



भारत सरकार / GOVERNMENT OF INDIA
पत्तन, पोत परिवहन और जलमार्ग मंत्रालय
MINISTRY OF PORTS, SHIPPING AND WATERWAYS
नौवहन महानिदेशालय, मुंबई

DIRECTORATE GENERAL OF SHIPPING, MUMBAI



File No.20-19016/47/2020-TRG-DGS (Comp. No. 4194)

Dated: 26.02.2024

ORDER

1. Whereas, Sri Chakra Maritime College (SCMC) (MTI No.402017) located at R.R. Green Field, No:10, Tower Road, Moratandi, Pattanur-Vill, Vanur-Taluk, Auroville, District:Villupuram, Tamil Nadu-605101 is Directorate General of Shipping (hereinafter referred as DGS) approved Maritime Training Institute (hereinafter referred as 'MTI') for conducting the DGS approved Maritime Courses. The SCMC is run by Sri Chakra Charitable Trust, represented by its Director Shri K.V.R. Srinivas.

2. Whereas, DGS issued approval letter vide F. No. 3-TR(23)/2002-GP/600 dated 13.07.2017 to SCMC for Training for General Purpose Ratings (GP Rating), from 40 candidates to 80 candidates per batch with two batches in a year (Annual intake should not exceed 160 students per year).

3. Whereas, the approval was given subject to following conditions

- (1) The institute will submit sponsorship letter for individual trainees within 30 days of the commencement of the batch.
- (2) The institute will make a presentation within 30 days outlining its vision, strategy to improve quality of training.
- (3) Approval is initially for a period of 12 months and will be subject to the fulfilment of the above two conditions.

4. Whereas, a consolidated Approval No.:TR/A/83/2019 vide File No. 3-TR(23)/2002-STSDSD/64 dated 04.09.2019 was issued to SCMC covering the 06 courses including "Pre-sea Training for General Purpose Ratings course" for 40 candidates in a batch with 04 batches in a year (two batches in January and two batches in July i.e. total 160 candidate in a year). Special instruction was given in the consolidated Approval letter to SCMC mentioning as **"The validity of approval shall be subject to validity of the land lease agreement"**. Whereas the approval was also subject to the terms and conditions mentioned in the above referred approval order.

5. Whereas, the SCMC has applied online application no. 100490 for additional batch of Training for General Purpose Ratings course (GPR) on 16.05.2022. After initial scrutiny at the Directorate and on submission of the deficient documents by the SCMC, the online application was forwarded to Principal Officer [PO], Mercantile Marine Department [MMD], Chennai on 08.06.2022 for inspection and their recommendations.

Page 1 of 8

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9वीं मंज़िल, बीटा बिल्डिंग, आई थिंक टेक्नो कैम्पस, कांजुर गाँव रोड, कांजुरमार्ग (पूर्व) मुंबई- 400042

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6. Whereas, SCMC inspection towards GPR enhancement was carried out on 26-27th July, 2022 by Shri Satish Kamath, Engineer & Ship Surveyor and Capt. Tapes Ghosh, Nautical Surveyor. Their observations during inspection were communicated to the SCMC with direction to submit compliance report in that regard at the earliest. Further, MMD, Chennai sent query back to the SCMC to submit compliance report and video recording of all the practicals conducted within 15 days. The details of Comprehensive Inspection Programme (CIP) were asked from DNV-GL (Recognized Organization) considering the low placement percentage.

7. Whereas, the PO, MMD, Chennai in his recommendations mentioned that;
1. *“though inspection reports that the institute has necessary infrastructure for conduct of additional batch, the CIP grading of the institute is C-2 due to poor placement record. For the year 2018 the placement was 63%, for the year 2019 the placement was 68% and for the year 2020 the placement was 51%. So the average placement for the past three years is around 60 percentage only.*
 2. *In view of poor placement record, approval for any additional capacity for the GP rating course, is not recommended at this stage.*
 3. *Further, whether to retain existing batch strength may be decided by the DGS subject to compliance with DGS Circular No. 18 of 2020.*

Accordingly, it is recommended that DGS may reject the request for additional batch and direct the institute to comply with DGS circular 18 of 2020 and adjust the intake capacity of forthcoming batches based on the placement record of preceding 12 months”.

8. Whereas, the Directorate further examined the matter and found that the PO, MMD, Chennai carried out inspection and asked DNV-GL to review the CIP grading w.r.t. Ship Board Training. DNV-GL accordingly revised the grading of SCMC from A-1 to B-2 for overall grading and placement records have been graded as C-2. This particular aspect is not found mentioned in the letter sent by SCMC. It is to mention that as per Training Circular No. 01 of 2017 dated 13.01.2017 “institute falling under the category B-2, C-1 & C-2 shall not be entitled to apply for new pre-sea courses or enhancement of seats till they improve their grading to B-1 / A-2 or A-1”.

9. Whereas, the PO, MMD, Chennai recommended for rejection of the online application of this SCMC and the same has been accepted by the DGS in view of the Training Circular No. 01 of 2017 dated 13.01.2017. Accordingly, the online application of the SCMC for additional batch of training for General Purpose Ratings course (GPR) was rejected on 09.01.2023 by the DG Shipping.

10. Whereas, further, as on date 12.03.2023, the data on Ship Board Placement of Sri Chakra Maritime College [SCMC] for GP Rating for last 5 years has been taken from E-Gov. branch of DG Shipping and the same is as below;

Year	Session	Admission	Placement
2018	Jan-Jun	78	54
	Jul- Dec	79	47
2019	Jan-Jun	66	54
	Jul- Dec	76	52
2020	Jan-Jun	57	36
	Jul- Dec	NIL	NIL
2021	Jan-Jun	75	32
	Jul- Dec	77	44
2022	Jan-Jun	44	12
	Jul- Dec	80	2

11. Whereas, the SCMC has claimed that their Trust has their own RPS company named KSM Navigation Private Limited RPSL/CHN/048 for providing Ship Board Training to the candidates. However, it is found that this RPS could provide recruitment to only 45 seafarers from January 2019 to 15th March, 2023.

12. Whereas, the SCMC has alleged that the Directorate has approved additional batch of GP Rating course to Behara Institute of Maritime Training [MTI No. 414038], which is having Grade B-1. The DG(S) has approved additional batch of GP Rating for Behara with a condition that *"We may approve only provisionally for six months subject to the institute improving placement of earlier passed out batches during this period"*. It is found that Behara Institute of Maritime Training has again undergone Comprehensive Inspection Programme (CIP) inspection on 13th - 14th October, 2022 and has been graded as A-2.

13. Whereas, the Directorate had received reference letter from the Ministry of Ports, Shipping and Waterways, GoI, New Delhi regarding Appel for Justice vide email dated 09.03.2023. The detailed reply to reference letter was forwarded to the Ministry vide DGS letter dated 15.03.2023.

14. Whereas, the Directorate had received complaint filed by Shri Chakra Maritime College in the office Central Vigilance Commission, New Delhi vide email 27.03.2023. The same forwarded to PO, MMD, Chennai to examine the complaint vide DGS letter dated 17.04.2023.

15. Whereas on examining the matter MMD, Chennai vide letter dated 04.05.2023

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26/05/24

submitted that;

(i) The main grievance emanates from the said complaint is the rejection of online application No. 100490 made by the SCMC towards enhancement of intake for GP rating course.

(ii) The issues mentioned in the complaint were examined to verify its authenticity from the records. Also, comments of the officers named in the complaint were sought, the officers named in the complaint totally deny such false allegations. None of the allegations are supported by the direct or indirect evidences. The records available in e-Governance portal and the reply given by the officers confirm that the complainant has made baseless allegations against the officers of the department with ulterior motives. Hence the said complaint should be rejected in absence of any supporting evidences.

(iii) The institute has not raised any objections about the inspections by MMD or made complaints about the officers of MMD Chennai before the PO, MMD, Chennai till date.

(iv) A Selective comparison with the approvals granted to the other institutes by the complainant is totally misplaced since the nature of request made by the institute, existing intake capacity, CIP grading, performance of the institute and placement records vary substantially. The complainant has not denied the fact about its poor placement record for the past three years which is directly related to the approval of any additional batches.

(v) It is submitted that the process of approval of training institute follows the structure guidelines framed by the DGS. The online system ensures transparency of actions taken at each level and visible to other parties. In the particular case, it is evident that the complainant Sri Chakra Maritime was not meeting the requirements of shipboard training for the passed out candidates and the minimum grading required for grant of approval for additional batches. Hence, the application was rejected. It is an attempt to avoid compliance with DGS Training Circular No. 18 of 2020 and to continue with the existing approved intake despite poor placement record.

16. Whereas, the Directorate had again received reference letter from the Ministry of Ports, Shipping and Waterways, GoI, New Delhi regarding Appeal for Justice vide email dated 01.05.2023. The reply alongwith comments received from PO, MMD, Chennai was forwarded to the Ministry of PSW, New Delhi vide DGS letter dated 30/31.05.2023.

17. Whereas, the SCMC had filed a W.P. No. 17657 of 2023 in the Hon'ble High Court of Judicature at Madras against the Secretary, Ministry of PSW, New Delhi as 1st Respondent and the Director General of Shipping, Mumbai as 2nd Respondent. The Hon'ble High Court had passed the Judgement Order dated 15.06.2023 and in its judgement Order the Hon'ble High court directed to the first respondent at Para 6 as below;

"6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation dated 14.04.2023 and pass appropriate orders, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order".

18. Whereas, the SCMC had made representation vide letters dated 19.09.2023 and 02.11.2023 regarding request for consider their application and grant approval of Additional student intake capacity for the General Purpose Rating Course.

19. Whereas, in compliance to the Hon'ble High Court of Madras Judgment Order dated 15.06.2023, the Directorate had examined the representation made by MTI vide dated 14.04.2023 and issued an DGS Order No. 15 of 2023 dated 22.11.2023 mentioning that ***"The Directorate General of Shipping taking cognizance of the fact that Sri Chakra Maritime College, Pattanur Village has been approved to conduct the DGS approved Maritime Courses as per the guidelines issued by the DGS from time to time under Merchant Shipping Act 1958. While giving the consolidated approval to the SCMC, special instruction, terms and conditions were mentioned from time to time. The allegations made by SCMC are baseless and false, with distorted facts and does not have any substance. The online application of the SCMC was processed properly and after getting the details verified and corrected by the Recognized Organization [RO], the PO, MMD, Chennai proposed for the rejection of the online application. It was clearly evident that the SCMC was not meeting the requirements of shipboard training for the passed out candidates and the minimum grading required for grant of approval for additional batches. Hence, the online application of SCMC was rejected by DG Shipping as per the recommendation of PO, MMD, Chennai. It is expected that the Sri Chakra Maritime College has to improve grading by providing appropriate ship board training to the passed out candidates as per DGS Circular No. 18 of 2020 dated 24.04.2020. Therefore, the representation dated 14.04.2023 of M/s. Sri Chakra Maritime College received through email from the Ministry of PSW, GoI, New Delhi cannot be entertained at this stage"***.

20. Whereas, in response to DGS Order No. 15 of 2023 dated 22.11.2023, the SCMC had again made representation vide letter dated 27.11.2023 regarding Appeal for Justice and requested to rescind the erroneous order passed by you without the mandate of Hon'ble High Court of Madras in W.P. No. 17567 of 2023 and remove the same from the portal of DG Shipping.

21. Whereas, intimation was received from the PO, MMD, Chennai that the SCMC has again filed a W.P. No. 34159 of 2023 in the Hon'ble High Court of Judicature at Madras against the Secretary, Ministry of PSW, New Delhi as 1st Respondent and the Director General of Shipping, Mumbai as 2nd Respondent. The said case was registered on 06.12.2023 and listed for hearing on 11.12.2023.

22. Whereas, an email had sent to MMD, Chennai on dated 09.12.2023 requesting to obtain one week (7 days) time from the Hon'ble High Court of Madras to submit counter affidavit reply.

23. Whereas, the Hon'ble High Court of Madras has passed judgement order on dated 11.12.2023 in W.P. No. 34159 of 2023 filed by Sri Chakra Maritime College. The Hon'ble High Court of Madras in its judgement has ordered at Para 8 & 9 which as below;

"8. Hence, for this purpose, the petitioner is permitted to appear before R2 on 13.12.2023 at 2.30 p.m. without anticipating any further notice in this regard along with materials, if any, in support of its request. The availability and convenience of R2 in regard to the proposed hearing has been ascertained from the learned respondent counsel."



9. R2 shall hear the petitioner on the same day, on its representation dated 02.11.2023, consider documentation, if any, filed by it and pass orders on merits and in accordance with law on or before 31.12.2023, since the petitioner states that the course for which additional intake is sought, is for a period of six months which is to commence from the first week of January, 2024”.

24. Whereas, in compliance to Hon'ble High Court of Madras Judgement Order dated 11.12.2023, the DG(S) had provided personal hearing to the representative of MTI i.e. Mr. K.V.R. Srinivas, Director, on 13.12.2023 at 2.30 p.m. and the same had been intimated to MTI vide DGS letter dated 12.12.2023. Further, it was informed that the Director General of Shipping and officials of MMD, Chennai shall undertake to visit and review the entire institute in the nature of a Comprehensive Inspection Programme (CIP) on the 15th December, 2023 and requested to provide all the necessary assistance to the team of officers and authorized persons by DG Shipping during the course of inspection.

25. Whereas, during the personal hearing, the submission made by SCMC vide letter dated 13.12.2023 was taken on record and the DG(S) had mentioned that himself and officials of MMD, Chennai shall visit venue of the college and review the entire institute in the nature of a Comprehensive Inspection Programme (CIP) on the 15th December, 2023. After that appropriate order will be passed by the Directorate on the basis of record of visit materials.

26. Whereas, the DG(S) had visited Sri Chakra Maritime College (SCMC) on the 15th of December, 2023 along with officers of the PO, MMD, Chennai and CIP inspection was conducted by surveyors of the MMD, Chennai and the observations/deficiencies thereof were given to the institute for submission of compliance report.

27. Whereas, the SCMC had submitted its compliance report to the PO, MMD, Chennai on 22.12.2023. Accordingly, the surveyors of the PO, MMD, Chennai had visited the institute on 27.12.2023 to verify the compliance of lapses observed during the CIP inspection carried out on 15.12.2023.

28. Whereas, the Directorate had issued a letter to PO, MMD, Chennai on 28.12.2023 with a request to submit the compliance verification report as duly examined and with specific reference to DGS Circular and with specific recommendations to enable a clear decision on the specific aspects applied for by the institute.

29. Whereas, the MMD, Chennai vide letter no. MMDC/PO/SAC/68/Vol III/3906 dated 29.12.2023 has forwarded the compliance verification report with the recommendation of PO, MMD, Chennai. The Principal Officer, Mercantile Marine Department, Chennai has recommended are as follows;

(a) The MTI M/s. Sri Chakra Maritime College has submitted the compliance report for the deficiencies/observations/lapses noted during CIP inspection on 15.12.2023 by email to MMD, Chennai on 22.12.2023 (1249 am) and the physical copy on 22.12.2023. The inspection team Shri Sajendra Oraon, SIC, MMD, Visakhapatnam and Capt. Hemant Jarwal, NS, MMD, Chennai has visited the MTI campus at Puducherry on 27.12.2023 for deficiency/observation/lapses verification and submitted the report on 28.12.2023.

(b) During physical verification the inspection team has observed that the


26/02/24

deficiencies/observations S.No. 2, 4, 5, 7, 10 & 12 were complied, S.No. 9 & 11 were partly complied, S.No. 1, 3 & 8 were not complied and the inspection team has not given any comments on S.No. 6 (Placement of trainees onboard ship).

(c) The deficiency/observation/lapse S.No. 9 (few hostel room doors wasted and holed due to termite attack) & 11 (Safety of the students-one of the hostel building passageway/corridor width is only 2 feet) were not complied and the remaining part of the deficiency/observation/lapse were complied with.

(d) The deficiency/observation/lapse S.No. 1 (Hostel infrastructure for the trainees), S.No. 3 (Fire detection system) and S.No. 8 (Swimming pool) were not complied in accordance with DGS Training Branch Circular No. 31 of 2018 and DGS Training Branch Circular No. 7 of 2018.

(e) The deficiency/observation/lapse S.No. 6 (Placement of trainees onboard ship), as per inspection team report the placement percentage for Jan-2021 was 31% (24 of 76), July-2021 was 61% (47 of 77) and Jan-2022 was 40% (32 of 80) within one year from the date of publication of the results.

(f) Since the MTI M/s. Sri Chakra Maritime College campus at Puducherry is not in compliance with infrastructure requirements such as Hostel infrastructure, safety of the students, fire detection system and the swimming pool in accordance with DGS Training Branch Circular No. 31 of 2018 and DGS Training Branch Circular No. 7 of 2018 and also not complying with Para 17 of DGS Order 04 of 2016 with regard to placement of the trainee's onboard ship, this department not in position to recommend the Directorate to consider the additional intake of GP Rating.

30. Whereas, the STCW Compliance Board meeting were held on 11.01.2024, 17.01.2024 and 22.01.2024 respectively to discuss the matter of Sri Chakra Maritime College, Auroville.

31. Whereas, as per direction of the STCW Compliance Board, the inspection team Shri Sajendra Oraon, SIC, MMD, Visakhapatnam and Shri S.S. Murthy, E&SS, MMD, Visakhapatnam has re-visited the MTI on 25.01.2024 to verify compliance of lapses observed during initial CIP inspection carried out on 15.12.2023. The inspection team has done physical verification of all six nos. pending lapses and found the MTI has complied/rectified all lapses except S.No. 6 (placement of trainee's onboard ship) and S.No.8 (swimming pool in compliance with DGS Training Branch Circular No. 07 of 2018).

32. Whereas, the MMD, Chennai vide letter no. MMDC/PO/SAC/68-I/4540 dated 05.02.2024 has forwarded the report for verification of compliance of MTI with the recommendation of PO, MMD, Chennai. The MMD, Chennai has also forwarded PPT on the report for verification of compliance. The Principal Officer, Mercantile Marine Department, Chennai has recommended are as follows;

(a) The MTI is not complying with DGS Training Branch Circular 07 of 2018 w.r.t dimensions of the swimming pool and had a tie up with sports development authority of Tamil Nadu for practical training in 2018 but no practical training was conducted after 2019 at the tie up facility. The tie up facility is about 150 km from the institute.

(b) The MTI is not complying with DGS Training Branch Circular No. 31 of 2018 for placement of 85% of trainees onboard ship.

(c) The MTI is not in compliance with DGS Order 04 of 2016 viz. para 13 (graded A1 for two consecutive years) & para 17 of CIP inspection of Pre-sea Maritime Training Institute(scored 80% or above in Section V "Placement Records" for the last two years).


(d) Since the MTI is not in compliance with DGS Guidelines w.r.t 85% placement of trainees onboard ship after completion of the course / declaration of the results and the

swimming pool, the PO, MMD, Chennai is not able to recommend the Directorate to consider the enhancement GP Rating Course strength as requested by the MTI.

33. Whereas, the said matter was again discussed in the 14th STCW Compliance Board which was held on 14.02.2024 for detailed deliberations with the all member of STCW Compliance Board and it has been decided that the order should be issued based on the recommendation made by the PO, MMD, Chennai.

34. In view of the above STCW Compliance Board decision and as per recommendation given by the PO, MMD, Chennai, the undersigned hereby ordered that the request representation made by M/s. Sri Chakra Maritime College, Puducherry for the additional intake capacity of General Purpose Rating course is not considered at this stage.

35. Further, the SCMC is provided due opportunity to be heard by the STCW Compliance Board with the details of the operative part of the order having been detailed as above and adequate time of 10 (ten) working days are allowed to them to submit any suitable representation thereof. In case of any representation or submission by the said Maritime Training Institute being Sri Chakra Maritime College, the same shall be deliberated upon and decided by the STCW Compliance Board and steps thereof taken accordingly. In case no representation or any material inputs being received from the management or any authorized representation of the Maritime Training Institute the operative part of this order thereof shall be rendered effective with written confirmation thereof recording fact of non-response from the said Maritime Institute. All concerned are to be suitably intimated and taken on record thereof accordingly.


(Shyam Jagannathan)
Director General of Shipping

To,
Shri K.V.R. Srinivas, Director,
Sri Chakra Maritime College,
R.R. Green Field, No:10,
Tower Road, Moratandi,
Pattanur-Vill, Vanur-Taluk,
Auroville, District:Villupuram,
Tamil Nadu-605 101.

Copy to:

- 1) The Secretary to the Govt. of India, the Ministry of Ports, Shipping and Waterways, GoI, New Delhi.
- 2) Principal Officer, Mercantile Marine Department, Anchore Gate building, 2nd Floor, P.B.No. 5004, Rajaji Salai, Chennai-600 001-for information and with a request to follow up with the nominated Senior Central Government Counsel.
- 3) Adv. C. Kulanthaivel, Senior Panel Counsel, GoI, in the High Court of Judicature at Madras – with a request to inform action taken by the Directorate in compliance to Hon'ble High Court of Madras Judgement Order dated 11.12.2023.
- 4) E-Governance Branch to display on DGS website.