NSB Ac

सत्यमेव जयते

भारत सरकार / GOVERNMENT OF INDIA
पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING
नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING
"बिटा बिल्डिंग" 9 ,वी मंजिल / "BETA BUILDING", 9th FLOOR
आय स कॅम्पथिंक टेक्नो-/ I-THINK TECHNO CAMPUS
कांजुर गॉव रोड / KANJUR VILLAGE ROAD
कांजुर मार्ग (ईस्ट) / KANJUR MARG (EAST)
मुंबई 042 400 - / MUMBAI – 400 042

टेलीफोन: 022 – 25752040/1/2/3
फैक्स: 022 – 25752029/35
ईमेल-: dgship@dgshipping.com
वेब: www.dgshipping.com

Tele: 022 - 25752040/1/2/3
Fax: 022 – 25752029/35
E-mail: dgship@dgshipping.com
Web: www.dgshipping.com

No. CS/NSB-13/2015

19.01.2016

20 JAN 2016

To,

All Members of NSB and Special Invitees.
(As per list attached).

Sub: Minutes of the 127th meeting of National Shipping Board held at Kochi on 21 December 2015.

Sir,

I am directed to forward herewith a copy of minutes of 127th meeting of National Shipping Board held at Kochi on 21 December 2015, along with Annexure 1-4, for your kind perusal and necessary action.

Yours faithfully,

(Mahesh Yadav) 19/1/16
Asstt. Director General of Shipping

Encl: As Above.

Copy forwarded for information to:

1. The Chairman, National Shipping Board, Room No-316, Trasnport Bhavan, 1, Parliament Street, New Delhi-110001.
2. The Director General of Shipping/Nautical Advisor/Jt. DG(S)/Chief Surveyor/Chief Ship Surveyor.

Minutes of the 127TH meeting of the national Shiping Board held on 21.12.2015 at Kochi

The 127th Meeting of the National Shipping Board (NSB) was held under the Chairmanship of Dr. Vishwapati Trivedi on 21 December, 2015 at the Taj Gateway Hotel, Kochi.

The list of participants is enclosed at Annexure – I

2. Shri Sunny Thomas, Director (Technical & Operations), Cochin Shipyard Ltd., on behalf of Cochin Shipyard, welcomed all members for the 127th meeting of the National Shipping Board. He expressed his happiness and privilege to host such an important meeting. He informed that Kerala has rich tradition of seafaring and cited the landing of Vasko da Gama at Kappad beach.

3. Beginning the meeting, Dr Vishwapati Trivedi, Chairman, NSB, suggested the members to introduce themselves since few new members had joined the Board since the last meeting. After the round of introductions, the Chairman welcomed the new members; Shri Ajit Yeshwantha Rao, Vice President and representative of Bhartiya Navik Sena Union and Shri L S Shukla, Managing Director, Transocean Shipping Ventures Pte Ltd, and Capt V S M Nair who is attending the meeting, as the representative of Maritime Union of India. The Chairman also welcomed Capt S V Subhedar, Ex-President, ICCSA, who was a special invitee to present a paper on the recently proposed revision of the IV Act.

4. Further, the Chairman informed that the agenda of the meeting includes the review of the earlier discussed issues and also presentations on 'challenges in ship building' and on 'revision of the IV Act'. He suggested that individual institutional issues may not be discussed since the Govt. and the Ministry are looking after such issues and the NSB should deliberate on issues impinging upon the policy for development of Indian mercantile marine.

The Chairman thanked the CSL and Cmde K Subramaniam, the CMD (who was away to Delhi for an important meeting) for hosting the meeting at Cochin.

5. Confirmation of the last minutes of the Meeting

The Member secretary, NSB, informed that the minutes of the last meeting were circulated and no comments were received till date.

The Chairman informed that during the last meeting, a presentation was made by DIG A. A. Hebbar of Indian Coast Guard, on the subject of IOPC and

due to paucity of time, the issue could not be deliberated. However, the suggestions made in the presentation, merit consideration and therefore the Indian Coast Guard may be requested to prepare an information paper on the subject which could, post its dissemination during the next NSB meeting, be submitted to the Ministry of Shipping, for further taking it with the IOPC.

[Action: DIG A.A. Hebbar, Indian Coast Guard]

Shri R M Suresh Kumar, CSS, DGS, informed that during the last Assembly meeting at IMO, on 27 Nov., 2015, discussions were held with IOPC officials and the issue of MT Pavit was taken up. The IOPC officials were of the view that there is a need to bring in awareness for raising proper claims to the IOPC and it has been proposed that a workshop would soon be organized in India where the IOPC officials would disseminate information on preparing proper claims.

6. Review of Action Taken Report

6.1. Enhancement of skill for seafarers: Chairman, NSB, has written DO letter dt 05th November, 2015 to Shri Rohit Nandan, Secretary, Ministry of Skill Development, New Delhi. No response is received till date. The Chairman directed that a reminder may be issued.

[Action: NSB secretariat]

6.2 Concept paper for establishing Indian P&I Club: The paper submitted by DGS, on the subject, was deliberated and it was opined that there were factual inaccuracies in the paper, e.g., not all the foreign going Indian ships have obtained P&I Insurance from IG group, as stated under para 3 of the said paper. Similarly, in reference to para 5.4, there is a need to specify the amendments that may be required in the Marine Insurance Act. Therefore, the Chairman directed that the INSA and ICCSA may re-work this paper with proper in-depth research.

[Action: INSA & ICCSA]

6.3 Cruise shipping: Considering that the Ministry of Tourism has constituted Task Force on Cruise Tourism under the Chairmanship of Secretary (Tourism), the matter stands deleted.

6.4 Cabotage relaxation for RO-RO vessels: Ministry of Shipping has requested ICCSA to examine the mechanism being used when aircrafts are leased in, by Indian Companies.

[Action: Capt S. V. Subhedar / ICCSA]

Shri L S Shukla informed that some of the owners in Singapore were ready to relocate their RORO vessels to India but the registration of truck along

with prime movers was posing a big problem. Further, he informed that 'toll nakas', on the road, do not have weighing arrangements and this leads to issues with the declaration of proper weights. The Chairman informed that a notification regarding separate registration has been issued which will be effective from April 2016. Copy of this notification is enclosed at Annexure 2.

6.5 Quota for seafarers in Railway bookings: It was informed that the subject was brought to the notice of the Hon'ble Union Minister for shipping who had opined that, as such, the proposal does not appear to have sufficient merit.

The Chairman suggested the representatives of seafarers to prepare a detailed proposal on the subject and submit to the DGS/NSB.

[Action: NUSI]

6.6 Soft solution for congestion at JN port: The issue has also been deliberated in detail, during a focused meeting held on 19th November, 15 at JNPT, under the chairmanship of Chairman, NSB.

The Chairman directed that a report, on the subject, when ready, may also be circulated to NSB for information.

[Action: NSB secretariat]

6.7 Note from Shri Gajanan Kirtikar, Hon'ble Member of Parliament: Response is awaited from the Ministry of Shipping.

The Chairman directed that comments of the Ministry of Shipping, when received, may be circulated to NSB members.

[Action: MoS / NSB secretariat]

7. Presentation on "Challenges and constraints in shipbuilding" by Shri Sunny Thomas, Director(Tech), CSL,

Shri Sunny Thomas, in his presentation, provided the Global and the Indian perspective on the outlook of ship building industry. He highlighted that the Indian ship yards are capable of building state of art technology aircraft carrier and modern warships. He suggested, among other issues, the need for long term competitive finance option, establishing of ancillary industries, improving productivity through more reliance on automation, establish more R&D institutions in India, obtaining the knowledge to build high end vessels like LNG, LPG and Drill ships etc. Detail presentation is enclosed at Annex 3.

8. Presentation on 'Draft IV Act' by Capt. S. V. Subhedar, ex-President, ICCSA;

Capt. Subhedar presented his paper on Draft IV Act. He highlighted several areas where the proposed Act needs to be less on narrative and more on enabling provisions thereby providing the flexibility to develop Rules and regulations, factoring the local issues, by the concerned States. He further opined that the proposed Act should not have any bearing on non-propelled

vessels, pleasure vessels or fishing vessels as all this would be the business of the local Govt.

Capt. Subhedar also opined that the proposed Act should provision for Independent investigation unit for investigating the causes of accidents and for suggesting preventive actions. Detail presentation is enclosed at Annex 4.

Subsequent to detailed deliberations, the Chairman directed that INSA and ICCSA may review the amended draft prepared by the Navi Mumbai Chapter of the CMMI for onward transmission to IWAI.

[Action: INSA & ICCSA]

9. Agenda submitted by the Indian Navy,

9.1 Role of Ships taken-up from Trade (STUFT):

Indian Navy (IN) representative explained that towards employing STUFT in Naval Operations, IN has been using SCI tankers (MV Bharti Dasan / Sarojini Naidu) for underway replenishment exercises. He proposed that NSB may commission a study by Indian Registrar of Shipping (IRS) with participation from IN and SCI, which would identify ships capable of assisting IN operations for humanitarian assistance, Disaster relief and strategic missions involving amphibious operations. The study could also suggest appropriate modifications to be made, if required, for Naval Operations. As per the concept of maritime operations, the envisaged roles of STUFT are as follows:-

a) Underway Replenishment by tankers
b) Sea-Lift of Troops and cargo
c) Support of Distant operations
d) Eyes & ears for development of MDA
e) Vessel of opportunity for SAR OPS

The Chairman directed that a detailed paper may be prepared by IN and forwarded to the NSB, clearly outlining the compelling need for such study and the broad contours of the outcome document so that the same may be transmitted to IRS and SCI.

[Action: IN]

9.2 Sagarmala Project:

The Sagarmala project is a port-led development initiative of the MoS. The project would modernize existing ports, develop new world-class ports and increase the volume of traffic along our coast. It is proposed that I.N. be kept informed of all port and shipping related developments of Sagarmala project.

The Chairman directed that the issue may be forwarded to MoS for necessary action, as deem fit.

[Action: MoS]

9.3 Handling of Classified Documents:

All Indian merchant ships are mandated to carry publications to facilitate control of shipping which would be exercised during hostilities. It is proposed that the Masters of Indian ships be apprised of the regulations pertaining to handling of Naval publications as they are subject to Indian official Secrets Act 1923 which is stipulated in DIN-5 (An official document of GoI)

Capt. Harish Khatri, Member Secretary informed that earlier there used to be a 'Defence course' where ship Masters were trained in handling and deciphering naval documents. In order that such sensitive issues are properly appreciated, it would be prudent that IN takes the initiative for re-starting the said 'Defence course'.

The Chairman directed that IN and DGS interact and a suitable circular, outlining both the aforesaid issues, is issued.

[Action: IN / DGS]

9.3 Allotment of Defence Quota in Passenger Ships Plying between Kochi & Lakshadweep Islands

Presently, there are about 200 IN and 50 Military Engineering Service (MES) personnel posted at L&M islands. The passenger ships are the primary means of transportation between the mainland and the islands. In order to maintain the functional efficiency of the service personnel at these islands, it is proposed that five seats be allocated towards defence quota in passenger ships plying between the mainland and the L&M Islands.

The Chairman directed that the matter be taken up by the Ministry of Shipping.

[Action: MoS]

10. Agenda raised by Capt Piyush Sinha, Member NSB

10.1 Capt. Sinha raised the issues relating to non-transparency of charges being levied by different shipping lines and also by ports in India which is making the ports loose out on productivity and creditability. He informed that Tuticorin Port is underperforming. He suggested that, if we presume, that the Port has a revenue projection based on high royalty revenue as fixed in the BOT for 30 years. However, the projection would be of notional profit as

terminal cannot sustain high royalty payment to Port without corresponding increase in THC's.

After an explanation by the Chairman regarding the situation of BOT operators in the Major Ports and the ensuing discussion about the working of the entire scheme of PPP in the Major Ports, it was agreed that NSB should look into these aspects of PPP in details, in the Major Ports and come up with a comprehensive report. Chairman agreed to take the necessary steps and start the process asap."

[Action: NSB]

10.2 Capt. Sinha further informed that a total of 71 documents are to be submitted to various authorities for boarding, immigration and for Port health, for clearance formalities, such as, copies of Load Line Certificate, Safety Radio Certificate, Ship Registry Certificate, Light Dues Certificate, Income Tax Certificate, etc. he suggested that all these forms, once uploaded on PCS, should be accessed by all the relevant authorities so that additional submission of hard copies is avoided.

The Chairman directed that the MoS may provide their views on the issues.

[Action: MoS]

11. Agenda submitted by Shri Ajit Khot, Member, NSB

Ease of doing business: The Govt. has several times declared its intention to change and adopt policies that are business friendly to make it easy for all the stakeholders. It is proposed that the NSB take initiative to indentify such issues pertaining to all the stakeholders in the shipping industry where policies and practices adopted, need changes to bring them close to the best adopted practices in the world.

Shri Khot cited example of the current policy that does not allow prepayment or refinancing of ECB loan by the ship owners. There are transactions where both the service tax and VAT are levied. Indian crew members have to be paid salary in cash in foreign currency making them susceptible to thefts etc. These issues need to be deliberated and simplified to suit the current business context and practices adopted worldwide. Similar issues must be faced by the cargo interests, port authorities and shipbuilding yards too.

Shri Khot proposed that NSB form a committee which approaches all the stakeholders to identify such issues, deliberates upon them and recommends to the Govt. a comprehensive list of areas where the current policies and practices need to be readjusted to bring them at par with best practices.

The Chairman directed that since the prosed course of action covers large canvas, there is need to break it into short, medium and long term issues and requested Shri Khot to prepare the list of doable issues in short term period, to begin the exercise.

[Action: Shri Khot]

12. Agenda raised by Shri L .S Shukla, Member NSB

RO-RO Vessels: issue already discussed under para 6.4 above.

Dredging: There are only three institutes worldwide in field of Dredging, mostly in Dutch countries. We need to have a good training institute in field of dredging, it will develop itself the New Horizon in this field.

13. Agenda raised by Shri Ajith Yeshwantha Rao, Bharatiya Navik Sena Union

13.1 Shri Yeshwantha Rao raised several issues regarding welfare of seafarers, such as welfare facilities at ports, appointment of Public Relation Officers who can assist seafarers and also their families in cases of unfortunate accidents at sea, on 24/7 basis, increase of interest rates on Public Provident Fund for seafarers and easing of procedures for withdrawal of PF by seafarers, launching of 'Safety awareness campaign, strict monitoring of quality of training institutes approved by DGS and 5% reservation in the training institutes for weaker section of society. Detail agenda submitted by him, is enclosed at annexure 2.

The Chairman requested DG Shipping to provide their comments as these issues are within the domain of DG Shipping.

[Action: DG Shipping]

13.1 The Chairman explained the basics of land policy which allows ports for allotting land for welfare activities, subject to their utilization, specifically by seafarers, in this case. He therefore suggested that Shri Yeshwantha Rao may prepare a focused and detail proposal in this light, for specific ports, which could then be forwarded to the Ministry of Shipping for consideration.

(Action: BNSU)

13.2 Shri Yeshwantha Rao, further brought about the need to strictly monitor the quality of training in the training institutes by the DGS and to that extent, it was agreed that DGS should consider mandating the requirement of displaying the current 'grading' by the respective training institutes on their websites.

[Action: DGS]

It was also suggested that seafarer's unions must aggressively disseminate this information to the prospective candidates.

[Action: Shri Ajith Yeshwantha Rao, VP, BNSU]

14. Agenda raised by Indian Coast Guard (ICG) Head Quarters

Representative of ICG informed that despite the ban on use of Thuraya sets, Dhows /merchant vessels continue to use this set in Indian waters, mostly due to lack of awareness amongst sea farers about Indian Regulations.

He further explained that on receipt of Thuraya activity within our territorial waters, ICG assets are mobilized to the last reported transmission point for investigation. This unplanned mobilization results in undue tasking of ICG assets. To enhance the level of awareness amongst seafarers, it is proposed that the information regarding ban on Thuraya transmission in India may be broadcasted through NAVTEX transmitter and promulgated regularly through Notices to Mariners.

Capt Khatri informed that NAVTEX transmission is controlled by NAVAREA VIII co-ordinator which is directly controlled by IN. Therefore, the Chairman directed that it would be in order that ICG approaches NAVAREA VIII co-ordinator for broadcasts of this information.

The meeting concluded with vote of thanks to the Chair.

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Annexure-1

LIST OF MEMBERS AND SPECIAL INVITEES OF 127TH MEETING OF NATIONAL SHIPPING BOARD HE ON 21 DEC 2015 AT HOTEL TAJ GATEWAY, ERNAKULAM, KERALA

SL. NO.	NAME & DESIGNATION	CONTACT & NO. & E- MAIL	SIGNATURE
1	DR. VISHWARTI TRIVEDI, CHAIRMAN, NATIONAL SHIPPING BOARD	9871841111 chmnsb.ship@nic.in	
2	SHRI SUNNY THOMAS DIRECTOR (TECHNICAL & OPERATIONS) COCHIN SHIPYARD	9895765867. sunnythomas@cochinshipyard.com	
3	SHRI KODIKUNNIL SURESH, HON'BLE M P (LS), MEMEBER OF NATIONAL SHIPPING BOARD		
4	SHRI K RAHMAN KHAN, HON'BLE M P, M P (RAJYASABHA)		
5	SHRI C M RAMESH HON'BLE M P, M P (RAJYASABHA)		
6	SHRI SURESH KUMAR R M CHEIF SHIP SURVEYOR CUM JOINT DG (TECH)	9821173457 suresh-dgs@nic.in	
7	COMMANDER GAURAV MAHAJAN, JOINT DIRECTOR (NAVAL OPERATIONS)	9582160538 dno-navy@nic.in	
8	CAPT. VIRESH DAS, COMMAND SAFETY OFFICER	9447555934 vireshdas@gmail.com	
9	DIG M V PATHAK, INDIAN COAST GUARD	9958866599	
10	SHRI ANIL DEVLI, CHIEF EXECUTIVE OFFICER, INDIAN NATIONAL SHIP OWNERS ASSOCIATION (INSA), MEMBER	CEO@insa.ng.in 19906063.	
11	SHRI ADITYA SUKILIKAR, PRESIDENT, INDIA COASTAL CONFERENCE SHIPPING ASSOCIATION (ICCSA), MEMEBER		

LIST OF MEMBERS AND SPECIAL INVITEES OF 127TH MEETING OF NATIONAL SHIPPING BOARD HELD ON 21 DEC 2015 AT HOTEL TAJ GATEWAY, ERNAKULAM, KERALA

SL. NO.	NAME & DESIGNATION	CONTACT & NO. & E- MAIL	SIGNATURE
12	SHRI MILIND KANDALGAONKAR, NUSI ORGANISNIG SECRETARY NATIONAL UNION OF SEAFARES OF INDIA (NUSI), MEMBER	9892691908 nusi@vsnl.com mkandalgaonkar@gmail.com	
13	CAPT. V S M NAIR, PRESIDENT MARITIME UINION OF INDIA(MUI)	9447035216 nair.vsm@gmail.com	
14	SHRI G P AJIT KHOT, GENERAL MANAGER & MEMBER NATIONAL SHIPPING BOARD	9810031307 ajit_khot@gmail.com	
15	CAPT. PIYUSH SINHA, MEMBER, NATIONAL SHIPPING BOARD	9325212072 captpiyushsinha@gmail.com	
16	SHRI LS SHUKLA, MEMEBER, NATIONAL SHIPPING BOARD	9769777626 SHUKLA LS @ TOSHIPS.COM	
17	SHRI AJIT YESHWANT RAO, VICE PRESIDENT, REPRESENTATIVE OF BHARATIYA NAVIK SENA UNION	9920014777. ajit.bnsu@gmail.com ajit@bnsu-india.com.	
18	CAPT. H KHATRI DEPUTY NAUTICA ADVISOR, GOVT. OF INDIA & MEMBER SECRETARY, NATIONAL SHIPPIING BOARD	9819285O	
19	SHRI MAHESH YADAV ADG (Shipping)	9967044324 maheshyadav-dgs@nic.in	
20	CAPT. S V SUBHEDAR EX-PRESIDENT, INDIA COASTAL CONFERENCE SHIPPING ASSOCIATION (ICCSA)	09823158077 mail@iccsa.in	
21	SHRI AJIT SUKUMARAN PRINCIPAL OFFICER (I/C), MMD KOCHI	9446121550 ajitbsukumar2012@gmail.com	
22	SHRI S P SINHA PA TO CAPT. KHATRI, DY. NA & MEMBER SECY., NSB	9029162200	

Annexure - 2.

रजिस्ट्री सं० डी० एल०-33004/99 REGD- NO- D- L--33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)
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PUBLISHED BY AUTHORITY

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सड़क परिवहन और राजमार्ग मंत्रालय

अधिसूचना

नई दिल्ली, 18 जून, 2014

का.आ. 1558(अ).—केंद्रीय सरकार, केंद्रीय मोटर यान नियम, 1989 के नियम 124 के साथ पठित मोटर यान अधिनियम, 1988 (1988 का 59) की धारा 109 की उपधारा (3) और धारा 110 की उपधारा (1) के खंड (ट) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के तत्कालीन भूतल परिवहन और राजमार्ग मंत्रालय (भूतल परिवहन और राजमार्ग विभाग) की भारत के राजपत्र, असाधारण, खंड 3, उपखंड (ii) में प्रकाशित अधिसूचना संख्यांक का.आ. 1365(अ), तारीख 13 दिसंबर, 2004 का निम्नलिखित और संशोधन करती है, अर्थात्:—

1. उक्त अधिसूचना की सारणी में, क्रम संख्यांक 8 और क्रम संख्यांक 22 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्यांक और प्रविष्टियां रखी जाएंगी, अर्थात्:-

(1)	(2)	(3)	(4)
"(8)	(क) सभी मोटर यानों में पहिया रिम लगे हुए।	आई एस : 9438:1980 समय-समय पर यथा संशोधित या आई एस : 9436 : 1980 समय-समय पर यथा संशोधित	इस अधिसूचना के प्रकाशन की तारीख
	(ख) सभी ट्रेलरों और अर्द्ध ट्रेलरों में पहिया रिम लगे हुए	आई एस : 9438 : 1980 समय-समय पर यथा संशोधित	1 अप्रैल, 2016
22	(क) मैकेनिकल कपलिंग यंत्रों और मोटर यानों पर प्रयुक्त संघटक और ट्रेलर जो यानों और संधि-यानों के संयोजन के लिए आशयित है और	ए आई एस-091 (भाग 1)/2009, समय-समय पर यथा संशोधित	1 अप्रैल, 2016

	ऐसे यानों और संधि यानों का संयोजन।		
	(ख) संवृत्त कपलिंग यंत्रों और एन2, एन3 और टी4 प्रवर्गों के यान, यदि ऐसे यंत्रों के साथ मानकों में यथा विनिर्दिष्ट लगे हुए हैं।	ए आई एस-092/2009 समय-समय पर यथा संशोधित	1 अप्रैल, 2016"

[फा. सं. आर टी-11017/07/2012-एम वी एल]

संजय बंदोपाध्याय, संयुक्त सचिव

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 18th June, 2014

S.O. 1558(E).— In exercise of the powers conferred by sub-section (3) of section 109 and clause (k) of sub-section (1) of section 110 of the Motor Vehicles Act, 1988 (59 of 1988), read with sub-rule (1) of rule 124 of the Central Motor Vehicle Rules, 1989, the Central Government hereby makes the following further amendments in the notification of Government of India in the erstwhile Ministry of Shipping, Road Transport and Highways (Department of Road Transport and Highways) number S.O. 1365(E), dated the 13th December, 2004, published in Part II, section 3, sub-section (ii) of the Gazette of India, Extraordinary, dated 13th December, 2004, namely:-

1. In the said notification, in the Table, for Sl. Nos. 8 and 22 and the entries relating thereto, the following Sl. Nos. and entries shall respectively be substituted, namely:-

(1)	(2)	(3)	(4)
"8.	(a) Wheel rims fitted in all motor vehicles.	IS:9438:1980 as amended from time to time or IS:9436:1980 as amended from time to time	Date of publication of this notification
	(b) Wheel rims fitted in all trailers and semi-trailers	IS:9438:1980 as amended from time to time	1st April, 2016
22	(a) Mechanical coupling devices and components used on motor vehicles and trailers intended to form a combination of vehicles and articulated vehicles and such a combination of vehicles and articulated vehicles.	AIS-091 (part 1)/2009, as amended from time to time.	1st April, 2016
	(b) Close coupling devices and the vehicle of categories N2, N3, T3 and T4, if fitted with such devices, as specified in the standard.	AIS-092/2009, as amended from time to time.	1st April, 2016."

[F. No. RT-11017/07/2012-MVL]

SANJAY BANDOPADHYAYA, Jt. Secy.

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MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the18th June, 2014

G.S.R. 409(E).—Whereas, the draft rules further to amend the Central Motor Vehicles Rules, 1989 were published as required under Section 212 of the Motor Vehicles Act, 1988 (59 of 1988) *vide* notification of the Government of India in the Ministry of Road Transport and Highways number G.S.R. 53(E), dated 24th January, 2014, in the Gazette of India, Extraordinary, Part II, Section 3 Sub-section (i) dated 24th January, 2014, inviting objection and suggestions from all persons likely to be affected thereby;

And whereas, copies of the said Gazette Notification were made available to the public on 24th January, 2014;

And whereas, the objections and suggestions received from the public in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Sections 27, 41 and 110 of the Motor Vehicles Act, 1988, the Central Government hereby makes the following rules further to amend the Central Motor Vehicles Rules, 1989, namely:—

1. (1) These rules may be called the Central Motor Vehicles (10th Amendment) Rules, 2014.

(2) Save as otherwise provided in these rules, they shall come into force on the date of their final publication in the Official Gazette.

2. In the Central Motor Vehicle Rules, 1989 (hereinafter referred to as the said rules), in rule 2, after clause (r), the following clauses shall be inserted, namely:—

"(ra) "Category T" means a non-self propelled driven road vehicle, including a semi-trailer, having at least two wheels which, on account of its design and technical features, is used to transport persons or goods and is intended to be towed by a motor vehicle;.

(rb) "Category T1" means a category T vehicle having a maximum weight not exceeding 0.75 tonnes;

(rc) "Category T2" means a category T vehicle having a maximum weight exceeding 0.75 tonnes but not exceeding 3.5 tonnes;

(rd) "Category T3" means a category T vehicle having a maximum weight exceeding 3.5 tonnes but not exceeding 10 tonnes;

(re) "Category T4" means a category T vehicle having a maximum weight exceeding 10 tonnes;

(rf) "Category T5" means a semi-trailer of category T vehicle intended to be drawn by a three – wheeled haulage tractor. "

3. In the said rules, in rule 47, in clause (c), for the words "in the case of a trailer or a semi-trailer", the words "in the case of a trailer other than a vehicle of Category T " shall be substituted.

4. In the said rules, after rule 125C, the following rule shall be inserted, namely:—

"125D. **Approval of Category T.**—(1) On and from the 1st day of April, 2016, the procedure for type approval and certification for Category T vehicles used for transportation of goods shall be in accordance with AIS:113-2013 - Code of Practice for Type Approval of Category T, Trailers or Semi-trailers towed by Motor Vehicles of Category N2 and N3, as amended from time to time, till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).

(2) On and from the 1st day of April, 2016, the following vehicles shall conform to IS:8007 - 2004 or AIS:091 (Part-1), as amended from time to time, for all purposes of inter-changeability within the permissible Gross Combination Weights of the towing vehicle and the trailer or semi-trailer, namely :—

(a) vehicles of Category N2 and Category N3 which are authorised to tow Category T;

(b) Category T vehicles which are authorised to be towed by vehicles of Category N2 and Category N3."

(3) On and from the 1st day of April, 2016, the close-coupling devices, wherever used in truck-trailer or tractor-trailer combinations covered under the scope of AIS-113, shall conform to AIS-092-2009,

as amended from time to time, till the corresponding BIS specifications are notified under the Bureau of Indian Standards Act, 1986 (63 of 1986).

5. In the said rules, in rule 126, on and after 1st day of April, 2016, the words "other than trailers and semi-trailers" shall be omitted.

[F.No. RT-11017/07/2012-MVL]

SANJAY BANDOPADHYAYA, Jt. Secy.

Note:—The principal rules were published *vide* number G.S.R. 590 (E), dated the 2nd June, 1989 and was last amended *vide* number G.S.R 389(E), dated the 9th June, 2014.

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Annexure - 3

1/19/2016

PRESENTATION TO NSB 127TH MEETING
AT KOCHI
ON
21ST DECEMBER 2015

NEW IV ACT
FOR PROMOTION OF IWT IN INDIA



PICTURES

- Setting stage for the topic to make IWT happen

BACKGROUND

- The Government on taking office in June 2014 quickly moved on a policy matter to review / repeal all old legislation especially from the colonial past
- IV Act, 1917 as amended 2007 is one such Act that is under comprehensive revision
- IWT has here to before been a neglected sector – water never featured as important for navigation
- 2007 amendment mainly introduced overdue pollution prevention and insurance angle and attempted to increase scope of I V limits based on criterion incuding weather as function of significant wave height
- RHINE, SEVERN took 100 years to develop, we have lost 70 years in recognising water is for navigation too

FOCUS

- To increase freight transport in India by water so as to reap the benefits of cheaper, environment friendly and safer mode of transport thereby contributing to reduction in transport carbon foot print and logistic costs which in India are one of the highest in the world
- Seamless transfer of freight between sea going coastal and IWT bringing end user closer to water land interface
- Gap analysis between the old and new proposals against desirable outcome as decided in well attended Mumbai workshop
- Japan, China, EU have thousands of Inland vessels often family owned just like trucking industry

OLD IV ACT

- The Act was designed to just regulate country crafts not as part of infrastructure necessity as road rail were needed to govern the country
- The Act mainly required definin g I V limits, some basics of vessel size, capacity and its operation limitsx
- To state basic crew requirement and terms prevalent then
- Requiring local governments to frame required rules which many did not or keep in step post independence
- However, IWAI Model rules cannot be mixed in new Act

5

NEW IV ACT

- Bearing in mind structure of Indian Constitution and enabling primary legislation therefor, certain activities such as Ports and Inland Vessels is a State subject
- The new IV Act has been drafted as a Central piece of Primary Legislation of the central Government to be implemented by respective State Government
- In addition to declared National Waterways, NW1 – NW5, the Central Government is proposing to make another 106 national waterways so as to bring water interface closer to end user

6

STRUCTURE OF THE NEW ACT

- The old IV Act of the colonial era was mainly to regulate vessels of that time
- There have been both commercial and technical practices giving rise to wide variety of vessels and trade suitable for Inland water transport as is seen in Japan, China, EU and USA
- The new Act therefore encompasses **PREAMBLE** – object and purpose and several parts like the Indian Merchant Shipping Act to lay down mandatory minimum requirements:

  Administrative Control; Survey; Registration; Crew; Navigation; Pollution Prevention; Wreck & Salvage; Limitation of Liability; Insurance; Independent Investigation; Trade Practices; Miscellaneous and Penal Provisions

  No reference to STCW I V as origanally propoised

7

CRITICAL EXAMINATION OF THE DRAFT PREPARED AFTER KOLKATTA WORKSHOP

- **PREAMBLE** is in the format of IMO Resolution / recommendation and needs to be changed to crisp objective / purpose as in the Merchant Shipping Act
- **PART IApplication and the scope** of the Act need only be for mechanically propelled Inland Vessels qualified to be registered in India or operated in Indian waters with a save all clause for taking on board powers of the Government to notify application of one or more parts to other kinds of mechanically propelled Inland Vessels
- **Bureau of Indian Standards should be defined in Section 3** as also Pleasure Craft, Recognized Organizations, Company , IWAI as nodal agency for this Central Act; Reception Facility as State obligation; Wreck Provisions as in MS Act and Zones with reference to distance from shore or defined baseline subject to measure of weather represented by significant wave height
- ***Several definitions are unnecessarily clouding the draft text*** such as Authorized Insurer, Casualty, Certificate of Insurance, Cover note, Court, Fishing Vessels, Hull Identification Number, Marking of a vessel, Material fact, Navigable Water, Pilot, Priority of Lien, Service Provider, Service User, Special Category of Vessels and waterline

contd...

- The new Act should clearly stipulate what Central database is and who should be maintaining and how it is to be mandated
- High Court in lieu of Court as is done in Merchant Shipping Act as final Arbiter of dispute resolution under this Act
- This Act should not have any bearing on non propelled Inland Vessels, Pleasure Vessels or Fishing Vessels – business of local self government
- Nor mandatory Class requirement – that being option of owner operator given proximity of land, assistance, other available expoerts
- Reference to Salvage should be in accordance with MS Act
- Central to this Act is clear definition of Inland waters and Zones therein as now notified by the Government being 5 miles seawards of the baseline subject to safe fair weather criterion as a function of significant wave height

SALIENT FEATURES

- PART II – Administrative Provisions should primarily mandate setting up of Maritime Boards and requiring rules to be made by them for implementation of this Act within 6 months of this Act being Gazetted and then Appellate Authority established under the Central Government outside the nodal agency i.e. IWAI.
- Reference to competent Authority and State Government / Maritime Board should be clearly established in this Part together with establishment of Advisory Committee like the National Shipping Board having access to the highest levels of the State Government and comprising of representatives and experts in the field of Inland Water transport.
- There is no scope for retaining reference to local self Administration who are authorized to deal with non mechanically propelled Inland Vessels.
- Part III – Survey should only be enabler giving power to make rules there under inter alia requirement for Class or another competent approval for deign, construction, equipment, procedures for Survey, Certification, validity of survey, qualifications of Surveyors, their powers that can be exercised under State Governments and / or competent authorities.
- Statement of limitations w.r.t. trading, pattern of trade, carriage of cargo or passengers or both , measures of Pollution Prevention evidencing Radio Communication, Navigation Aids, use of fuel.
- Certificate of Survey as a minimum issued under this Act should be for a period of (2 years).

Contd...

In this Act , there is no need for providing Provisional Certificate of Survey or Provisional Certificate of Registry although there is merit for having such provision in sea going vessels.

Part III Section 17 & 18 with reference to Suspension of Certificates or delivery of expired Certificates should be condensed with details to be given in the rules as appropriate

Part IV - Registration needs to be clearly stated w.r.t. obligation to register by stated authority in the State Government with proviso that different registers could be maintained for different types of vessels and trade, maintenance of Central Register so that Certificate of Registry issued in one State is valid throughout India.

Detail in Sections 22 does not fit in the text of Central Act and should be best left for rules made there under.

contd...

- Section 35 etc. regarding mortgage should be dealt as per common law prevailing or detail transferred to a schedule to the Act as has been done by the UK Merchant Shipping Act
- To enable quick growth of Inland Vessel fleet, new provision should be added w.r.t. bareboat charter
- Part V regarding crew need only require minimum requirements of age, identity , basic safety training and possession of authorized engagement letter and certificate of competency for service on Inland vessels with details in rule making powers of this part
- Part VI – Special Category of Vessels should be deleted – in lieu of save all clause in the scope and application of the Act
- Part VII w.r.t. navigation should mandate provision of minimum State obligation for providing navigational aids in National waterways and prescribe minimum equipment , signals, radio equipment, Life Saving and Fire Fighting Appliances as appropriate. DG Orders if any should be contemplated for replacing context of this part in the body of the Act or as a separate schedule below which the State Governments may not make rules for this purpose
- Part VIII – Inland Vessel Accidental Pollution of Inland waterways should be seen in the light of mandatory minimum obligation of the company and the State and include fitness for its purpose in the Certificate of Survey

contd...

- **Part IX-** Wreck and Salvage to mirror provisions in the MS Act
- **Part X – Limitation** of liability is new concept here and needs to be relooked
- **Part XI –** Insurance should mirror the provisions of Motor Vehicle Act with minimum requirement of insurance against Pollution, damage to terminals and wreck with other details – Sec 76-89 - for crew and vessel in the rules made there under as per national practice
- Part XII – Independent investigation needs to be emphatic in mandating the process from preliminary investigation followed by established code of practice of detailed investigation by tribunal, publication of lessons learnt and legal proceedings as appropriate
- Part XIII – Trade Practices is a complex subject requiring if at all at this juncture to require all who take part in shipment to be in organized sector and powers to make rules especially for carriage of dangerous / hazardous goods as per established practice and prohibition clearly spelt out if any
- Part XIV – Non-Mechanically Propelled Inland Vessel to be deleted in favour of State subject and business of local self Government
- Part XV - Miscellaneous Provisions – are unlikely to be accepted by the States
- Part XVI – Penal Provisions – are unlikely to be accepted by the States

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INSA COMMENTS

- New I V Act should be crisp, short and simple
- Facilitate IWT thru nodal agency – IWAI , MB / Competant authority mandated in the Act for pan India like MV Act
- Provide for e governance
- Enabling provisions to ensure no bottlenecks in rules made under this Act by the States so as not to hamper inter State movement of inland vessels
- Encourage investment into IWT from hinterland
- Stipulate only minimum mandatory manning requirements including minimum mandatory hands on training with details of certification in the State rules

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CMMI OBSERVATIONS

- The new Act should be short, simple and effective pan India
- Legal processes should be as are applied in case of MV Act
- State rules should be mandated in given time and not less than the minimum mandatory requirement given in the Act
- The Act should clearly state who is nodal agency – IWAI / Jal Vikas marg authority and State Maritime Boards / Competant authority for implementation like RTO

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CONCLUDING REMARKS AND WAY FORWARD

- To discuss the outcome of these deliberations at the next workshop in Goa in presence of State Maritime Boards or equivalent Competent Authorities curity
- DG order 1/2015 elaborating on new IV limits should be used immediately for making progress in IWT sector
- Safety security pollution prevention should be required to be ensured by management by adopting use of formal systems in implementing Part III – good governance !!!
- NSB pending advisory committee/s formation monitor the setting up of new Act, rules to be framed there under like IWAI model rules, regulator etc. by feeding into MSDC
- YES we can too

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THANK YOU

Capt. S. V. Subhedar
Past President
ICC Shipping Association
Email: capt_subhedar@hotmail.com
Mobile no.: +91 9823158057

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Annexure 4

1/19/2016

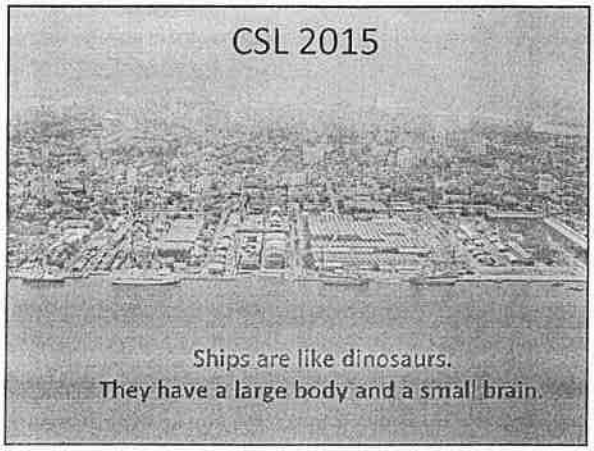
Shipbuilding in India

Challenges & Constraints



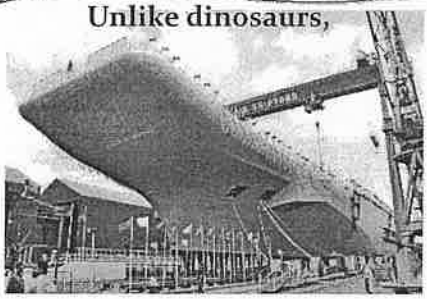
SUNNY THOMAS
DIRECTOR
(TECHNICAL & OPERATIONS)
COCHIN SHIPYARD LTD

CSL 2015



Ships are like dinosaurs.
They have a large body and a small brain.

Unlike dinosaurs,



SHIPS WILL NEVER BE EXTINCT.

SHIPBUILDING -GLOBAL PERSPECTIVE

- Major share of shipbuilding occurs in Asia
  - China- about 41%
  - Korea – about 19%
  - Japan – about 16%
- About 90% of world trade is carried by the international shipping industry.
- Shipping is the least environmentally damaging form of commercial transport
- Global Economic Recession & recent fall in oil price have adversely affected the global shipbuilding industry

SHIPBUILDING -INDIAN PERSPECTIVE

- Indian shipping tonnage was 10.50 millionGross Tonnage with 1213 ships as on March 2014
- Indian owned ships/vessels carried 9.1% of India's overseas trade during 2013-14
- India has a coastline of about 7517 Kms
- Lower labour cost compared to Europe, Japan, Korea
- Potential for large numbers of technically qualified manpower
- Rise in domestic and overseas trade
- Rising off-shore oil exploration activity
- Growth in Container traffic /coastal shipping/inland waterways
- Shifting of global shipbuilding markets to Asia for cost benefits
- Growth in specialized sectors like LNG, etc...

SHIPBUILDING -INDIAN PERSPECTIVE

- India, to realise its economic and political potential, needs to give due importance to the seas by building adequate infrastructure and evolving a "national consensus on the usage of the seas".
- The maritime domain has a significant role in influencing the nation's economic agenda that envisages a high GDP growth pattern.
- India's desired role of being the net provider of security in the Indian Ocean Region can only be sustained by growth in India's maritime capability

TECHNOLOGICAL SUCCESSES

- India is capable of building State of the art Technology Aircraft carrier
- India is producing modern warships at the Defence yards
- Submarines under technology transfer.
- Cochin Shipyard Ltd has exported about 50 high end Bulk carriers, offshore vessels, Harbour crafts etc. to West Europe/ USA





OFFSHORE VESSELS DELIVERED BY CSL



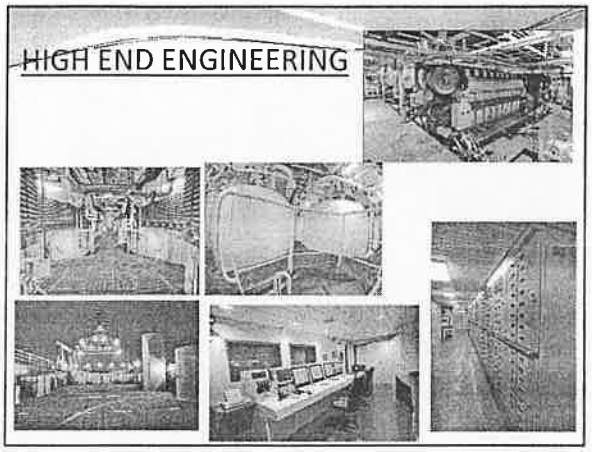


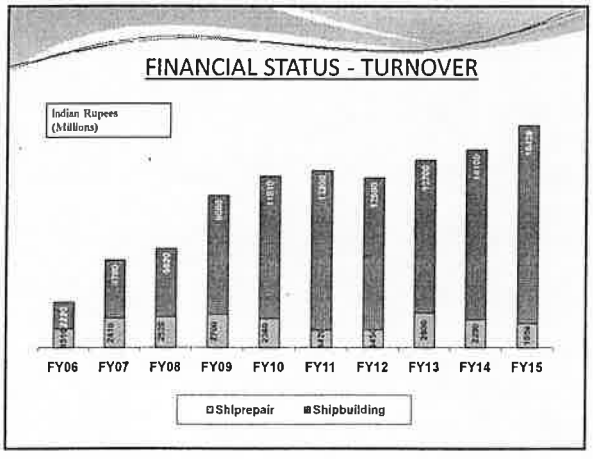


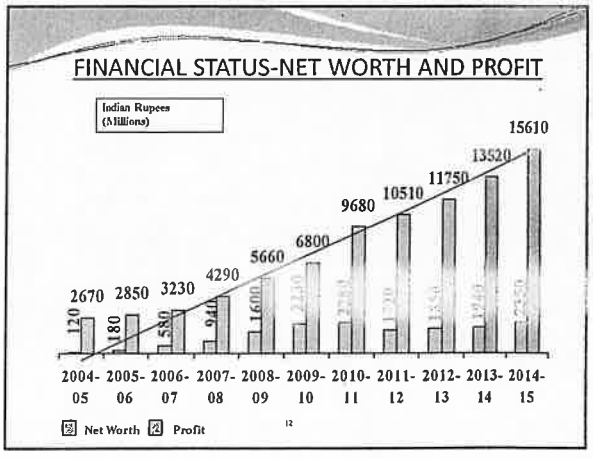





QUALITY


HIGH END ENGINEERING


FINANCIAL STATUS - TURNOVER
Indian Rupees (Millions)
FY06
FY07
FY08
FY09
FY10
FY11
FY12
FY13
FY14
FY15
Shiprepair
Shipbuilding


FINANCIAL STATUS-NET WORTH AND PROFIT
Indian Rupees (Millions)
2670
2850
3230
4290
5660
6800
9680
10510
11750
13520
15610
120
180
580
940
1600
2250
2285
1130
1850
1940
2350
2004-05
2005-06
2006-07
2007-08
2008-09
2009-10
2010-11
2011-12
2012-13
2013-14
2014-15
Net Worth
Profit

MAJOR SHIPBUILDERS IN INDIA

- The Indian shipbuilding is mainly centered around 9 major shipyards and 4 medium sized yards

PUBLIC SECTOR
- COCHIN SHIPYARD LTD
- HINDUSTAN SHIPYARD LTD
- MAZAGON DOCKS LTD
- GARDEN REACH
- GOA SHIPYARD LTD

PRIVATE SECTOR
- LARSEN & TOUBRO
- ABG SHIPYARDS
- BHARATI SHIPYARDS
- PIPAVAV DEFENCE & OFFSHORE

MEDIUM SIZE SHIPYARDS.
- TEBMA SHIPYARDS
- CHOUGULE SHIPYARD
- SHOFT SHIPYARD
- SEMBAWANG KAKINADA



Despite these advantages and success stories Indian yards struggle – Why?

SHIPBUILDING IN INDIA
CONSTRAINTS

CONSTRAINTS	RECOMENDATION
High cost of Finance for shipbuilding sector	Long term competitive Finance options to be made available
Lack of ancillary industries	Establishing ancillary industries
Labour cost is rising - Quantity of labour required is large compared to Japan, Korea	Improving efficiency of labour by installing more automation systems in production line
Lack of skilled manpower Indian talent is largely exported	Establish more training institutions. Make shipbuilding workspace more attractive to new generation
Lack of worthwhile in-house designs	Establish R&D institutions for ship design development
Existing Model Testing facilities are not available for commercial usage	Make existing facilities available for commercial purpose. Establish new facilities
Uncontrolled production process – Time and Cost over runs	Improve production process & monitoring mechanism

SHIPBUILDING IN INDIA
CHALLENGES

PRESENT	CHALLENGE
Share of Indian shipyards in global shipbuilding is about 0.4%	Increasing the share of Indian shipyards in global shipbuilding
Indian shipyard have expertise in building merchant and defence vessels	Obtaining the knowledge to build high end vessel like LNG Carrier, LPG Carrier, Drillships etc.
World maritime sector's Perception - Most Indian yards are unreliable	To establish the reliability of Indian Shipbuilding sector
Delayed deliveries – This hurts owners business	Deliver the vessels in time and as per schedule at agreed price
Indian yards have major financial difficulties	Improving the financial health of Indian shipyards
No Finance packages available for clients	Put forward client friendly finance packages
Inland water ways are underutilized	Focus on the opportunities provided by the development of Inland Waterways

'MAKE IN INDIA'

- Let us start by ' Making for India'
- Substantial requirements exist in the country
- Indian Shipyards are capable of meeting all domestic shipbuilding requirements
- Any shortcoming in technology can be acquired by ToT
- Indian brand needs maturity to be positioned globally
- Need to provide more success examples





SUBSTANTIAL DOMESTIC REQUIREMENTS

- SCI
  - OFFSHORE VESSELS
  - MERCHANT VESSELS
- DCI
  - DREDGERS-
    - TSHD
    - CSD
- ONGC
  - MULTI SUPPORT VESSELS
  - PLATFORM SUPPORT VESSELS/ AHTS
  - FIXED PLATFORMS/ ASSETS
- A&N, UTL, LDCL
  - PASSENGER VESSELS
  - TUGS
- PORTS
  - TUGS
  - DREDGERS
- COAST GUARD
  - FAST PATROL VESSELS
  - OFFSHORE PATROL VESSELS
  - POLLUTION CONTROL VESSEL
- INLAND & COASTAL
  - ROPAX
  - BUNKER TANKERS
  - CONTAINER FEEDERS
  - RIVER SEA VESSELS
- GAIL
  - LNG CARRIER
  - LPG CARRIER
- IWAI
  - CSD
  - INLAND BARGES
- NAVY
  - AIRCRAFT CARRIER
  - SUBMARINES
  - FRIGATES
  - ANTI SUBMARINE CORVETTES
  - DESTROYERS
  - LPD

AREAS THAT NEED ATTENTION

➢Basic ship design

- Has the potential to attain self sufficiency in Basic design
- More R&D, Academic Institutions need to be established
- Need to create, train and retain talent.

➢Development of ancillary industries

- Currently, 40- 70% of ancillary components and materials used in shipbuilding are imported from China, Korea, Japan, Norway etc.
- Rather than waiting till the shipbuilding market maturing, Ancillary growth should target not just Indian but global markets

➢Production Technology

- Indian shipbuilding is less automated and more labor intensive than the industry in other countries (Korea and Japan)
- Collaboration on providing access to latest ship construction technology to further improve output of Indian shipyards

Government's role

- Rationalize the existing method of vessel procurement.
- Implement regulations to promote indigenous shipbuilding.
- First preference for domestic shipbuilders in tenders.
- Govt. should take the decision to build Indian tonnage in India.
- Although the shipbuilding has seen a vast increase in capacity the components for building the ships still are imported. Need for developing the ancillary industries.

POLICY INITIATIVES REQUIRED

- Establish rating of yards on multiple parameters (infrastructure, past track record, financials etc)
- Long term Shipping development fund
- Long term policy development for shipbuilding industry.
- 4-5% interest subvention for working capital
- All Indian Government/ PSU (ONGC, DCI, SCI etc) orders to be placed in India, similar to defence orders
- Adopt policies attracting investors for ancillary industries
- Procedures (Customs, taxation) to be made more user friendly
- Declare Shipbuilding sector as SEZ

SUMMARY

- Shipbuilding is Nation building. Being labour intensive, no other industry can match the immense employment opportunities generated. Indian Shipbuilding Industry has the potential to meet the domestic demands of the maritime sector
- Shipbuilding has the potential to become an increasing contributor to India's GDP
- Now is the right time for Indian shipyards to overcome their constraints and challenges by making maximum use of the opportunities from 'Make in India' initiative by Government of India

THANK YOU

