

Minutes of the 5th Electronic meeting of National Shipping Board held on
2nd June, 2020 at 1430 Hrs.

Attendees:

Dr. Malini Shankar, Chairperson NSB
Shri Kumar Sanjay Bariar, Additional DG
Shri Satinder Pal Singh, JS Shipping
Shri Abdulgani Serang-NUSI
Shri Amar Singh Thakur-MUI
Shri Anil Devli- INSA
Shri Aditya Sulkier- ICCSA
Capt Sanjay Prashar- IMF
Shri Rahul Modi- CCTA
Shri Shantanu Bhadkamkar-AMTOI
Capt Piyush Sinha
Shri A. Balasubramanian
Shri Ishwar Achanta
Shri Ajay Sahai, FIEO
Capt. Sankar Kr. Das
Shri Kshetra Nath Milli

Granting leave of absence: -

All members were present for the meeting. The Director General of Shipping was represented by Shri Kumar Sanjay Bariar, Additional Director General of Shipping.

2.0 Approval of the Minutes of the 4th meeting of the NSB - :

Chairperson invited comments/suggestions from the members on the draft minutes of the last meeting. There being no comments from the members, the minutes were approved.

3.0 Administrative issues:

The Chairperson invited all members to the 5th meeting and she informed on administrative issues that to finalize appointment of personal assistants for chairperson of NSB is under process, three names of the candidate have been received and she requested Capt Das to look into the budget estimate before inviting them for online interview.

Action taken reports and updates by Groups –

On action taken report, Capt Das informed that almost all Association of shipping fraternity have been sent mail for submitting suggestion/inputs/comments on Merchant Shipping Act2016, in the given format. However, only CLSA has given inputs so far and the same was forwarded to all members of the groups.

5.0 Chairperson invited the Group Head of Shipping Act, to brief the outlines and inputs received from the group members. Shri Balasubramanian informed that group members have to offer their inputs and soft copies have been shared for their comments. Further, he informed that compilation and comments can go parallel and requested group members to give their comments accordingly.

He informed that next week he will provide his inputs section wise; like registration, accidents/collision, liability conventions etc. The Chair suggested to discuss in the NSB meeting itself as all the members would be present.

The Chair mentioned that in her earlier role as DGS and as pointed out by the present DGS, the MS Act or the statute is silent on certain aspects including dealing with abandoned ship, abandoned seafarers and enforcement of their repatriation, and protocols for stateless vessels and salvage operations.

The Chair requested members to consider the larger picture/ objective and bridge the big gaps. The Chair reiterated the need for inputs and discussions at the current juncture, as the Bill might be taken up for discussion in the next session of the parliament.

The Chair also informed about the last shipping policy drafted by task force/ working group in the Ministry which can be taken as base document for recommendations on ship building and increasing the tonnage. The Chair exhorted the members to bring in fresh ideas as experts and the Chair has no claims to being a specialist in shipping, but only governance expert.

While submitting observations members might like to give the bases and justification for the recommendation.

5.01 Shri Balasubramanian spoke at length citing various points like insurance for smaller vessels of less than 300 GT vis-à-vis bunkering vessels without insurance and said the pollution or accident either by large or small vessels advocated for insurance as the risk is same. He also referred to the abandoned ships, regulations covering arbitration, payment to salvos, conventions signed or ratified wherein the members can give their inputs as experts.

5.02 Shri Balasubramanian cited the example of the pointed and good submission by Orissa Maritime Academy / Orissa National Law School which compares UK law and MS Act. In the context of pollution. He sought experts' opinion on the subject.

5.03. Taking a cue on this, the Chair suggested to have State Maritime Board represented in NSB as invitee for six months by rotation and to begin with by one board on the eastern and one from western coast, suggested initially from Odisha and Gujarat.

5.04 Shri Serang informed that seafarers are adequately covered (insurance) in Indian or foreign flag vessels and further requested for elaborate discussion on the same.

5.05. Shri Aditya Suklikar, while welcoming the Government intention to have separate act for Coastal Shipping, requested for circulating the stakeholders' comments. It was agreed to upload in the Google group for all members. Shri Aditya Suklikar requested for sea change in the MS Act., giving special focus to

coastal shipping. The Chair intervened to clarify that this Board is advisory and it is the prerogative of the Ministry to get the bill passed by Parliament. Shri Suklikar suggested a review of provisions pertaining to technical and crewing aspects of coastal shipping.

5.06 Capt Sanjay Prashar raised a point on human rights of seafarers and felt happy with the inclusion of issues pertaining to abandoned seafarers and abandoned ships while addressing gaps in the extant MS Act. He further stated that he will be able to contribute more to the group in this context. He further requested through NSB for reports on abandoned ships& seafarers for the last 24months incidents/accidents around Indian Coast, ports have full powers to report it but they are not implementing it. He said that this will help us understand which of the rules were complied with. The Chair stressed the importance of Standard Operating Procedures (SOPs) and the need to review existing ones.

5.07 Shri Rahul Modi welcomed the idea of co-opting State Boards in NSB on rotation basis.

5.08 Shri Abdul Gani Serang stressed the need to reform the provision in the Act to enforce the award given by the Shipping Master. The present procedure entails the seafarer to approach the Magistrate for implementation which is time consuming

5.09 Update on Multimodal –

Shri S. Bhadkamkar stated that the group has met several times and he will be able to give an update at a later date.

5.10 Shri Bhadkamkar further stated that as multi-modal is basically land based; it is not coming under the purviews of MS Act. In regards to insurance, he pointed out small owners are not adequately financed and sought that

Board can recommend a methodology of having insurance for small vessels. He stated that they intend to obtain inputs from CONCOR ICD and ports.

Studies are also being done for Varanasi and availability of cargo and dredging from Kolkata to Varanasi, for multimodal transport on container shipping.

On enquiry by the Chair, Jt. Secretary informed that the Multi-modal Bill has been forwarded to Hon'ble Minister and Minister has sought further studies on the same. The Chair suggested a brain-storming session on the subject and requested JSS to look into the matter of sharing certain points of the Bill.

5.11 Capt. S. Das and Shri K.N.Milli were requested to co-ordinate with members for sending the inputs.

5.12 Shri S. Bhadkamkar further informed that Goa is being considered as a case study for Multi-Model hub. He pointed out Customs rules as a challenge oftentimes. The Chair suggested that a financial/ economic cost-benefit analysis from each of the stakeholders' perspective will help in convincing customs that convincing Customs.

5.13 Shri Bhadkamkar informed that the first goal in taking up multimodal shipment into transport Pig Iron from Goa by M/s. VEDANTA to Gujarat. The Chair requested for a report on this.

5.14 The Chair requested JSS to share the report prepared by ILFS on maritime policy for the Ministry of Shipping. The report outlines each aspect of the shipping with recommendations and analysis. Addl. DGS was also requested to coordinate in tracing and sharing the report. This report of ILFS offers a good base document for further discussions.

5.15 Update on Coastal Shipping –

Shri Rahul Modi requested for a separate session to discuss coastal shipping and sought permission of the Chair to submit reports in the next meeting. He informed that efforts are being made to move fertilizer and FCI cargo through

coastal waters. The empty containers are used to carry tiles from Kochi, Goa and similarly with plywood coming from Yamunagiri and moving from Kochi to internal parts of Gujarat by 50% cost reduction or matching the cost. (??? Need more clarity)

5.16 Shri Abdul Gani Serang sought a feedback from the Ministry on the chartered flights for seafarers for sign on and sign off. JSS informed that the matter is pending with MEA and the Ministry is following up on the same. Shri Serang informed the acceptance of 72 hours manifest and raised the point of refusal of Mumbai and Chennai as landing points and requested for Ministry's intervention.

5.17 As regards, the subject of employment of seafarers Shri Serang informed that Sign Off of Indian seafarers has been a challenge, and Vietnamese crew are taking advantage of the situation and requested NSB to look into the matter with urgent basis.

5.18 Shri Rahul Modi informed that many Associations are not aware of NSB due to lack of information system. It was requested to update the website of NSB or a link be made available with the Ministry or DGS website temporarily. Addl. DGS expressed his helpless in DGS website, as the same is working on old platform and will be unable to take further load, Addl.DGS, further stated that after discussion with the technical team he will inform to NSB.

5.19 On a query from a member for supply of stationery etc, the member was informed that once the Personal Assistant attends the NSB, stationery will be available.

5.20 The Chair requested for concise profile of the NSB members may be collected for putting in the website.

5.21 Regarding the group on ship building, Capt Piyush Sinha informed that advice will be taken from senior members; Efforts will be made to bring back West Bengal on the ship building arena. He stated that the inputs will be shared with the Chair.

6.0 Fixing date of the next meeting –

The chair suggested that the 6th meeting of the NSB will be held on Tuesday, 16th June 2020 at 1430 Hrs.

7.0 Any other item –

There being no other matter to be discussed, the meeting was closed.

Approved

Dr. Malini Shankar
Chairperson

Place: Mumbai

Date: 02/06/2020