lead to poor data quality, and vice versa. What is needed is a robust data model, linked to core risk factors in order to produce meaningful management and regulatory information."

The big question of toll rates is still unanswered:

Assessments of the impact of the widened Panama Canal are needing rethinking.

Firstly, the common fiction that 12,000 TEU will be the post-Panamax standard has been demolished. It's now 14,000 TEU, but don't expect rows of vessels to be lining up outside ports, their masters fuming because the main channels are too shallow. (The maximum draft through the canal will be 50 feet. Only two East Coast ports can take the bigger vessels, Baltimore and Norfolk.)

Latest expert wisdom is that 6,000-8,000TEU vessels will be calling at East Coast ports. The only difficulty with this assessment is that these sizes are rapidly being done away with - 48 percent of the world fleet will be post-Panamax by 2014.

What's more, the volume of traffic through the canal will increase only moderately. At this month's Northwest Intermodal conference in Portland, Oregon, Rodolfo Sabonge, vice president of market research and analysis for the canal, said, "We're not

expecting more transits - it's economies of scale. We don't think the expansion of the canal is really going to have the tremendous impact that people seem to think there will be on the intermodal system. We see growth around the world that will allow the Canal to maintain market share and provide many new opportunities - we think this will be the game changer."

Railroad and distribution executives agreed that most of the traffic switch from the West Coast has already taken place.

A Panama Canal Authority study last year found that post-Panamax vessels will have 18 percent more productivity and a 40 percent increase in total service capacity.

This was based on a Suez example of a weekly service of 11 vessels of 8000 TEU serving the East Coast ports in 2008. They had an annual productivity of 38,000 TEU each and total annual service of 410,000TEU. The same service of 4800TEU through Panama has an annual productivity of 31,000 TEU/vessel and total service capacity of 248,000TEU/year.

Most hopes for the canal's future are being pinned on cost savings. A figure of about \$400/TEU compared with intermodal rates from the West Coast was mentioned at the Portland conference.

The most important figure has still to be made known - toll charges - which could make nonsense of all cost projections. These are still secret and nothing has been said either as to whether they will be based on capacity or load.

Global Research Editor's Note: Below is the latest communique from the Spirit of Rachel Corrie, stranded in Egyptian territorial waters since May 16th. Washington and Tel Aviv have instructed the Cairo military government to maintain the blockade and prevent the humanitarian cargo of the Spirit of Rachel Corrie to proceed through the Rafah land crossing. Egypt has not allowed the Spirit of Rachel Corrie to berth and unload its cargo in the Port of Al-Arish. The Spirit of Rachel Corrie has become a "floating Prison" Egypt's Foreign Minister Nabil Al Arabi had made a firm commitment in this regard.

Who is calling the shots in Cairo? Israel and Egypt collaborate in policing the Gaza border in the context of a bilateral agreement. According to confirmed sources, Military Intelligence, no doubt in consultation with Tel Aviv and Washington, has prevented the implementation of the decision by Egypt's Ministry of Foreign Affairs. Military Intelligence is attached to the Ministry of Defense headed by Mohamed Hussein Tantawi Soliman who is the commander-in-chief of the Egyptian Armed Forces and de facto head of State.

In turn, Hussein Tantawi is a permanent liaison with his counterpart in Tel Aviv, Ehud Barak, as well as with Defense Secretary Robert Gates in Washington.

Indian government repositioning Indian ship repair industry for achieving faster growth pace:

The ship repair opportunities in Indian offshore oil and gas sector remained stagnant for two decades as the industry had been mainly dependent on the public sector infrastructure. With few dedicated large players in the field, the several smaller ones have had to be content with old and poor

infrastructure being forced to operate from make shift workshop arrangement. The past two decades have seen additions of just few dry docks even though the fleet has increased tremendously during this period.

"What is remarkable is that India possesses high technical resources manpower but much of it deployed in ship repair yards based in the Middle East & Singapore," said Anand V Sharma of Mantrana Maritime Advisory, a well-known consultancy firm in the maritime domain. "Yet more amazing is the estimated annual repair bill of Indian flagged ships including tugs and other offshore vessels that exceeds \$ 0.5 billion and is projected to double by 2015. In addition, there exists a huge potential to service ships calling at Indian ports."

The government is now set to create conducive environment for the ship repair industry for rapid growth. By taking advantage of the escalating opportunities it plans to reverse the trend such that ship owners need not get their ship repaired oversea.

Outlining the Indian offshore scenario a shipping official said, "At any given point of time there are more than 900 marine assets operating in Indian offshore. There are a total of 45 drilling rigs on the coast and the number of offshore supply vessels, exceed 250. Besides there are accommodation/ construction/ pipe laying barges totally over 50 as well as others assets of low value, such as crew boats, tugs, etc.

Every year roughly 200 foreign flag offshore vessels operate on the Indian coast on short term to long term contract with deployment period ranging from a few weeks to months. Most of them plan and undertake periodic dry docking prior to mobilization to India. But none of the facilities available in India offer them much attraction.

The few known dry-docks in India include Mumbai Port, FDD of Great Offshore and Seagul Marine, the Western India Shipyard at Mormugoa, Cochin Shipyard in Cochin, dry-docks of Kolkata Port, Paradip Port and the Hindustan Shipyard in Vishakapatnam, until the Navy took over the yard. Western India can however accommodate ships of up to 60,000 DWT whereas Cochin Shipyard caters to the Indian Navy and ships of up to 125,000 DWT and Kolkata port docks face heavy siltation.

A study conducted by Mantrana Maritime Advisory revealed the factors that served as a deterrent for growth being that it is a capital intensive, skill Intensive and policy driven industry and wrongly considered as an industry viable only as a public sector units. This has got establish as a trend because of the dominance of the public sector. Some in the private sector who tried to open shop ran into large losses.

But the government is set to provide a level playing field to those in the ship repair business. Plans are underway to set up more ship repair yards under the private public sector business model. According to Anil Devli, CEO of the Indian National Shipowners' Association the government plans "to be self-sufficient in ship repair requirements of India and to emerge as a dominant ship repair centre replacing Colombo, Dubai, Singapore and Bahrain."

Time to get serious about piracy: They say talk is cheap. Well in the fight against piracy, talk and not much action is costing global trade an estimated US\$7 to \$12 billion a year.

There is no lack of desire to eradicate piracy. Well, maybe there is in Somalia and among maritime insurance companies, but

governments, shipowners, importers and exporters all want piracy to stop.

Yet several years after it began to seriously affect the major Asia-Europe trade route, instead of combating piracy the problem is escalating.

According to the Asian Shipowners' Association, at May 23, 26 ships and 522 seafarers were being held hostage off the coast of Somalia. "It is high time for all governments, the United Nations and the International Maritime Organisation to come together and put an end to these criminal activities! We cannot tolerate nor allow this to continue any longer," said S. S. Teo, chairman of the ASF's safe navigation and environment committee.

Teo, who is also MD of Singapore-based Pacific International Lines, was addressing the ASF's annual meeting in Bali this week. He was followed by other high ranking shipping executives all expressing grave concern about rampant piracy in the Indian Ocean.

Their frustration is understandable, but the solution to ending the scourge of the oceans is not as easy as many suspect. Raise the issue at any gathering of shipping people and the suggested solutions range from "blow them out of the water" to "let's help install a democratic government in Somalia".

There is no internationally sanctioned death penalty for piracy, so killing pirates has to be reserved for self-defence or for when rescuing hostages. Unfortunately the reward beats the risk. Somalia is one of the poorest countries in the world and piracy is a way out of poverty. Even the five pirates in the dock in South Korea are probably eating better than ever before. Hope they like kimchi, because it will be their diet for many years when they get sentenced next week.

Ultimately, a stable and well-run Somalia is the cure for piracy, but in the 200 years before that happens, ships sailing through the Indian Ocean need to carry armed guards empowered to use deadly force.

These guards should not be for the shipping company's account, either. They should be provided as an Anti Piracy Force, preferably by the United Nations, and deployed on all vessels voyaging through the western Indian Ocean. Navy warships should scour the ocean for mother ships, arresting the pirates and scuttling the vessels in deep water. Only once piracy becomes more trouble than it is worth will the practice lose its attractiveness.

Economics could be shoved aside: With maritime economists warning that the environment and green issues will head to the top of the ranking board when carriers and shippers choose ports, slow steaming is about to become a divisive issue.

Cynics maintain that carriers tamp down the turbines to save money and not to spare the air. But /retailers and industrialists are now pressing for slow steaming to be part of the effort. And the lines are listening.

So much so that the World Shipping Council reckons that peak season to the US will be affected, with 3 million fewer TEU available. (My personal opinion is that the council discusses slow steaming through gritted teeth. Its agenda is driven by economic viability, otherwise known as profit and loss, balanced against safety and security.)

Coupled with this is a presentation by economist Paul Bingham to the Northwest Intermodal. "As consumers and businesses

start to use environmental scorecards in their supply chain, they will increasingly look to compliance or performance measures that are not just in terms of cost and liability that traditionally transportation carriers have striven to optimize...they're also going to need to be able to demonstrate environmental compliance in order to retain business."

And slow steaming? "Environmentally driven factors like slow steaming, adopted first to save money, are actually being sustained, especially out of pressure from places like Europe with emissions and carbon compliance."

Bingham says West Coast ports will have an edge because they are leading the pack on all these initiatives, "compared to those ports, especially on the Gulf Coast or East Coast, that are behind in trying to be compliant or to be as green a port as possible with their operations."

Then he tackles an issue at the very heart of the World Shipping Council's thinking. "There's a limit... If environmental controls and factors get priced to such a degree that it makes sense to shorten supply chains up to be bringing that production back somewhere in North America, for example, in Mexico - and if we get to that point in terms of clusters of near-shoring production and trade - that can have a dampening effect in the long term on trade capacity and volume."

To that, the council and many carriers would say "Amen."

Regardless of the cost factor, however, Los Angeles and Long Beach are too far down the slipway to have a re-think. California authorities must also be considered, because they don't give a hoot about cost.

California might be ahead in carbon cutting, but it could end up losing more than it gains.

Developing safety culture - focus on accidents on coast:

The Indian administration interacts with shipping trade in an endeavor to curb accidents. Learning from accidents and their causes can be an effective way of developing a safety culture. The Directorate General of Shipping - the Indian maritime administration - chose to interact with shipping, manning and ship management companies through a seminar held this afternoon by highlighting four casualties that took place on the Indian coast and used the opportunity to drive home the point that there is no place for complacency in ship operations.

The purpose of the seminar Dr S. B. Agnihotri, the Director General of Shipping, Government of India, explained was to use such forums to bring to the notice of the sailing staff about complacency primarily being responsible for accidents. "As the traffic density increases the chances of accidents taking place on the coast increases because of complacency," he stated. "Instead of interacting every time through seminars we would also like to have the DPA (Designated Person Ashore) to interact regularly with the directorate."

Presentations on four accidents that occurred in the past few months were made by the investigation officers. The collision between MSC Chitra with Khalijia III was deliberated on by Capt Harish Khatri, Deputy Director General (Technical). He explained the causes that led to the accident which resulted in Khalijia colliding with MSC Chitra's port side and rupturing her tanks. Because of pilot shortage the pilots of both vessels had left the ship much before the disembarking point. The collision resulted in 1400 tons of oil polluting the coast, MSC Chitra listing and

512 containers spilling into the sea leading to total blockage of the two major ports Mumbai port and JNPT which have a common approach channel. The causes of accident were assigned to a number of factors - all boiled down to complacency and both the masters of the concerned vessels were held responsible.

The investigation on the collision between Green Valley and Tiger Spring in the Hooghly River at Kolkata port was made by Capt Mukesh Budania, Nautical Surveyor. He said that both captains of the vessels in question were known to have called at the Kolkata port regularly. On the day of the collision one vessel was outbound the other was coming in. The master of the first was a Chinese and the other Polish, indicating that there existed difficulty in communicating in English and could have added to the confusion. In this case both vessels had a pilot on board.

Kolkata port has no VTS and the navigation channel narrow. The master of Tiger Spring did not have enough sleep because he was involved in loading cargo all through. Though both vessels were well equipped there was a failure to monitor the movement of each vessel. It was learnt that the master of the Tiger Spring had been altering the speed without the knowledge of the pilot. Complacency again is said to have led to the accident.

The third accident featured was the grounding of m.v. Mirach a bulk carrier at Colachal and investigated by A. B. Solanki, Nautical Surveyor. The vessel had loaded iron ore fine at Vishakhapatnam and on its way out. The third officer had relieved chief officer without adhering to handing over procedure. The vessel was on auto pilot at 7 knots speed and had veered off course thus sailing into a sandbar. The ship was grounded due to poor navigation and complacency. After the ship grounded the salvors could recover only 32 cum of oil out of 200 cum.

A 'hit and run' accident involved Y. M. America and fishing vessel Odhari Krupa. Having left Pipavav port Y. M. America carrying 3600 TEU containers, headed for Malaysia at full speed. Dense traffic was reported in the sea with several fishing vessels operating around. The chief mate had taken over from the 2nd Officer when the fishing vessel was first noticed about 1.5 km away and little later came across the bow of Y.M. America. The chief mate did not report to the master about having crashed into a fishing vessel which had six men on board. The VTS Khambat reported the accident to the directorate and the vessel was directed to Kachi anchorage. There were five survivors and one man reported missing.

Capt Nitin Bawa, Nautical Surveyor who undertook the investigation informed, "Had it not been for the VTS reporting the fishing vessel accident, Y. M. America would have left the Indian territorial waters and it would have been difficult to arrest it. Capt Bawa had to establish that Y. M. America was responsible for the sinking of the fishing vessel. In his investigation he discovered scratches at draft of 9.7 meters. Rust had peeled off at the place where the ship had hit the fishing vessel. He ascertained the location from VTS Khambat and corroborated with the ship's GPS log. Besides, the course recorder indicated course alterations. The cause of the accident was said to be ineffective lookout.

Complacency is nothing but an attitude problem and attitude can be changed.

Crew competence is not up to scratch: Crew competence is failing to keep pace with the development in ship operations.

This is despite the advancement in technology and design, which is giving rise to progressively sophisticated vessels with greater efficiency and environmental-friendly features, said DNV.

Among the areas of improvement, effective bunker management as a basic requirement for safe vessel operations is particularly lacking attention, said DNV Petroleum Services (DNVPS) regional manager Bill Stamatopoulos.

"We see a major problem with young seafarers working on a big ship and not knowing enough about fuel quality, bunkering procedures or proper fuel handling. Very few of them have seen how contaminated bunkers can cause the ship engine to break down suddenly and threaten the safety of everyone on board, especially in rough weather conditions," he said.

Besides safety considerations, Stamatopoulos said shipboard personnel must manage strict fuel regulations as well as the economic imperative of ensuring the right quality and quantity of fuel is received, given today's high bunker prices.

Current fuel regulations include MARPOL Annex VI, which involves the current ECAs with more to come. From 1st Jan, 2012, the global sulphur cap will be reduced to 3.5% and the North American ECA will also enter into force on 1st Aug next year.

This move will probably raise demand for the more expensive low sulphur fuel products, which in turn will add to the fuel expenses of companies trading in the ECAs.

In addition to MARPOL Annex VI, the EU Directive 2005/33/EC requires ships in the EU community ports and inland waterways to use fuel with a sulphur content not exceeding 0.1%.

"It's vitally important for the ship crew to know how to get the most out of their fuel - safely and without contravening the applicable fuel regulations," said Stamatopoulos, adding that "training and competence development in bunker management must start in school, not on the vessel."

Upon entering the industry, shipboard personnel should undergo regular competence assessment and continual training to keep abreast of changes in the operating environment.

"Most important of all, their employers - the shipping companies - must invest in a strong safety culture," he said.

In another move, DNVPS has launched 'Fuel Insight', an advanced data analytics product for bunker fuel.

It provides real-time information on deliveries worldwide as an aid for effective procurement and benchmarking.

'Fuel Insight' is a subscription-based web application that links up to DNVPS' live bunker quality database - claimed to be the most extensive in the shipping industry.

It contains complex data on fuel prices, ISO 8217 quality parameters and regulatory compliance into accurate insights for supplier evaluation and purchase decision-making, helping vessel charterers, operators and owners optimise costs and reduce risks.

Indian seafarers threaten to boycott waters of the Gulf of Aden and the Indian Ocean: Foreign governments have to take measures for piracy: Indian seafarers are threatening to refuse to sail to the pirate-infested waters of the Gulf of Aden

and Indian Ocean if foreign governments fail to halt the increasing violent attacks on seafarers.

The statement from Abdul Gani Serang, general-secretary of the National Union of Seafarers of India (NUSI), follows growing concern in India about the risks to Indian seafarers.

There have been nationwide protests following the continued kidnap of seven Indian crew members of the Asphalt Venture, who Somali pirates still hold captive despite the payment of a ransom to release the ship and eight other crew members. Somali pirates currently hold captive about 50 Indian seafarers.

Abdul Gani Serang commented that: "They are kidnapped, taken hostage and going through terrible psychological trauma, and even their families suffer in silence. But little attention is given by international governments."

Meanwhile, naval forces operating in the Gulf of Aden and other danger waters are continuing to take action to prevent attacks and rescue victims. In an operation in the Gulf of Oman on 16 May, naval forces are reported to have killed four pirates attacking the German-owned, Panama-flagged supertanker Artemis Glory.

On 13 May, a French warship disrupted a hijacked dhow that was being used as a pirate mothership with the original crew still on board as hostages. The naval ship fired warning shots on the armed dhow, which then turned to head back to Somalia.

The warship took no further action because of concerns for the safety of the hostages, but ordered the suspected pirates to abandon their skiffs, which they did.

On 12 May, the Royal Danish Navy freed 16 Iranian hostages from a pirate mothership in an operation off the Somali coast that resulted in four pirates being killed and 10 wounded after the warship responded to pirate fire.

In other recent attacks - in advance of the forthcoming monsoon season - the Maersk Glory tanker came under rocket-propelled fire on 14 May and the Gulf Muttrah was also attacked off the coast of Oman later that day.

Both pirate attacks were unsuccessful. Crew on board the MSC Ayala also saw off an attempted attack on 15 May off the Gulf of Aden after they fired flares at a pirate skiff.

However, there was concerning news from West Africa that a Filipino seafarer had been killed in a pirate attack on the Greek chemical tanker Sea King off the coast of Benin on 7 May. The pirates, armed with guns, had boarded the tanker and ransacked equipment and personal belongings.

According to the latest figures compiled by the International Maritime Bureau (IMB), Somali pirates continue to hold about 26 vessels and 518 hostages.

Recent incidents reported to the IMB's worldwide Piracy Reporting Centre include:

- Five pirates attempted to attack a fishing vessel 160 nautical miles off Dar es Salaam, Tanzania on 17 May but abandoned their attack after the onboard security team fired warning shots.
- Four pirates chased and fired on a vehicle carrier off Comoros, between Mozambique and Madagascar, on 17 May but abandoned their attack after the captain increased speed and took evasive manoeuvres.
- Armed pirates boarded a chemical tanker off Cotonou, Benin on 15 May, hijacked it and then left it on 16 May taking

- stolen ship's properties, crew belongings and some cargo.
- Robbers boarded a bulk carrier anchored at Samarinda, Indonesia on 15 May and escaped with ship's stores.
- Two robbers boarded a chemical tanker anchored at Belawan, Indonesia on 15 May but escaped empty-handed after the alarm was raised.
- About five armed pirates chased and fired on a tanker 340 nautical miles west of Minicoy island, India on 14 May but abandoned their attack after the ship increased speed and took evasive manoeuvres.
- A pirate skiff approached a cargo ship 220 nautical miles off Socotra island, Yemen on 14 May. The alarm was raised, the onboard security team alerted and the crew went to the citadel. The skiff continued to approach the ship despite warning shots from the security team but eventually abandoned the attack and returned to their mothership.
- Pirates approached a container ship in the Gulf of Aden on 13 May but abandoned their attempt to board it after the onboard security team fired two shots into their skiff when it was 30 metres away.

"Disturbing level" of marine casualties:

Major casualties at sea continue at a disturbing level, marine insurers are warning. The number of incidents reported in 2010 followed the negative trend of the previous four years, according to the International Union of Marine Insurance (IUMI).

In its latest annual statistical review covering vessels over 500 gt, IUMI notes there have been 623 serious losses reported to date for 2010, a similar figure to 2009. This means that 2010 joins the five worst vessel loss years in the last 17. The pattern seems to dash hopes raised a year ago of a reversal in casualty experience when shipping activity had slowed as a result of recession in many leading nations.

Patricia Kern (a senior underwriting director at Swiss Re), chair of the facts and figures committee, one of IUMI's seven technical committees, said that even ahead of a full picture of the year from claims reports, there was no doubt that the failure to stem the high level of casualties was of great concern to insurers.

"When IUMI's annual conference is held in September, our committee will undoubtedly report higher 2010 figures for total losses and serious losses, illustrating the longtail nature of hull and machinery claims," she said.

The number of total losses for 2010 stands at 63, similar to the figure reported by IUMI 12 months ago for 2009. Since last year's report the outcomes for 2008 and 2009 have deteriorated. The number of reported total losses has increased for 2008 from 89 to 96, and for 2009 from 67 to 86. This would suggest that 2010 will be similar to its preceding two years.

At this early stage of development of the book, nearly 600,000 gt has already been reported as lost in 2010, against nearly 645,000 gt in 2009. Weather continues to be the major cause of total losses, followed by groundings. The number of dry bulkers and tankers which suffered total losses continues to be low relative to the world fleet, but there appears to be a trend of losses to larger vessels.

The size of the average dry bulker lost has risen from 19,000 gt in 2008 to 23,000 gt in 2009 and 32,000 gt in 2010. For tankers, the average has risen from 8,000 gt to 11,000 gt and then to 36,000 gt in 2010.

Changes to the tonnage rules could have dire effects of the UK-flag fleet, according to a leading shipping accountant. Maritime London member Moore Stephens says companies operating within UK tonnage tax could consider leaving the UK, as a result of HMRC's decision to unilaterally reinterpret the regime rules.

Sue Bill, a tax partner with Moore Stephens, says: "Given the substantial increase in the UK fleet since 2000, it is widely considered that UK tonnage tax has been a success. At the outset, the regime promised clarity and stability, but HMRC's unilateral reinterpretation of the rules could be detrimental."

HMRC's decision to reinterpret the legislation results from comments in the 2004 EU guidelines on state aid to maritime transport. The changes, set out in HMRC's tonnage tax manual, focus in particular on the strategic and commercial management tests that are fundamental to qualification for the regime. HMRC says that this follows 'ten years of experience and legal advice received'.

Ms Bill, however, points out, "The Revenue has not consulted with the shipping industry. And, although HMRC's interpretation is widely disputed, it has not released a detailed explanation of this legal advice."

She adds: "The UK government has emphasised the need for a stable UK tax regime to both support British business and to encourage international businesses to operate and stay in the UK. Throughout the regime's history, it has taken care to ensure stability and to minimise as far as possible any unexpected changes, treating fairly those shipowners operating within tonnage tax. But the reinterpretation by HMRC means that some groups no longer qualify for the UK regime despite having previously received HMRC clearance."

"These fundamental changes may have a detrimental effect on UK shipping as internationally mobile shipping groups consider leaving the UK," says Ms Bill. They do not appear to arise from government policy, but from changes in HMRC's views that were finalised without consultation with the shipping industry.

She concludes: "In considering their effect, HMRC needs to ensure that it continues to act fairly and reasonably by protecting shipowners who elected into the regime for a ten-year period based on the original HMRC rules and clearances, which in some cases now no longer apply, at least in HMRC's view. HMRC should also now consult on the reasons for its changed interpretation of the tonnage tax rules. It is time for HMRC to work in concert with the shipping industry in order to safeguard British shipping."

The North of England P&I club has postponed the launch of its proposed fixed-premium product for hull and machinery cover "until market conditions improve". The launch was originally scheduled for 1 July to coincide with the run-off of UK-based Marine Shipping Mutual Insurance (MSMI).

North joint managing director Alan Wilson says there were a number of factors influencing the club's decision, including the current instability in the insurance markets and in the economy generally. It also became apparent that the MSMI premium volume transferring would be less than originally anticipated and that insufficient new business could be written at a suitable level to make the product financially viable in the short to medium term.'

According to North chairman Albert Engelsman of Dutch shipping group Wagenborg: "Having undertaken a detailed investigation into current market conditions, North has reluctantly decided to postpone the launch of its hull and machinery product until such

time as conditions improve. We have also withdrawn our offer to acquire the run-off liabilities of MSMI as the launch of the hull and machinery product was an integral part of this offer. We will be considering whether to make a revised offer to MSMI and, should matters progress on this front, a further announcement will be made in due course."

The club's other joint managing director Paul Jennings says: "While it is of course disappointing that we are not proceeding with the hull facility at this time, we are satisfied it is the right decision. We remain firmly committed to our long-standing strategic aim of expanding North's product range beyond its core protection and indemnity service, and will continue to consider the possibility of launching a hull and machinery product in the future."

North currently provides P&I insurance to 105m gt of owned tonnage and 45m gt of chartered tonnage, with 4270 ships entered by 375 members. MSMI has 8m gt of entered tonnage, with 400 ships and 50 members. Directors of the 39-year-old club announced in January this year that it would cease underwriting on 30 June.

Will changing SOLAS protect against piracy?

IMO's Maritime Safety Committee (MSC) will discuss how to respond to the increasing trend for owners to employ armed guards to deter Somali pirates this week. The MSC is expected to discuss the development of guidance on the employment of private, armed security service providers on board ships. It will also debate measures to improve compliance with the Best Management Practices (BMP) to Deter Piracy off the Coast of Somalia and in the Arabian Sea area and proposed guidelines to assist in the collection of evidence after a hijack.

Prominent UK and US maritime lawyer and maritime author John Cartner is calling for changes to the Safety at Life at Sea Convention (SOLAS). According to Dr Cartner, managing member of Washington-based law firm Cartner & Fiske LLC, under SOLAS and other laws it is a ship master's "doctrinal duty" to protect the lives of those aboard his ship, but that he may not currently lawfully do this with private armed guards. As pirates endanger the lives of persons aboard ships, SOLAS should be amended under the tacit acceptance procedure of the Convention to give limited transactional immunity to the shipowner and master placing armed guards aboard their vessels to protect the lives of those aboard. The tacit acceptance procedure facilitates a quick and simple modification to keep pace with rapidly-evolving technology in shipping, but can also be used to deal with pirates.

Dr Cartner holds an unrestricted master mariner's certificate and has commanded tankers and container vessels. He says: "A vote of IMO members can pass a change to SOLAS which would give limited transactional immunity to any person who in good faith injures a putative pirate to protect the lives aboard. This person would be immune from prosecution by any state party or civil suit in any jurisdiction by the injured or his personal representative if the injury occurs in an area declared by the IMO Secretary General to be one known to be frequented by pirates. The language would cover any party including owners, managers, operators, insurers, armed guards and their hiring entities, masters and officers and ratings."

However most IMO observers feel it is unlikely that there will be a change to SOLAS. A International Chamber of Shipping (ICS) spokesman told London Matters: "At ICS our expectation is that IMO might consider issuing some kind of guidance to flag-states that would run parallel to BMP."

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He added that ICS continues to advise strict observance of BMP as the means to passive defence against pirates.

It emerged on Monday that BMT Marine & Offshore Surveys, a wholly owned subsidiary of BMT Group, went into administration on 26 April and has now been sold to Braemar Group for GBP2.4m.

A BMT spokesperson said: "BMT Marine & Offshore Surveys faced a number of fundamental challenges including litigation that it could no longer afford to defend."

BMT said: "The Board of BMT Marine & Offshore Surveys concluded that there was no other choice and BMT Group accepted its decision."

Peter French, chief executive of BMT Group, commented: "Although it was with sadness that we lost BMT Marine & Offshore Surveys from the BMT group, I am very pleased that the future of both the business and the employees will be protected through this sale. I would like to wish the staff every success for the future, in the strong belief that they and the business will thrive under the new ownership."

Announcing the acquisition from the administrator, Deloitte, of the business and certain assets of BMT Marine and Offshore Surveys Limited, Braemar CEO, Alan Marsh, said: "This is a very exciting development for the technical division of Braemar Shipping Services Plc Group, enabling us to deliver a truly global service to our clients."

A Braemar statement said: "The cash consideration for the transaction was GBP2.4m, paid on completion. In its financial year to 30 September 2010 BMTMOS reported a normalised EBITDA of GBP0.9m, and at that date the book value of assets acquired was GBP3.5m."

BMTMOS provides Hull and Machinery, P&I and Marine Warranty survey services around the globe; clients operate primarily in the insurance, shipping and offshore industries. The company has 94 employees, most of whom are marine surveyors, who operate from 21 offices around the world.

Going forward the business will join with the established marine survey operations of the group's technical division and will trade under the Braemar name.

Braemar has also reported preliminary results for its financial year ended 28 February. Revenue, at GBP126.1m is up from last year's GBP119.0m but pre-tax profit before amortisation, at GBP14.8m is down slightly from the previous year's GBP15.0m. Among it year's highlights the company notes shipbroking profits were up 7% and that there had been a successful consolidation and relocation of its businesses in Singapore.

Company chairman Sir Graham Hearne said: "Our markets in shipping and oil and gas services have had a turbulent year and against this backdrop the performance of the Group has been robust. Braemar, across all divisions, is a first-class company and among the leaders in its various markets; it is this that underlies my confidence that Braemar will continue to play a leading role in the markets in which it operates."

The UK's Financial Services Authority (FSA) has authorised the Baltic Exchange's subsidiary Baltic Exchange Derivatives Trading Ltd (BEDT) to run a Multilateral Trading Facility to offer trading in Forward Freight Agreements (FFAs). Baltex, a central screen based trading solution for the dry FFA market, will go live shortly. The Baltic Exchange board met on 4 May and gave BEDT its full support for the roll-out of the system.

Baltic Exchange chairman Mark Jackson said: "In establishing and funding the Baltex system, the Baltic continues its core role in facilitating the development of the shipping marketplace in all

its forms. This is the right response to broad market developments and emerging regulatory change."

BEDT chairman Paul Over said: "FSA regulatory approval means that Baltex is also authorised in all European Economic Area countries. Baltex also has provisional approval from the Swiss Financial Market Supervisory Authority (FINMA), subject to receipt of letters to it from the FSA. Baltex is expected to gain authorisation from other jurisdictions in the coming months."

Baltic Exchange chief executive Jeremy Penn said: "We are pleased to have finally received the FSA's approval and Baltex will be opening for business very soon. We have held back the launch to allow companies wishing to participate enough time to deal with the formalities of signing documentation."

Underpinned by the highest supervisory and compliance standards, the Baltic Exchange brand, as well as a high level of support from the market, the Baltic Exchange believes that the launch of Baltex will mark a step change in the way in which freight derivatives are traded.

Box Index launched

Cleartrade Exchange and Drewry have launched the WorldContainer Index, a global index assessed by Drewry, which can be used by physical and derivative market participants to manage freight risk. It will be available to all users of the container freight market including shippers, carriers, forwarders, banks, brokers and clearing houses and will be published weekly on Thursdays.

The index will report individual market prices on major East-West container shipping routes. Initially prices for 11 individual routes and a composite index will be reported each week. These will cover trade in both directions between Asia, North America and Europe. The index data will be generated by Drewry's team of industry analysts from multiple market sources including carriers and intermediaries and published by WCI Marketing Services, a 50-50 joint venture with Cleartrade Exchange.

Drewry and Cleartrade Exchange believe that the new market price indices fill an important gap in the market, offering wide geographical scope as well as the inclusion of 'backhaul' routes from an independent trusted research house.

Richard Baker, ceo of Cleartrade Exchange, said, "This is a big step forward for the container freight derivatives market, providing a robust set of indices on trade routes that reflect substantial physical volumes. We estimate the physical volume in 2010 on these 11 routes was 37m twenty-foot container moves. The potential for hedging and trading that freight risk is obvious."

Philip Damas, director- liner shipping and supply chains, Drewry, said, "The World Container Index assessed by Drewry brings a new level of depth and integrity to an emerging derivatives market that has huge potential for a number of participants along the trade chain. The extreme market volatility in the last three years and the shortcomings of the annual contract system have highlighted the need for greater predictability of container shipping rates and the need for hedging."

Brian Nixon, president of the Container Freight Derivatives Association, said, "The CFDA welcomes the launch of the WCI assessed by Drewry and applaud this initiative to bring further liquidity to the container freight derivatives market. The association is on record as saying that its members support the development of new indices which are seen by the market to be fair, trustworthy and transparent. The development of these new indices by the WCI should bring new trading and hedging strategies along with increased liquidity to market participants wishing to manage their risk on a specific route and index."

DG SHIPPING NOTICE

M.S. Notice of 2011

File Ref: 75 - NT (1) / 2011

24th May 2011

Sub: June 2009 Amendments to SOLAS 1974 - Carriage Requirements for Electronic Chart Display and Information System (ECDIS) on Indian ships - regd.

Back ground:

1. The Maritime Safety Committee (MSC) during its 86th Session had adopted the resolution MSC.282 on 5th June 2009 which contains various amendments to International Convention for the Safety of Life at Sea 1974 (SOLAS 74) including the said amendments for fitment of ECDIS as per Reg. 19 of Chapter - V of SOLAS. i.e. 'Carriage Requirements for ship borne navigational systems and equipment'. It is to be noted that these amendments to SOLAS vide resolution MSC.282 entered into force on 01st January 2011 internationally. Also, Regulation 27 of Chapter V of SOLAS requires all Nautical Charts and publications on board ship to be adequate for the intended Voyage and maintained up to date.

SOLAS 1974 requirements - with respect of carriage of ECDIS for convention ship:

2. India being signatory to SOLAS 1974 as incorporated these provisions in the new draft Merchant Shipping (Safety of Navigation) Rules, 2011 which is under the consideration of Govt. of India for promulgation. This may take some time, therefore in the interim the Director General of Shipping issues the following guidelines in respect of Carriage of ECDIS on Indian ships. Under SOLAS Chapter V - Safety of Navigation, Regulation 19.2.10 has been added. This regulation is being applied to all Indian ships engaged on International voyages. All Indian ships engaged on International voyages shall be required to be fitted with ECDIS. The requirements for compliance for various category of ships and time frame for fitment is as follows-
 - a) Passenger ships of 500 gross tonnage and upwards constructed on or after 1st July 2012;
 - b) Tankers of 3,000 gross tonnage and upwards constructed on or after 1st July 2012;
 - c) Cargo ships other than tankers, of 10,000 gross tonnage and upwards constructed on or after a proposed date of 1st July 2013;
 - d) Cargo ships other than tankers of 3,000 gross tonnage and upwards but less than 10,000 gross tonnage constructed on or after 1st July 2014;
 - e) Passenger ships of 500 gross tonnage and upwards constructed before 1st July 2012, not later than the first survey* on or after 1st July 2014;
 - f) Tankers of 3,000 gross tonnage and upwards constructed before 1st July 2012, not later than the first survey* on or after 1st July 2015;
 - g) Cargo ships, other than tankers, of 50,000 gross tonnage and upwards constructed before 1st July 2013, not later than the first survey* on or after 1st July 2016;
 - h) Cargo ships, other than tanker, of 20,000 gross tonnage and upwards but less than 50,000 gross tonnage constructed before 1st July 2013, not later than the first survey* on or after 1st July 2017; and
 - i) Cargo ships, other than tankers, of 10,000 gross tonnage and upwards but less than 20,000 gross tonnage constructed before 1st July 2013, not later than the first survey* on or after 1st July 2018.

*Note: Refer to the Unified interpretation of the term "first survey" referred to in SOLAS regulations (MSC.1/Circ.1290)

Fitment of ECDIS for ships solely engaged in Indian coastal voyages:

3. All Indian ships engaged in the Indian Coastal voyages shall be required to be equipped with ECDIS as per the time schedule stated below:-
 - a) Passenger ships of 500 GT and upwards constructed on or after 1st July 2012;
 - b) Tankers of 3000 GT and upwards constructed on or after 1st July 2012; and
 - c) Cargo ships other than tankers of 10000 GT and upwards constructed on or after 1st July 2014; shall also be fitted with ECDIS; and

- d) However, existing Passenger ships, Cargo ships and Tankers operating exclusively on Indian Coastal voyages are exempted from the compliance with the fitment of ECDIS.

Fitment of ECDIS on High Speed Crafts operating in Coastal Waters of India:

4. In accordance with, the amendments to High Speed Craft code 2000 adopted vide MSC Resolution MSC.222 (82) vide Para 13.8.2, the High Speed craft shall be fitted with an ECDIS within the following time frame:-
1. craft constructed on or after 1st July 2008;
 2. craft constructed before 1st July 2008, not later than 1st July 2010"
5. All Indian High Speed Crafts operating in Indian coastal waters shall be fitted with ECDIS as per the tonnage and time frame as stated below -
- a) HS Crafts of less than 150 GT - ECDIS requirements are permanently exempted.
 - b) HS Crafts of 150 GT or more - ECDIS should be fitted not later than 01.07.2012 or the next scheduled dry dock.

Exceptions from fitment of ECDIS:

6. The requirements of ECDIS shall not be applicable to the following -
- a) Warships, Naval Auxiliaries and other ships owned or operated only on Govt. non commercial service;
 - b) Fishing vessel,
 - c) Ships not propelled by mechanical means;
 - d) wooden ships of primitive built
 - e) ships which will be permanently taken out of service within two years after the implementation date.
 - f) If a vessel described in para 3 (d) is, under exceptional circumstances, required to make an International voyage

Owners/ operators of ships falling under 6 (e) and 6 (f) may approach the Directorate for grant of exemption/relaxation from ECDIS requirement well in advance.

Performance Standards for ECDIS:

7. All Indian ships fitted with ECDIS equipment as specified above shall meet the following performance standards set out by the International Maritime Organization (IMO).
- (a) if installed on or after 1 January 2009, it shall conform to performance standards not inferior to those specified in the Annex to resolution MSC.232(82); and
 - (b) if installed on or after 1 January 1996 but before 1 January 2009, it shall conform to performance standards not inferior to those specified in the Annex to resolution A.817(19), as amended by resolutions MSC.64(67) and MSC.86(70).

Acceptance of ECDIS as Primary means of Navigation:

8. Regulations V/19 and V/27 of the International Convention for the Safety of Life at Sea (SOLAS) 1974 as amended under Chapter V - Safety of Navigation requires all ships to carry adequate and up-to-date nautical charts, sailing directions, lists of lights, notices to mariners, tide tables and all other nautical publications necessary for the intended voyage.
9. Considering the fact that up-to-date charts and other nautical publications required by Regulations V/19 and V/27 of the SOLAS 1974 as stated above can be provided and displayed electronically on board ships by Electronic Chart Display and Information System, ECDIS equipment conforming to the performance standards specified by IMO, with adequate 'back-up arrangements' shall be accepted as evidence of complying with

(contd. on page 14)

LIST OF PRE-SEA MARITIME COURSES, WITH ITS ELIGIBILITY, CRITERIA FOR ENTRY INTO MERCHANT NAVY

Sr.No.	Name of course	Minimum Academic Qualification	Maximum Age limit
1.	6 months pre-sea course for General Purpose Rating. AND 6 Month Pre-Sea Course for General Purpose Rating for Fitters/Petty Officers.	Pass with aggregate 40% marks in 10th Standard from a recognized Board with Science, Mathematic as subjects and with minimum 40% marks in English language. Pass in 2-Year I.T.I. course from Govt. Approved Institute with minimum 50% aggregate marks in final year and minimum 40% marks in English at 10th or Diploma Exam.	Between 17.5 to 25 years. Between 17.5 to 25 years.
2.	6 months Certificate Course in Maritime Catering	Pass with aggregate 40% marks in 12th standard from any stream, from a recognized Board with English as a subject. The candidate to obtain atleast 40% marks in English either at 10th or 12th standard.	Between 17.5 to 25 years.
3	18 days Orientation Course for catering personnel 3 year Polyvalent (Dual certification) course leading to B.Sc. (Maritime Science) Degree	Candidates holding Degree/Diploma in Hotel management from recognized and reputed board or the universities Pass in (10+2) or equivalent examination with Physics, Chemistry, Mathematics and English as separate subjects with a PCM average of not less than 60% and with minimum of 50% in English language at 10th or 12th std exam.	18 to 25 years 25 years
5.	1-year Marine Engineering Course.	Graduation in BE (Mechanical) Engineering / Naval Architecture with minimum marks of 50% in final year and with minimum 50% marks in English language at 10th or 12th or in Degree Exam.	28 years
6	2-year Marine Engineering course	(a) Pass Diploma in Mechanical /Marine/ Naval Architecture / Electrical / Electrical and Electronics Engineering with minimum marks of 50% in final year and with minimum of 50% marks in English language at 10th, 12th std or Diploma exam. (b) Passed Diploma in Shipbuilding Engineering with minimum marks of 50% in final year (4 year course) and with minimum of 50% marks in English language at 10th, 12th std or Diploma exam.	28 years 28 years.
7	2 1/2 years course for Marine Engineering under Alternate Training Scheme	Pass in (10+2) or equivalent examination with Physics, Chemistry, Maths and English as separate subjects with a PCM average of not less than 60% and with minimum 50% marks in English language at 10th or 12th std exam.	25 years

Training Ship Chanakya, Navi Mumbai: Located on India's West coast near Mumbai, Training Ship Chanakya is a shore-based academy managed and maintained by the Govt. of India, Ministry of Surface Transport through the Directorate General of Shipping. The three year degree course here culminates in the award of a B.Sc. (Nautical Sciences) degree from the University of Mumbai. It also imparts training for three months Pre-sea course. The cadets who successfully complete training at this institute are eligible for taking up jobs not only on board Indian ships but also on foreign vessels. It is common knowledge that trained Indian Merchant Navy officers are in great demand the world over, for their proficiency, expertise and dedication to their profession. It is noteworthy to mention that the Nautical Training imparted in this institution is of a very high quality and in accordance with the standards and norms laid down by the international bodies like the International Maritime Organisation.

Selection Procedure: B.Sc. (Nautical Sciences) THREE YEAR DEGREE COURSE

1. Mode of Entry & Selection: a) All India Joint Entrance Examination conducted by IIT in Dec/ May each year. Advertisement for these examinations usually published in all leading dailies in Jun/Jul each year including Employment News. b) Performance in J.E.E followed by counselling and medical examination. **2. Eligibility:** a) All unmarried citizens of India. b) Not more than 20 yrs. of age as on 1st Oct. of the year of entry. (Relaxable by 5 yrs. for SC/ST candidates. c) Passed 10 + 2 (or equivalent) with Physics, Chemistry, Mathematics & English. **3. Duration:** 1st Semester: 24 th Aug. to 14th Dec. 2nd Semester: 15th Jan. to 31st May 4. No. of seats per course - 90 each per year. Seat Reservation 15% of the total seats are reserved for SC & 7.5% for ST candidates. **Cost of Training:** Total expenditure for three years Rs. 98,000/- (which includes boarding, lodging, Note : Candidates from other countries may be admitted for B.Sc. (Nautical Science) degree course subject to their getting approval of the Ministry of Surface Transport, Government of India.

Deck Cadet THREE MONTHS COURSE **1. Mode of Entry & Selection:** Cadets who are sponsored directly by the shipping companies, before they join their ships for their initial sea training). Postal Address : Capt Superintendent (I/C) Karave, New Mumbai-400 706. T. S. Chanakya, Karave, Nerul, Navi Mumbai - 400 706. b) Telegraphic Address : CHANAKYA Konkanbhavan, Navi Mumbai - 400 614. c) Telephone : 91-22-770 3876 / 1880 / 1935 / 1936. d) Fax. : 91-22-770 0398. e) E-mail : tschanakya@hotmail.com For comprehensive details: www.dgshipping.com

Source: **www.dgshipping.com**

(contd. from page 12)

Regulation V/19 and V/27 of the SOLAS 1974 pertaining to carriage of up-to-date charts and publications.

Back up arrangements for ECDIS:

10. Indian ships fitted with ECDIS equipment conforming to the performance standards prescribed in MSC. 232(82), the following back up arrangements are acceptable-
 - a) A second fully compliant ECDIS with independent power supply, or,
 - b) A full folio of paper charts and Nautical Publications corrected for the latest Notices to Mariners, for the intended voyage.
11. Indian ships fitted with ECDIS equipment conforming to the performance standards of Resolution A. 817 (19) as amended, the accepted back up arrangements may be as specified in Para 10 (b) above.

Use of ECDIS in Raster Chart Display System (RCDS) mode:

12. Recognizing the fact that Electronic Navigational Charts (ENCs) for some of the areas are not yet available, the ECDIS equipment shall be used in RCDS mode with Raster Navigational Chart (RNC) for these areas, provided an appropriate folio of up-to-date paper charts and nautical publications should be carried on board and be readily available to the mariner. ECDIS in RCDS mode shall only be used in conjunction with an appropriate up-to-date paper charts.

Necessity of Paper Charts:

13. Even though a vessel fitted with two sets of ECDIS (complying with MSC.232 (82)) fully complies with the regulations V/19 and V/27 of SOLAS 1974 Chapter V, it is recommended that an appropriate folio of paper charts covering the ports, coastal and sea areas posing or likely to pose dangers to navigation during the intended voyage for reference to be maintained as a back up in the event of exigencies of service or failure of power or other reasons beyond the control of the master.

Training and Certification:

14. All deck officers onboard the Indian ships fitted with ECDIS equipment shall undergo the STCW 2010 compliant DGS approved ECDIS course and obtain appropriate certificate. In addition, all deck officers shall complete training for the 'specific type' of ECDIS equipment installed on the Indian ships on which they are working. If the approved ECDIS training based on the IMO model course includes training on the type of equipment installed on their ships, there shall be a clear statement to this effect failing which an additional training would need to be undertaken. This shall be in form of Computer based training supplied by the manufacturer of the ECDIS equipment on board. An original of certificate pertaining to said training shall be available on board.

Joining a vessel at short notice with no ECDIS training:

14. In case where a deck officer is being required to join a vessel at short notice, due to exceptional circumstances and if he has not undergone ECDIS training in accordance with relevant IMO Model Course, the Company shall provide ECDIS training onboard, by way of Computer Based Training or equivalent training, which satisfies the requirements of IMO Model Course. This training shall be deemed acceptable to the Directorate General of Shipping demonstrating full familiarity with ECDIS and the equipment on board such ship. A record of this training shall be maintained by the master of such ship. No responsibility for a watch shall be given until the Officer has completed training to the satisfaction of the Master. This permission shall be granted only on a case to case basis and the Directorate General of Shipping shall be informed prior to the joining of ship by such officer/ crew member.

ISM Code compliance:

15. If an Indian Ship intends to operate with ECDIS only, the same shall be listed as part of the critical equipment as described by ISM code 10.3 (Maintenance of the ship and equipment). Accordingly, the owner and the master of the ship shall ensure regular testing of the standby arrangements to be undertaken as per the periodicity and procedure specified in the company's safety management system. The IMO amendment as an when effecting the ECDIS shall be suitably reflected in the Company's safety management system.
16. The Company and the master of the ship has a responsibility to ensure all personnel are given proper familiarisation with their duties including their responsibilities with respect to safe operation and maintenance of ECDIS equipment. The Company shall also provide detailed guidelines with regard to the training of deck

officers in starting, operating, testing and periodical maintenance of ECDIS equipment. A copy of operational manual of ECDIS shall be made available on bridge.

Second hand acquisition:

17. All such vessels shall be considered as if ordered for registration under Indian flag vessel on day of their 'keel laid date' for the purpose of this M.S. Notice No. of 2011. No favorable treatment shall be extended to second hand acquisitions.

Survey and certifications:

18. For the purpose of efficient and effective navigational systems, equipments and associated arrangements including carriage of ECDIS equipment, the Indian ship shall be inspected and surveyed by the Authorized Official of the Directorate or the Recognized Organization approved by the Central Government to verify the compliance with this notice and on satisfactory completion of inspection/survey, the ship shall be issued with appropriate certificate in accordance with provision of M.S. Act 1958.

Enforcement

19. For the purpose of ensuring that the provision of this notice is being complied by the Indian ship, the Authorized Official of Directorate General of Shipping or Principal Officer of the Mercantile Marine Department District or any person recognized by the Central Government by the gazette notification may board an Indian ship. The authorized official may exercise such control measures under Regulation I/19 and XI/4 of SOLAS 1974 (as amended) to which India is party. Procedure of control is stipulated in Organization Assembly resolution A 787(19) as amended by A 882(21) or other instruments issued by Organization from time to time or Section 435-M of the act as the case may be. The Indian ship may be detained if the requirements of this notice are not complied at all and its general efficiency of navigational systems including ECDIS equipments is adversely affecting the safety of a ship. The procedure for detention of unsafe or unseaworthy ships may also be followed by the authorized official as specified in section 336.

Penalties:

20. Whoever contravenes any of the provisions of this notice shall be liable to be punished as per the applicable provisions Merchant Shipping Act, 1958.

Conclusion

21. Keeping in view the aforesaid amendments Ship Master / Ship Owners / Ship Managers/ Ship Operators and all concerned are hereby informed that appropriate measures need to be taken by them to give full & complete effect to these amendments as per Regulation 19.2.10 of Chapter V of SOLAS towards ECDIS requirements.
22. Co-operation of all concerned is therefore solicited to enhance efficiency of safety of navigation and maritime traffic.
23. This circular is issued with the approval of the Director General of Shipping.

DGS Order No. 05 of 2011

NO:18(2)CR/2007

Dated: 16.05.2011

Subject: Granting dispensation to Indian nationals to work on Indian flag cruise ships as hotel and entertainment staff without Indian CDC. reg.

Whereas due to an increase in tourism and related activities there is a potential in the Indian Shipping industry to operate cruise vessels in the country, and, Indian flag cruise vessels are likely to enter the arena. Unlike other categories of vessels, a cruise vessel needs specially trained hospitality, catering, hotel entertainment personnel etc. to look after the cruises and provide entertainment.

2. Whereas, at present, no Indian CDCs are issued for the above category of ship crew (except cook, GS, Saloon rating, purser etc, who are being engaged on merchant ships, including passenger vessels), & thereby, there is a dearth of trained and experienced personnel holding Indian CDCs for the above crew category for cruise vessels. The engagement of such category of personnel holding Indian CDCs is not feasible at this stage. Therefore, in order to operate such cruise ships under the Indian flag, a dispensation to engage the hospitality, catering, hotel, entertainment, security personnel etc. without Indian CDC is appropriate at this stage for the benefit of the industry.
3. And whereas such dispensation using the provisions of Section 456 of the said Act is best given through a

set of guidelines rather than on a case-to-case basis so as to provide similar dispensation to similarly situated vessels to the extent possible.

4. Now, therefore, the Director General of Shipping, in pursuance of the powers conferred on him under Section 456 of the MS Act, 1958, read together with MoS S.O. No. 3144 dated 17th December 1960, issues the following guidelines spelling out the terms and conditions for considering the requests for granting dispensation to such owners / operators for Indian nationals to work on Indian flag cruise ships as hotel and entertainment staff without Indian CDCs:
 - 4.1. Specific application will be made by the company for the number of hotel and entertainment crew and category of crew for which the dispensation is required.
 - 4.2. The application for the dispensation for the total number and category of crew shall be submitted to the Directorate General of Shipping on an yearly basis and the dispensation has to be effected at the beginning of the financial year.
 - 4.3. The above crew shall be invariably treated as seafarers for all service benefits.
 - 4.4. All other provisions under the MS Act, 1958, in force, related to seafarers, including signing of Articles of Agreement, engagement and discharge through RPS license holders, remittance of provident fund, levy, welfare fund contribution and other statutory dues to the concerned organizations shall apply.
 - 4.5. The crew for whom the dispensation is requested has to undergo the following STCW familiarization courses and should be in possession of valid certificates and INDOS no. prior to their engagement on such vessels;
 - 4.5.1. Personal Survival Techniques,
 - 4.5.2. Fire Prevention and Fire Fighting,
 - 4.5.3. Elementary First Aid,
 - 4.5.4. Personal Safety & Social Responsibility
 - 4.5.5. Cruise Ship Familiarization Course
5. Category wise dispensation will be calculated for a given financial year. The dispensation shall be granted only if the company is fulfilling the training requirements as per scales indicated below;
 - 5.1. The company shall place Indian CDC holders as trainees in each category of dispensation requested in the ratio of 3:2 (that is for every three 'man month' of category wise dispensation requested, two 'man month' of trainees will be placed and trained by the company).
 - 5.2. The trainees placed will be as far as possible from the same category for which dispensation has been asked for, failing which in the other category is pertaining to a cruise ship.
 - 5.3. In the unlikely eventuality of such training not being imparted in the same ship concerned for any valid reason, the company can get the training imparted on other ships after obtaining permission from the Directorate General of Shipping.
6. All details of the persons employed on the above dispensation shall be reported to the Directorate General within 3 days of such engagement, along with their copies of INDOS nos., STCW certificates etc, failing which the firm is liable to pay a late fee of Rs. 1000/- per person of default.
7. Such companies to whom dispensation are granted shall submit a quarterly report giving the details of training imparted against the dispensation granted.
8. The DG Shipping reserves the right to vary, alter or rescind the provisions of the in the interest of creating more trained manpower for the Indian shipping Industry or to streamline the CDC procedures.
9. This order will come into force from the date of issue of this order.

Sd/-

(Dr. S. B. Agnihotri)

Director-General of Shipping &
ex-officio Addl. Secretary to the
Government of India.

No. 1st Seafarers' Day/NMDC/2011 2nd June, 2011

Sub: Nomination of awards to be presented on the occasion of "Day of the Seafarer" to be held on 25th June, 2011 at Mumbai

Sir,

It is my great pleasure to inform you that during the International Conference on 'Standards of Training, Certification and Watchkeeping (STCW)' held in Manila, Philippines from 21st to 25th June, 2010, 25th of June was designated as the 'Day of the Seafarer' to be held on an annual mode w.e.f. 2011 under the banner and calendar of the International Maritime Organisation. Accordingly, this day will be celebrated as the 'Day of the Seafarer' every year, all over the world.

The Managing Committee of National Maritime Day Celebrations (Central), Mumbai, during its meeting held on 24.05.11 has decided to organize the 'Day of the Seafarer' on 25th June, 2011 in the Y. B. Chavan Centre Auditorium, next to Mantralaya, Jagannath Bhosale Marg, Nariman Point, Mumbai-400 021. It has also been decided to institute "Topper of Board of Examination Award", which is to be presented on the occasion.

As no formal guidelines and standard format is evolved, therefore, it is requested to send the nomination and detail of the person who has topped in the G.P. Rating and CCMC examination held last, to the "Member Secretary, National Maritime Day Celebrations (Central) Committee, Jahaz Bhavan, W.H. Marg, Ballard Estate, Mumbai - 400 001" latest by 15th June, 2011. As the function is on 25th June, 2011, therefore, it has been decided that finalization of the awards is to be completed by 17th June, 2011.

Yours faithfully,

(Deepak Verma)

Dy. Director General of Shipping &
Member Secretary, NMDCC

DGS Order No. 04 of 2011

NO:35-NT(6)/2010 Dated: 11.05.2011

1. Incidents of piracy on the high seas have continued unabated and Indian seafarers have been held captive on some of the ships.
2. India being a major supplier of seafarers, it is not unlikely that in the future incidents of successful hijack of ships, Indian seafarers may be held captive alongwith other international crew.
3. While the owners and ship management companies are usually the best placed for taking necessary measures for securing release of ships and its crew members, instances have come to the notice of this Directorate, where some of the welfare measures related to counseling and communication with the family members of the seafarers in captivity, as well as the seafarers themselves after their release from captivity, need to be streamlined. The following guidelines are, therefore, issued to provide an overall framework for welfare measures related to seafarers and their family members.

3.1 Pre-joining vessel

It is important that seafarers are appropriately trained to acquire skill-set necessary to safeguard their ships from a possible piracy attempt and, in a unfortunate case, to contend with captivity. This training module should be imparted by concerned ship-owners / managers and should ideally contain issues such as:

- a. Familiarity with Best Management Practices (BMPs)
- b. Actions, communications in the event of an attack
- c. Company specific issues
- d. Case studies
- e. Cultural sensitivity training to avoid offending the pirates
- f. Intimidation tactics used by pirates i.e. providing frightening information about family members, suggestions that ship-owners will desert them and other psychological tactics aimed at breaking the morale of crew and increasing their desperation, for pressurizing negotiations

- g. Shipping and military perspective
- h. Employment through registered manning agents

3.2 Piracy incident

3.2.1 In an unfortunate incident of successful hijacking of a vessel, there is a need for immediate intimation of the event. The owner, the ship management company or the Recruitment and Placement Service (RPS) agent concerned, should immediately communicate the relevant information to the Directorate, through DG Comcentre, (email: dgcommcentre@satyammil.net; dgcommcentre@vsnl.net; dgcommcentre@gmail.com; Tel:91-22-226146/ 22610606/91-22-32959320; Fax:91-22-22613636) which operate on a 24/7 basis.

3.2.2 The owner, through the ship management company or the RPS agent should arrange to communicate with the family members of the hijacked crew and counsel them appropriately. In cases where there is vacuum in terms of communicating with the family members, the Seafarers' Welfare Fund Society (SWFS) will organize such communication, as interim measure, taking into confidence the Shipowners' Associations, the concerned unions and such other members of the shipping industry, as appropriate.

3.2.3 The reporting on the progress of the negotiation has to happen not later than at least once a week and on upon, any significant development immediately thereafter. An indicative format for reporting is annexed.

- 4. Financial Support: It is imperative that the owner / ship management company / RPS agent ensures necessary financial support to the family of the seafarers during his period of captivity. Where such efforts fail on account of all the three said entities working outside the purview of the Maritime Administration, the matter will be taken up with the Flag Administration, the International Transport Workers' Federation (ITF) and the International Maritime Organization (IMO).
- 5. Professional counseling for the family members ? The periodicity of counseling with the family members will be incident specific. Professional counseling for the family members has to be organized by the owner / ship management company / RPS agent or where there is a vacuum by the SWFS, as prescribed above, at appropriate intervals or the Directorate will step in to prescribe the periodicity where required.
- 6. The period close to the conclusion of negotiations and immediately thereafter -
Whenever conclusion to negotiations is imminent, the family members are to be advised to exercise complete restraint. There have been instances of unpredictable delays, last minute re-scheduling and potential slips after being released from captivity and reaching to a suitable place of safety. This is important, given the possibilities of intrusive media interference at this stage on one hand and the fact that one is not dealing with a coordinated or a disciplined group.
- 7. Post release: A de-briefing session should be conducted by the shipowner /manager/RPS for medical examinations and for addressing any welfare issues, including grievances, of the released crew. The purpose of a medical evaluation is to determine whether the seafarer is at risk of developing any persistent physical or emotional condition that would impede a crewmember's ability to return to work or that would pose a risk of life. Similarly, it should be appreciated that seafarers may need follow-up care for post release trauma counseling and therefore, shipowner/manager /RPS, and in cases where these entities work outside the reach of maritime administration, the SWFS, shall facilitate such help to the affected seafarer appropriately.

Sd/-

(Dr. S. B. Agnihotri)

Director-General of Shipping &
ex-officio Addl. Secretary to the
Government of India.

READERS' KIND ATTENTION

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Rs. 50M to be allocated to shift oil tankers to Zulfikarabad:

The Centre has asked the Sindh government to allocate at least Rs50 million to shift oil tankers from Shirin Jinnah Colony to Zulfikarabad Oil Terminal (ZOT) off the National Highway as the rest of the money would likely be borne by other stakeholders to implement directions of the Supreme Court of Pakistan in a human rights case, according to official sources and documents obtained by The News on Thursday.

The residents of Clifton might take a sigh of relief from hazards arising out of parking of heavy oil tankers there as reportedly all stakeholders have finally shown their willingness and readiness after many deliberations to provide required funds for shifting the tankers.

The federal ministry of petroleum, in a recent letter to the Sindh government, stated that to start with the project with bare minimum facilities, Rs100 million as calculated by the CDGK in revised PC-1 were required.

The Sindh government being the major stakeholder was required to allocate 50 percent of the expenditure amounting to Rs50 million so that the orders of the Supreme Court could be complied with.

The federal ministry suggested to the provincial government to allocate this amount from the Sugar Cess Development Fund or through budgetary provision.

It may be mentioned here that Ms Shagufta, a resident of Clifton, Block-1, had written a letter to the Chief Justice of Pakistan, complaining that parking of heavy oil tankers on both sides of the main road in Clifton had made the lives of the residents miserable.

She had submitted that oil tanker operators had encroached upon streets in Clifton and its adjoining areas, causing environmental hazards besides affecting residents' privacy as families could not move freely due to vehicles activity. Later, the CJ converted her letter into a constitutional petition and directed the Sindh government, the CDGK and the KPT to address the issue as being major respondents.

On directions of the SC, the KPT allocated 69,500 square meters of land as temporary parking for the oil tankers and the Sindh government allocated 150 acres of land at ZOT for shifting of the parking of oil tankers from the Shirin Jinnah Colony while another piece of land measuring 50 acres has to be allocated on the Hub River road for parking of the oil tankers.

The CDGK has prepared PC-1 for ZOT project amounting to Rs357.788 million, but the CDGK has shown its inability to develop site due to paucity of funds.

It was contended that oil marketing companies (OMCs) were the main stakeholders using the roads and other infrastructure, but in return the CDGK did not receive anything from the OMCs.

They, therefore, expected that the OMCs should help them in this matter under their obligations of Corporate Social Responsibility (CSR).

However, the OMCs were of the view that the CSR was a "favour" and not an obligation. Moreover, the OMCs were facing severe cash flow problems due to the circular-debt and were not in a position to fund such facilities.

Besides, the OMCs were also of the opinion that they were not the only stakeholders in KPT.

There were also non-POL related tankers vis-a-vis molasses, chemicals and edible oil.

In order to address the funding issue, the secretary of petroleum held a meeting with all the stakeholders on 15th March 2011 in which, stakeholders stuck to their positions and different options came under deliberations to shift the oil tankers.

Another follow-up meeting under the chair of the minister for petroleum was held on 16th May 2011 in which reportedly, the oil tankers association was divided over the issue of funding.

In order to come up with perceived concrete solution pertaining to funds, a meeting among senior officials of petroleum ministry, the Sindh government and the CDGK was held at the Sindh Secretariat on 28th May 2011.

The DCO of Karachi, Syed Muhammad Husain, one of the participants of the meeting, told The News on Thursday that all the stakeholders agreed on a proposal of funding.

According to this proposal, the Sindh government would bear 50pc expenditure, the CDGK 15pc, oil marketing companies 20pc, ministry of petroleum 5pc and companies involved in business of edible oil and molasses would bear 10pc cost of shifting the oil tankers to the ZOT.

Oil Tanker Terror Hijacks Easy, Attacks

Complex: Supertankers - the hulking, slow-moving ships that transport half the world's oil - have few defenses against terrorist hijackers like those envisioned by Osama bin Laden, security experts said Saturday.

Al-Qaida operatives with enough training could easily manage to capture ships carrying millions of gallons of oil or liquefied natural gas. All they would have to do is imitate the tactics of Somali pirates who already use small boats to overpower tanker crews in mostly remote locations, the experts said. Few supertankers have armed guards, due to gun import laws and the risk of accidental gunfire igniting explosive cargos.

But once terrorists captured a supertanker, it wouldn't be so easy to sow the economic chaos and costly environmental destruction bin Laden desired and outlined in secret files captured from his Pakistan hideout. It's actually extremely complex to blow up a supertanker or even sink it near heavily guarded oil shipping lanes like the Suez Canal, the Panama Canal or the Strait of Hormuz at the end of the Persian Gulf.

"It would only be a risk if they could sail it undetected and had worked out how to blow it up, which is pretty complicated," said Graeme Gibbon-Brooks, the head of Dryad Maritime Intelligence.

The FBI and the U.S. Department of Homeland Security issued a confidential warning to authorities and the energy industry Friday that al-Qaida was seeking information on the size and construction of tankers.

The newly revealed plot showed that while bin Laden was scheming about the next strike to kill thousands of Americans, he also believed an attack on the oil industry in "non-Muslim waters" could create a worldwide economic panic that would send oil prices soaring and hurt Westerners at the gas pump.

Other bin Laden documents revealed that the terror group identified New York, Washington, Los Angeles and Chicago as important cities that should be attacked. Al-Qaida also identified key dates for those attacks, including the 10th anniversary of the Sept. 11, 2001 attacks, Christmas, July 4th and during

Obama's State of the Union address in January.

Oil already is a known target. On Saturday, a truck tanker carrying oil for NATO forces in Afghanistan exploded in northwestern Pakistan as people tried to siphon off fuel, killing 15. Fourteen other NATO oil trucks were damaged in a bombing at a nearby border town, but no one was hurt.

The hundreds of seafaring oil tankers that travel across the planet daily are theoretically capable of igniting massive fires with the capability for extensive destruction.

Intelligence gathered from bin Laden's hideout revealed that al-Qaida realized the tankers would have to be boarded so explosives could be planted inside them. Security experts say, however, blowing them up would be difficult because the tankers have double hulls and compartmentalized holds that prevent oil spills in groundings and can withstand direct hits from rocket propelled grenades.

Plus, getting enough explosives aboard the tankers would mean using more speedboats than Somali hijackers normally do to take over the ships and hold crews hostage, Gibbon-Brooks said.

Somali pirates have already captured five supertankers, proving that men with little training and basic weapons can easily seize the giant ships. Supertankers move slowly when fully loaded, can be longer than three football fields and generally only have around 20 unarmed crew onboard.

Although the size of the ships makes them vulnerable, their slow speed also makes it harder for terrorists to sneak one into a port or a narrow shipping passage. Ships are closely tracked via satellite and any unexplained deviations from their travel plans would immediately raise alarms.

While al-Qaida's most brazen sea attack was on the USS Cole in Yemen, the explosives that knocked a hole in the destroyer and killed 17 sailors in 2000 would not sink a double-hulled oil tanker.

Other marine attacks have been botched. An attempt to blow up the USS The Sullivans warship failed in 2000 when the plotters overloaded their speedboat with explosives and it sank en route to the mission.

The 2002 suicide bombing of a tanker off the coast of Yemen damaged the ship but didn't sink it. And last year a suicide bomber only slightly damaged the Japanese tanker M. Star in the Straits of Hormuz, which handles 40 percent of the world's tanker traffic. An obscure al-Qaida-linked group claimed responsibility.

After those attempts, al-Qaida decided attackers have to board a ship and blow it up from the inside, according to documents seized by U.S. special forces from the compound where bin Laden was killed nearly three weeks ago.

Despite the difficulties, warnings abound that several groups have the capability to pull off a terror attack on a supertanker, especially in Asian waters.

The al-Qaida-affiliated Abu Sayyaf militia remotely detonated a bomb on a ferry in Manila Bay in the Philippines in 2004, igniting an inferno that killed 116 people.

Small cargo barges and fishing boats have been attacked by militants, some of whom have taken diving lessons that Filipino authorities suspect were preludes to maritime attacks. In March 2010, Singapore's navy raised its security alert, warning that

an unspecified terrorist group was planning attacks on oil tankers and other vessels in the Malacca Strait, which separates Malaysia from the Indonesian island of Sumatra.

While authorities fear that al-Qaida may link up with the Somali pirates who have become so adept at hijacking cargo ships, experts say the chance of any such alliance is remote because the pirates are in the hijacking business for the multimillion-dollar ransoms they get from holding ship crews hostage.

If the pirates started working with terrorists, that could seriously hurt their business, said Roger Middleton, a piracy expert with London's Chatham House think tank.

"They're multimillionaires running a very important business and don't want to see that jeopardized by too much politics," he said.

To counter attacks, tanker owners have begun putting barbed wire around ship guardrails and installing firehoses that can launch high pressure jets of water at attackers. They are also installing bulletproof glass around ship bridges and accommodation quarters, a vessel's two most vulnerable areas, said Chris Austen, the head of Maritime and Underwater Security Consultants.

Some shipping companies also insist their tankers travel through pirate-infested waters only in convoys, added Crispian Cuss, program director at Olive Group, one of the biggest security companies working in the Middle East.

If hijackers decide they can't get onboard and steer a ship toward a target without detection, they might try to seize a vessel in port - but that would be much riskier given the global port security measures in effect in the last decade.

The al-Qaida plot found in bin Laden's hideout also mentioned attacking oil facilities, but most oil terminals are considered strategic installations - meaning they are protected by roving coast guard boats, radar, divers who conduct inspections and heavy security. Brazil, for example, is justifying the cost of developing a nuclear submarine to protect its vast offshore oil fields.

Security levels vary, but the ports that terrorists value the most generally have the heaviest protection, Cuss said.

"A port in Sudan is not going to have the same level of security as Houston," he said.

The latest plots show that bin Laden was clearly thinking about the economic consequences of his attacks and might even have been planning a devastating oil spill, said Tim Hart, a maritime security analyst at Maritime and Underwater Security Consultants.

That means Western security forces might have to take strong action sometime at sea.

In 2007, a Japanese tanker was hijacked carrying 40,000 tons of benzene, a highly explosive chemical. Intelligence officials feared at first that terrorists might try to crash the tanker into an offshore oil platform or use it as a gigantic bomb. In the end, it proved to be just another attack by pirates seeking ransom.

Naval forces were, however, ready attack the ship and blow it up at sea if it approached populated areas, a Western diplomat confirmed, speaking on condition of anonymity because he was not authorized to talk to the media.

IMO Maritime Safety meeting completes full agenda

**Maritime Safety Committee (MSC), 89th session:
11 to 20 May 2011**

IMO's Maritime Safety Committee (MSC), which met at the Organization's London Headquarters for its 89th session from 11 to 20 May 2011, completed a packed agenda, including the development of interim guidance on the employment of privately contracted armed security personnel on board ships transiting the high-risk piracy area, the adoption of amendments to the International Convention for the Safety of Life at Sea (SOLAS) concerning lifeboat release hooks, an agreement on the way forward with regard to the implementation of the Torremolinos Protocol on fishing vessel safety and the approval of a number of draft resolutions for submission to the IMO Assembly, to be held in November 2011.

Piracy and armed robbery against ships

The meeting approved MSC Circulars on Interim Recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area (MSC.1/Circ.1406) and Interim Guidance to shipowners, ship operators, and shipmasters on the use of privately contracted armed security personnel (PCASP) on board ships in the High Risk Area (MSC.1/Circ.1405).

These interim Circulars provide considerations on the use of privately contracted armed security personnel if and when a flag State determines that such a measure would be appropriate and lawful. They are not intended to endorse or institutionalize their use and do not represent any change of policy by the Organization in this regard.

The MSC also approved Guidelines to assist in the investigation of the crimes of piracy and armed robbery against ships, and adopted a resolution on the Implementation of Best Management Practice Guidance. (See Briefing 27/2011)

Adoption of SOLAS amendments - lifeboat release mechanisms

The MSC adopted a new paragraph 5 of SOLAS regulation III/1 to require lifeboat on-load release mechanisms not complying with new International Life-Saving Appliances (LSA) Code requirements to be replaced no later than the first scheduled dry-docking of the ship after 1 July 2014 but, in any case, not later than 1 July 2019.

The SOLAS amendment, which is expected to enter into force on 1 January 2013, is intended to establish new, stricter, safety standards for lifeboat release and retrieval systems, aimed at preventing accidents during lifeboat launching, and will require the assessment and possible replacement of a large number of lifeboat release hooks.

The Committee also adopted Guidelines for evaluation of and replacement of lifeboat release and retrieval systems and related amendments to the LSA Code and associated amendments to the Revised recommendation on testing of life-saving appliances (resolution MSC.81(70)).

Member governments were encouraged to initiate, at the earliest opportunity, approval processes for new on-load release and retrieval systems that comply with the amendments to the LSA Code.

Implementation of the Torremolinos fishing vessel safety Protocol

The MSC agreed a draft Agreement on the Implementation of the 1993 Protocol relating to the 1977 Torremolinos Convention on the Safety of Fishing Vessels, aimed at achieving the entry into force of the technical provisions of the 1993 Torremolinos Protocol on fishing vessel safety. The Committee also agreed draft amendments to the 1993 Torremolinos Protocol, which would be attached to the Agreement, to facilitate the adoption of the Agreement.

Following this, countries could consider implementation of the 1993 Torremolinos Protocol under the terms and conditions contained in the Agreement (countries should give effect to the provisions of the 1993 Torremolinos Protocol under the terms of the Agreement, when they deposit an instrument of ratification). The Agreement would be a new, legally binding, instrument, offering a firm foundation to implement the amended provisions of the Torremolinos Protocol. The MSC agreed to recommend several options to the IMO Council, so that the draft agreement could be adopted at the IMO Assembly in November 2011, or by a diplomatic conference in 2012.

Future work to implement goal-based standards considered

The MSC was updated on progress made with the implementation of the International Goal-based Construction Standards for Bulk Carriers and Oil Tankers, which were adopted at its 87th session, along with the associated amendments to SOLAS Chapter II-1 making their application mandatory, as well as verification guidelines and the ship construction file.

The MSC approved Generic guidelines for developing goal-based standards and agreed how the work on GBS should be progressed. The Committee also discussed its future work in the matter, including developing the safety level approach (SLA) in goal-based standards.

LRIT status updated

The MSC was updated on developments in relation to the establishment and testing of LRIT Data Centres (DCs) and the operation of the LRIT system since its last session, including the results of the first modification testing phase and the operation of an Information Distribution Facility (IDF) for the provision of flag State LRIT information to security forces operating in waters off the Gulf of Aden and the western Indian Ocean.

The MSC agreed that the transfer of operations of the International LRIT Data Exchange (IDE) from the temporary facility in the United States to the facility at the European Maritime Safety Agency in Lisbon, Portugal, should be conducted before 31 December 2011.

The MSC also reviewed the performance review and audit reports of the IDE and DCs submitted by the International Maritime Satellite Organization (IMSO), as the LRIT coordinator, together with its findings and recommendations; and issues concerning the long-term operational and financial viability of the LRIT system.

Implementation of mandatory IMO audit scheme

Following significant progress made by the Sub-Committee on Flag State Implementation (FSI) towards making the Voluntary IMO Member State Audit Scheme mandatory, the MSC approved the proposed draft IMO Instruments Implementation Code

(IIIC), which would be the proposed new title for the mandatory version of the current Code for the implementation of mandatory IMO instruments, 2011. The draft IMO Instruments Implementation Code will also be forwarded for consideration and approval by the Marine Environment Protection Committee (MEPC), and then to the Assembly, for adoption at an appropriate future session.

Draft Assembly resolutions approved

The MSC approved, for submission to the IMO Assembly in November 2011:

- the draft Revised Recommendations for entering enclosed spaces aboard ships;
- the new draft International Code on Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil - Tankers, 2011 (2011 ESP Code);
- draft amendments to the International Convention on Load Lines (LL), 1966, to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles;
- the draft Code of Safe Practice for Ships Carrying Timber Deck Cargoes, 2011 (2011 TDC Code), revising and updating the original code adopted in 1973;
- the draft IMO/World Meteorological Organization (WMO) Worldwide Met-ocean information and warning service guidance document; the draft Revised procedures for Port State Control, 2011;
- the draft revised Survey Guidelines under the Harmonized System of Survey and Certification, 2011, which include references to relevant amendments to statutory instruments entering into force up to and including 31 December 2011; and the draft revised and updated (non-mandatory) Code for the implementation of mandatory IMO instruments, 2011, to include the requirements deriving from amendments to relevant IMO mandatory instruments that will enter into force up to and including 1 July 2012.

Other issues: In connection with other issues arising from the reports of IMO Sub-Committees and other bodies, the MSC: adopted amendments to the International Maritime Solid Bulk Cargoes Code (IMSBC), to revise individual schedules for a number of cargoes; adopted amendments to Part B of the International Code on Intact Stability, 2008 (2008 IS Code) relating to application of the 2009 MODU Code for Mobile offshore drilling units (MODU Code); approved Guidelines on tank entry for tankers using nitrogen as an inerting medium; approved the IMO User Guide to SOLAS chapter XI-2 and the ISPS Code; and approved amendments to update the IMO/International Labour Organization (ILO)/ United Nations Economic Commission for Europe (UNECE) Guidelines for packing of cargo transport units (CTUs), to be forwarded to ILO and the UNECE for concurrent endorsement.

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M.V. Wisdom, cargo-vessel hits Juhu beach, Mumbai

MV wisdom, a 145-metre long cargo vessel bound for Alang ship-breaking yard, sparked a major scare on Saturday afternoon after it broke free from its tug and drifted towards the Bandra-Worli Sea Link. The unmanned ship eventually ran aground off the Juhu beach "late in the evening", said coast guard officials.

On Sunday 12th June 2011, morning, walkers at the beach were greeted with the magnificent view of Wisdom against the monsoon sky. As the word spread, crowd swelled. "Every weekend, the beach sees plenty of visitors.



However, today (Sunday), there was an usually large crowd," Juhu resident Kumar Pravesh said. "People clicked pictures of the ship and enjoyed light rain."

Coast guard officials said that the Singapore-flagged ship was "stable". Arun Singh, the regional operations and plant officer for the coast guard's western command, said that Wisdom had run aground 2.5 km from the Juhu beach. He said that the talks were on with its owners. "We will get tugs to drag the ship out," he said.

The Directorate General of Shipping will conduct an investigation into Saturday's incident. The 9,000-tonne MV Wisdom posed a risk to the Sea Link after it went adrift owing to bad weather. "If the ship was being taken to Alang (from Colombo), we wonder what she was doing near Mumbai's coast," a coast guard official had said on Saturday.



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