

Authorized by the Chief Surveyor	Port State Control Inspections of Indian Flag Vessels: Reporting, Corrective and Preventive Action	ENGG. Circular No. 5 of 2017
	File No: ENG/PSC/66(1)/2007	Dated: - 23.10.2017

### 1) Introduction:

- a) The prime responsibility of the Flag state is to have in place an adequate and effective system to exercise control over ships entitled to fly its flag, and to ensure that they comply with relevant international rules and regulations in respect of maritime safety, security and protection of the marine environment.
- b) The IMO III Code which entered into force on 1 January 2015, require that the Flag state should periodically evaluate the performance of vessel plying its flag and the measures to be used for this evaluation may include port State control detention rates, flag State inspection results, casualty statistics, communication and information processes, annual loss statistics and other performance indicators as may be appropriate.
- c) Further, when a flag State is informed that a ship entitled to fly its flag has been detained by a port State, the flag State should oversee that appropriate corrective measures are taken to bring the ship in question into immediate compliance with the applicable international instruments.
- d) Recognizing that poor performance of Indian Flag vessels in various MOU's will lead to increased frequency of inspections of all Indian Flag vessels. Hence, it is obligatory to have an effective control over Indian Flag vessels to prevent detentions. The effective control requires information, collection of data and analysis resulting in a corrective and preventive action that is acceptable to all stakeholders.
- e) Noting that in the past many circulars have been issued giving varying requirements with regard to reporting of port state inspections of Indian Flag Vessels.

- f) Therefore, convinced of the necessity of an improved and harmonized system of reporting port state control inspections of Indian Flag ships to the Administration and the need to exercise control, many of the earlier issued circulars on the subject have been collated, and this circular revoke the following circulars:
- a) Engineering Circular 63 of 2005
  - b) PSC Circular 1 of 2005.
  - c) PSC Circular 2 of 2005
  - d) PSC Circular 1 of 2007
  - e) Engineering Circular 96 of 2008
  - f) Engineering Circular 102 of 2009
  - g) Engineering Circular 126 of 2010

## **2) Applicability**

- a) This circular is applicable to all Indian shipping companies and the shipping community.
- b) "Company" means the Owner of the ship or any other organization or person such as the Manager, or the Bareboat Charterer, who has assumed the responsibility for operation of the ship from the Ship-owner and who on assuming such responsibility has agreed to take over all the duties and responsibility as defined by the ISM Code.

## **3) Reporting requirements**

- a) It is the responsibility of the Shipping Company to upload reports of port state inspection of their Indian Flag vessels on the DGS FSICS System. This system can be accessed at **fsidgs.nic.in**. Each ship owners/managers have been allotted individual user id and password to access this system.
- b) Each company is required to upload PSC inspection report within 7 days of inspection. In case of deficiencies, the follow up report should also be uploaded.
- c) If a vessel is detained or the inspection is suspended, the inspection report should be uploaded within 24 hours and a scanned copy of the report to be forwarded to the PSC cell of the directorate by e-mail at [psc-dgs@nic.in](mailto:psc-dgs@nic.in)
- d) The RO Surveyors conducting Annual/Intermediate/Renewal Surveys shall verify that the reports are uploaded and no endorsement of Statutory Certificates to be carried out unless all reports are uploaded on the FSICS.

- e) Request for user id and password to access the FSICS system, can be made to the PSC Cell of the directorate.
- f) This procedure is implemented with immediate effect. It is also required that within 15 days of the issue of this circular all companies must ensure that inspection reports of all PSC inspections of their ships conducted thus far for the calendar year 2017 have been uploaded in the FSICS.

**4) Common procedures and Preventive Actions for Suspension of inspection/Detentions of vessels**

- a) When an Indian flag ship is detained abroad, the ship-owner/company is obliged to inform the Port State Control Cell of the DGS (Tel. No.:91-22- 257452036 Fax no.:91-22-25752029/35 E-mail: psc-dgs@nic.in) at the earliest and not later than 24 hours from the time of such detention. The scanned copy of inspection report to be attached to the E-mail. The communication should clearly state whether the vessel inspection was suspended or the vessel was detained or both, as the case may be.
- b) Master and Chief Engineer should jointly pen down an explanation of the causes which led to this detention/suspension. This explanation should include learnings from the detention/suspension of inspection. The explanation and learnings to be forwarded by vessels e-mail directly to the PSC cell of the Directorate at psc-dgs@nic.in along with the previous two reviews of the Ship Safety Management System (Masters review) and handing over reports of the last Master and Chief Engineer, within 7 days of the release of the vessel from detention/suspension.
- c) DPA should prepare a corrective and preventive action report. This to be reviewed by concerned RO/Administration auditor who conducted last Safety Management Audit of the vessel. The DPA of the detained/suspended vessel to report to the Directorate along with the RO reviewed Corrective & Preventive action within 15 days of release of the vessel from suspension/detention for a face to face interaction with the competent authority (Chief Surveyor). If required by the competent authority, CEO may be called along with the DPA.

**5) Procedure for corrective/preventive action after suspension of inspection**

- a) A PSC inspection is generally suspended on the requirement of a detailed inspection and in exceptional circumstances where, the

overall condition of a ship and its equipment, and considering the crew conditions, are found to be obviously substandard. However, prior to suspending an inspection, the PSCO may have recorded detainable deficiencies. In such situation the vessel should not be offered to the PSC for re-inspection unless:

- i) The vessel is inspected by a Recognized Organization.
  - ii) Prior offering the vessel for inspection to a Recognized Organization, the Owners to carry out a complete Superintendent Inspection and an internal SMC Audit of the vessel.
  - iii) The Recognized Organization which has not conducted last Annual surveys be approached to conduct a general examination to the scope of Annual surveys. All deficiencies identified during General Examination (GE) along with Port State Inspection deficiencies to be rectified prior offering for re-inspection to the Port State control. No new Condition of Class shall be imposed without prior permission from the Directorate. The GE arising of such PSC inspection shall be an additional GE and the report to be uploaded on DGS FSICS by the concerned RO carrying out the GE.
  - iv) An Additional SMC Audit of the vessel to be conducted by the Recognized Organization prior vessel leaving the port where the inspection was suspended.
  - v) The requirement of an Additional SMC audit is also for the ship which has been detained twice in last two years (counting backwards from the date of detention).
- b) Further as a preventive action, the Directorate shall impose i) an additional DOC audit of the Company and ii) a GE/FSI of the vessel once every six months for next one year.
- 6) **Procedure for corrective/preventive action after 1<sup>st</sup> detention:** The attending RO surveyor to carry out a general examination to verify satisfactory closure of all deficiencies given by the Port state control. During this verification, if the RO Surveyor noted that the vessel is below standard, he may recommend a general examination to the scope of an annual survey and an additional Safety Management Audit of the vessel to the Directorate. Based on the PSC deficiencies and/or RO recommendations, the Directorate may impose an additional General Examination and/or SMS Audit, which is to be conducted at next port of call.
- 7) **Procedure for corrective/preventive action after 2<sup>nd</sup> detention within last two years (counted backwards from the date of detention):** Be subjected to the Procedures followed for suspension of inspection detailed in Section "5" above.

**8) Banned Vessels:**

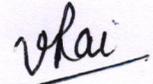
If a vessel is banned by a port State control or by a specific Memorandum of Understanding (MoU) authority, the Competent authority may order:

- a) A re-examination of the Safety Management Certificate (SMC) by the ISM Cell of the Directorate, resulting in its possible withdrawal.
- b) Proceedings to delete the vessel from the Registry.

**9) Detention during weekends:**

- a) In case a vessel is detained or inspection is suspended during a weekend and she is expected to sail before the end of the said weekend, the ship-owner may approach the in-charge of the PSC Cell of the Directorate and the DGCOC CENTRE (022-22614646, Fax 022-22613636, mail dgcomcentre-dgs@nic.in), with all factual details, so that a temporary support, if needed can be provided to the ship-owner.
- b) Please note above contact e-mail ids and telephone/fax numbers may change with time and Owners to keep themselves updated through DGS Website at [www.dgshipping.gov.in](http://www.dgshipping.gov.in) from time to time.

This circular is issued with the approval of the competent authority.



(Vikrant Rai)

Engineer & Ship Surveyor-  
cum-DDG {Tech}

To;

1. The Principal Officer, Mercantile Marine Department, Mumbai / Chennai/ Kolkata / Kochi / Kandla.
2. The Surveyor-In-Charge, Mercantile Marine Department, Noida/ Visakhapatnam.
3. INSA / FOSMA / MASSA / ICSSA / MUI / IMEI.
4. AD (OL), Hindi Cell, with a request to translate this circular in Hindi & upload on DGS website.
5. Engineering Branch / Nautical Branch/ Naval Architecture Branch / Training Branch.
6. The Computer Cell, DGS, GOI with a request to upload this circular on the official website.
7. E-governance Cell, DGS, GOI
8. Sr. PS to DG(S) - for information
9. Sr. PS to CS/NA – for information