

MORMUGAO PORT AUTHORITY



Standard Operating Procedures for Marine Department

Formed: 11/11/2024



Sl. No.	Particulars	Page No.
1	SOP for Marine Operation	4
a	Pilotage	5
b	Monsoon preparedness for Port Crafts (Tugs and Pilot Launches)	6
c	Security Boat	7-8
d	Inspection of towing rope of Tugs operating in MPA	9
2	SOP to deal with vessels seeking refuge	10-44
3	Action Plan/SOP for prevention & Mitigation during Emergencies /Adverse weather /Cyclone	45-51
a	Check list	52-53
4	SOP for Fire Division	54
a	Fire Officer / Duty Officer	55-56
b	Fire control room operator	57
c	Fire preparedness at oil berths	58-60
d	Hot / Cold works at MPA	61-64

Contd ...on next page

5	SOP for Garbage disposal from vessel	65
a	Collection, Segregation and disposal of vessel generated garbage at Mormugao Port Authority (Annexure –V)	66-67
b	Collection and disposal of used cooking oil, fishing gear, expired medicine, waste, used batteries from the vessel visiting to MPA.	68-70
6	SOP for right of way vessels	71-72
7	Standard undertaking on firms letter head for their engaged workmen/labour	73

NOTE: “All the SOPs of Marine Department will be reviewed from time to time by the concerned section in consultation with the Head of the Department and shall be revised as required.”

MORMUGAO PORT AUTHORITY



SOPs for Marine operations



SOP FOR PILOTAGE

1. Pilot shall assess and appraise of the situation with regard to position, speed, weather condition, availability of Tugs & Launches, etc. Pilot shall instruct VTS about the instructions to be conveyed to the vessel. Pilot to board as soon as possible without any delay for inward and outward vessels movements.
2. Pilot to instruct and coordinate with VTS for arrival of Tugs and Mooring Crew for berthing and un-berthing.
3. Pilot should be aware of the weather, sea swell and tidal conditions.
4. Pilot to verify the drafts, LOA, Beam, etc of the vessel before boarding.
5. Pilot to ensure through VTS that all equipment including Pilot ladder and its rigging of the vessel are in good working condition same shall be logged by VTS.
6. Pilot should use all available means for safe vessel movements and navigation at all times.
7. Pilot shall ensure the anchors are properly stowed in the hawse pipe ready to be used in case of emergency.
8. Pilot to coordinate with VTS for notices to the vessel for picking up anchor for berthing and of the approaching vessel for safe boarding as per SOLAS.
9. Master /Pilot exchange to be carried out on boarding along with complete passage plan for shifting, outward and inward movements.
10. Pilot should embark and disembark at the designated Pilot boarding ground.
11. During berthing, Pilot shall ensure that the fenders are not unnecessarily compressed and shall also ensure proper mooring of vessels.
12. VTS shall monitor safe passage until the vessel exits MPA Port limits and same shall be recorded.
13. In case of any loss/ damage to Port property same to be immediately brought to the notice of the Master for acknowledgement and to be reported to DC/HM/VTS.
14. Nothing of above restricts the Pilot to take appropriate alternative action to avoid any untoward incident to save life, property and environment.
15. In case of any non-compliance of the above leading to any incidents, the concerned Pilot will be held solely responsible.

SOP for monsoon preparedness for Port Crafts **(Tugs and Pilot Launches)**

1. Ensure that the Port Crafts are properly manned and secured.
2. Secure all loose gears on deck, Engine room & Stores etc., adequately.
3. All deck machinery to be greased and properly covered with water resistant plastic sheets.
4. All mooring ropes to be replaced with good ropes and doubled up. Ensure that, additional ropes are available to meet any exigency.
5. All tubular & tyre fenders to be properly tied around the port crafts and to be checked daily for their proper positioning.
6. Emergency fire pump to be in standby condition to use immediately on exigencies.
7. Anchors to be freed, greased and checked for proper operation.
8. All the Navigational lights & Communication system to be checked daily for their properness / working condition.
9. Masters to use designated channels for communication in consultation with VTS. VHF Radio Channel 16 and 12 have been monitored by the COPRR for advisory.
10. All pot holes/doors to be closed tight.
11. To ensure all water tight doors closing properly, to grease the dog clutches.
12. Engine should be ready to start in short notice and also ready to meet any exigency.
13. To ensure adequate quantity of fuel is available in all crafts.
14. To ensure all the port owned and hired tugs, Pilot Launches, Mooring Launches are properly manned and secured/moored and monitored continuously.
15. To ensure that the port owned and hired crafts are readily available to meet any exigencies.
16. To ensure adequate life saving equipment are available and ready to use.
17. To ensure additional ropes for securing in heavy weather conditions are available for assistance to port and other crafts.
18. To ensure that search light/flood lights of Tugs and Pilot Launches are in working condition.

SOP FOR SECURITY BOAT

1. Keeping its Port Waters secure is of prime importance to Mormugao Port Authority.
2. Mormugao Port Authority may engage security boats to assist Central Industrial Security Forces (CISF) to patrol and secure its harbour and waterfront areas.
3. Security boats thus engaged will strictly comply with the contract document terms & conditions and the instructions given in this SOP. A high level of operational standards is expected to be maintained by these boats.
4. CISF, MPA unit will be provided with a copy of the security boat contract document terms & conditions / SOP and will liaise with Port officials to ensure compliance with both.
5. A joint meeting of Port officials, CISF officers & owner/owner's representative will be convened prior engagement of the security boats so that the owner / owner's representatives unambiguously understand the operational requirements of Port/ CISF personnel from the security boats within the scope of the contract document.
6. The owner shall ensure that the security boats engaged are sea-worthy at all times and in compliance with all applicable statutory regulations while at MPA.
7. The owner shall ensure that the security boats at all times are adequately manned with trained staff as per statutory regulations for safe operation with adequate life saving equipment, mooring gears, anchor, etc.
8. The security boats to be maintained in a clean and tidy condition while operating at MPA.
9. The security boat staff to maintain 24X7 communication watch on VHF Ch 16/12. They may at times also be instructed to use other available communication media specifically advised to them if so warranted by circumstances.
10. The security boats will be positively capable of operating at the speed stated in the contract document at all times. Any failure to comply with speed requirements due to machinery faults, breakdowns, etc should be immediately reported to Port officials.

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11. One of the security boats, in turns, will carryout patrol of the port waters i.e the navigational channel and anchorage areas during fair weather conditions. The other security boat will remain inside breakwater area to prevent any unauthorised entry from sea side.
12. CISF personnel manning the boats will report Port officials through their office if they suspect the boats status to be contrary to the requirements listed above.
13. The security boats may be called to drive away fishing boats operating in or close to the Port navigational channel, for which they will unfailingly respond immediately.
14. A joint inspection of the security boats will be carried out by Port officials, CISF officers & owner/ owner's representative every month to check condition of the boats and ensure compliance with contracted terms. Apart from this, the security boats may be inspected any time by Port officials to check their operational fitness /readiness.
15. Any complaints / disputes / Grievances related to the security boats will be addressed as per the contract document. The decision of Chairperson, MPA will be final & binding in these cases.

SOP for the Inspection of Towing Rope of Tugs operating in MPA

1. The Tug towing ropes to be tested and certified. A copy of test certified shall be submitted to the Port for verification at the time of taking over the tug on hire or after any renewals.
2. Whenever new rope is procured, during currency of the contract the test Certification of the same to be submitted to the Marine Department.
3. To ensure that the operator has 01 spare set of towing rope at all times for replacement of the worn out towing rope.
4. Visual inspection of the rope to be carried out once in a month.
5. To ensure operator also carries out inspection of ropes and maintains record.
6. To ensure all ropes are oil and grease free.
7. During any shipping movement or operation, ensure that rope shall not be chaffed/worn out and take preventive action to ensure that there is no damage to the rope/strands.
8. Operator to daily ensure that rope strands and eye splicing are interacted.
9. The operator shall maintain records of number of ropes (mooring & towing) on board the tug and same to be checked by the Marine Department.

MORMUGAO PORT AUTHORITY



SOP to deal with vessels seeking refuge



“The goal is not to sail the boat, rather to help the boat sail herself.”

Introduction:

Ships are built to withstand adversaries to the best of its capability, however, sometimes they may become unseaworthy. Possible reasons of becoming unseaworthy may be numerous leading to a complex process of decision making by a sailor opting for the best possible and available solutions. Triggering factors for un-seaworthiness may be internal or external and categorised into two broader groups:

- i) failures / defects that get rectified by the ship crew without any external help.
- ii) failures / defects/ adverse situations that requires external help and sheltered water /harbour / berths etc. to get it rectified.

Second category require external help, available only when the vessel comes in sheltered water where support can be extended by the external agency.

Incapacitated vessel contacts nearest port / VTS to get shelter and help to overcome the adversaries.

However, flag-neutral nature of shipping, responsibilities and liabilities on owner, liabilities on port/ coastal authority/ shelter provider, chances of accidents involving life and property at the vessel, potential for damage to ecology and environment due to untoward incidents etc. needs a careful consideration before a vessel is allowed to enter into legal jurisdiction of a port.

Providing help and support to an incapacitated vessel requires very careful and quick Risk Analysis before deciding the final course of action. Following technical factors play important role in quickly assessing the risk of allowing or not allowing an incapacitated vessel in port area:

1. location of the incident,
2. type and quantity of cargo,
3. age of the vessel,
4. hull integrity,
5. cause of incident/ cause of incapacity,
6. validity of insurance at the time of incidence,
7. incident reporting mechanism adopted by the master,
8. nature of defects/damage,
9. voyage details,
10. weather,
11. sea condition,
12. navigational and other conditions at port,
13. available facilities at port to rectify the defect etc.

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In addition to the above technical information, legal complications and existing regulatory provisions are required to be understood and implied in the decision making process. Following regulatory mechanism / legal framework may be important to consider while dealing with unseaworthy/ derelict vessels:

A. International Conventions

It needs to be clearly understood that any convention/s would be applicable only if the same has been ratified by the Govt. of India and accordingly domestic (Indian) legislation has been enabled. Mere ratification of the convention does not make it applicable to Indian waters (within 12 NM from the nearest coast). However, for the sake of knowledge, below is list of important IMO conventions dealing with the situation:

- International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended.
- Convention on the International Regulations for Preventing Collisions at Sea (COLREG), 1972
- Convention on Facilitation of International Maritime Traffic (FAL), 1965
- International Convention on Maritime Search and Rescue (SAR), 1979
- International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC), 1990
- Protocol on Preparedness, Response and Co-operation to pollution Incidents by Hazardous and Noxious Substances, 2000 (OPRC-HNS Protocol)
- International Convention on Civil Liability for Oil Pollution Damage (CLC), 1969
- 1992 Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND 1992)
- Convention on Limitation of Liability for Maritime Claims (LLMC), 1976
- International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS), 1996 (and its 2010 Protocol)
- International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001
- Nairobi International Convention on the Removal of Wrecks, 2007
- International Convention on Salvage (SALVAGE), 1989
- International Maritime Organization, Maritime Assistance Services - Resolution A.950
- International Maritime Organization, Guidelines on Place of Refugee for ships in need of assistance - Resolution A.949.
- Comite Maritime International (CMI), Report on Place of Refugee submitted to the International Maritime Organization in April 2009.
- European Union Operational Guidelines on Place of Refugee - -1 February 2018
- Convention and Statute on the International Regime of Maritime Ports – 1923

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B. Indian Regulatory framework

1. Indian Ports Act – 1908.
2. Merchant Shipping Act - 1958
3. The Merchant Shipping (Wrecks and Salvage) Rules, 1974
4. Admiralty (Jurisdiction & Settlement of Maritime Claims) Act, 2017
5. Admiralty (Assessors) Rules, 2018.
6. Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorage and offshore facilities) Rules – 2012. (Port Entry Rules – 2012)
7. Merchant Shipping (Wrecks and Salvage) Rules, 1974.
8. Major Port Authorities Act – 2021.
9. Director General of Shipping Standard Operating Procedures to Handle Marine Casualty - 2021

Mormugao Port Authority (MPA)

Since, Mormugao Port is a natural open harbour situated protected by one breakwater, even the legally designated area outside breakwater experience wave and current patterns similar to legally outside port area. Hence, unlike other natural harbours, legally designated area of Mormugao Port do not enjoy calm water conditions round the year. Therefore, location of the vessel that requires assistance becomes critical in deciding the nature and mode of assistance or otherwise. Another important aspect is dredged depth of port channel with margins, which again poses challenges for navigating the incapacitated vessel, especially during rough weather. Accordingly, the present SOP is framed considering important locational scenarios that might have different legal implications.

Case type I: If the vessel is outside Port Limits.

- I. A vessel, **not destined to MPA** requesting 'place of refuge'/ permission to enter into the port for the purpose of shelter and getting its problem rectified, shall be considered for giving access depending on meeting following requirements:
 1. On receiving request for shelter from the **under voyage vessel**, Deputy Conservator, MPA will obtain all vital parameters of the vessel from the Master of the vessel, which would include but not limited to:
 - a. Exact location of the vessel in coordinates (Lat & Long),
 - b. Vessels name
 - c. IMO No.
 - d. Call Sign
 - e. Year of Built
 - f. Flag (to ascertain that the vessel is Indian/ responsible flag or flag of convenience)

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- g. Name and address of the owner/ charterer (to ascertain legal owner
 - h. Name, address and registration code of the Indian Shipping Agent
 - i. Draft
 - j. Gross Tonnage and Dead Weight Tonnage
 - k. Cargo type and quantity (to assess the implication of release/ spill/ leak fire/ explosion/ other events and its impacts within or outside port.)
 - l. Source of cargo (to assess possibility of foul play)
 - m. Last Port of Call (LPoC) and Next Port of Call (NPOC),
 - n. Bunker type & quantity in each tank,
 - o. Diesel quantity/ auxiliary fuel type and quantity,
 - p. Name of classification society (to ensure it meets requirement of IACS class as per DG Shipping)
 - q. P&I details (verify validity of insurance from websites of P&I Clubs) to ensure compliance of Rule 3 of Port Entry Rules – 2012.
 - r. Details of event/ incident, which led to request for shelter.
 - s. Try to authenticate the information provided by the master with the help of Port VTS, ICG, AIS data (from marinetraffic.com), websites and other maritime sources including DG (Shipping) etc.
 - t. Nature of defects /damage, hull integrity.
2. Seek proof of intimation of the incident to P&I Club and help requested from P&I Club. As in event of vessel becoming unseaworthy while on voyage or otherwise the incident due to which the vessel has become unseaworthy must be reported within reasonable period of time (urgently) to the concerned P&I Club seeking help, else the P&I insurance shall become void for any subsequent incident / event / accident. Therefore, any eventuality must be informed to the P&I seeking their help. And if such process of communication between the vessel and its P&I has not been established, allowing a vessel inside port area would be risky and against Port Entry Rules, as the P&I insurance of the said vessel would be deemed void/ lapsed. (This is required to ensure that in event of any further eventuality the P&I will take care of the cost of salvage/ recovery/ spill management etc).

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3. "Seek information from the owners of the vessel to ascertain the course of action being taken by them while the vessel is at sea. In case the owner is able to provide immediate assistance by way of salvors; tug boats; assistance through any other vessel at sea, then the Mormugao Port Authority shall wait for the owner to firstly assist the vessel. In case the owner is unable to assist while the vessel is at sea, then MPA may then further take action to assist the vessel requesting place of refuge in consultation with MAS viz: DG Comm Centre."
4. A vessel will not be allowed to enter the port waters, if any of the following condition, in addition to the above is applicable or due:
 - a. The crew has abandoned the vessel or have activated distress alarm and rescue operation is likely or the situation at the vessel is such that crew may abandon the vessel or expected to abandon the vessel in the interest of their safety.
 - b. Breach of hull and water ingress reported from hull to the cargo hold.
 - c. Vessel has been impacted with severe fire accident.
 - d. Age of the vessel is more than prescribed limits specified under Rule 4 of the Port Entry Rules -2012 (oil and chemical tankers - 20 years; General Cargo, Bulkers, OSV, Passenger vessels - 25 years; LNG/LPG – 30 years).
 - e. The vessel which is likely to be derelict or give convincing apprehension that the owner/ master may abandon, considering the reputation of the owner/ shipping company, or inconsistency of information received from various sources.
 - f. Vessel threatening the dire safety of the ecological flora and fauna of the coastal area under the jurisdiction of the port.
 - g. Vessel which has maliciously approached the MPA instead of any other nearby port during the normal course of its voyage.
5. While deciding on the question of allowing or disallowing entry of such vessel into port to address any call to save life and property, it should clearly be differentiated that at sea the only obligation is to save life and not the property (covered by insurance). For saving life at sea, appropriate agency is Indian Coast Guard with 24x7 functional and designated Maritime Rescue Coordination Centre (MRCC), however, any help for Search and

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Rescue Operation requested by Coast Guard and available with MPA can be extended. Similarly, responsibility to protect the environment lies with every stakeholder including the vessel and the port and all necessary help and efforts must also be taken to do so. However, the comparative impact of any environmental incident at sea vs at coast / port, if can't be prevented, must be analyzed while deciding to dispose the request of such vessel seeking to enter the port for berth or anchorage.

6. Help/ assistance for prevention of human casualty/ SAR assistance /firefighting etc.to the extent possible, shall be provided within shortest possible time by assessing the situation based on first available information on “as is where is basis”, without bringing the vessel into the port waters.
7. HM & DC of MPA independently and quickly assess the situation arising out of refusal of permission and /or possibility of rectification of the damage/ repair, providing help to abate the adversities, if permitted to enter the port waters. Accordingly, MPA shall convey its decision about allowing to enter to the port premises or not allow the vessel to enter the port premises, quickly to the Master of the vessel, DGCOM Centre, DG (Shipping), Principle Officer of Mercantile & Marine Department, CGHQ and Regional Coast Guard Head quarter, and all other party concerned including District Magistrate, etc.
8. However, in case of Indian vessel, the Master of the Ship may be advised to get help from Ship Emergency Response Service (ERS) of IRS or relevant classification society and feedback of ERS shall be provided to the MPA as well which will help in deciding the further course of action.
9. In case the vessel is in coastal waters near to the outer boundary of the port limit, Principal Officer, MMD/ or DG (Shipping) be informed to issue notices under section 356 J and 356 K of Merchant Shipping Act to the said vessel and take further necessary action.
10. The decision of MPA taken in the larger public interest to protect port property, environmental damage, prevention of causality, shall be final and binding on the vessel and all party concerned.

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Case type – II: Due to underlying cause/ compulsion a derelict vessel has entered port waters:

11. In rare event of drifting of an abandoned/ unmanned vessel/ derelict vessel and entering into legal boundary of the MPA, or where a derelict vessel is required to be taken to shelter because of underlying cause which otherwise may be more harmful. In such circumstances the port may be required to undertake salvage activities, to protect the environment and subsequent damage to port infrastructure/ operation/ or to other vessels in port waters. However, such salvage activity (removal of cargo& fuel) can be taken-up only with prior approval / direction of the Central Govt/ MoPSW, as cost of salvage operation may be very high and may not be recoverable by sale proceeds of the vessel and cargo together that in turn will create liability on the port.
12. In those cases, such derelict vessel should be treated as wreck (if grounded/ sunk/ stuck etc), and should be notified by wreck receiver (Deputy Conservator, MPA, as per SO-112 dated 7.1.2014 – Delegation of wreck receiving authority) following procedures specified under rule 7 of The Merchant Shipping (Wrecks and Salvage) Rules, 1974.
13. Such wreck shall be disposed off (sold) by the MPA under Rule 14 of the Wreck and Salvage Rules, 1974 following due procedures of notice and obtaining prior approval of the central Govt. (Ministry of Ports, Shipping and Waterways), within reasonable period of time, so that further damage to port environment and adjoining coastal environment can be prevented.
14. A vessel, as described under para 10 above, if does not qualify as wreck and nature, quantity of cargo or /and bunker poses risk to port environment and surroundings, the MPA may first inform DG (Shipping), DGCOMM Centre, MoPSW, local MMD Surveyor/ Principal Officer (MMD) etc. about the incident, while ensuring precautionary steps are in place. And request MoPSW to form a Joint Task Group of technical experts to advice further course of action which may be required to prevent any mishap/ prevent collateral damage. Dy. Conservator, MPA with concurrence of the Chairperson, MPA may suggest composition of the proposed task group to MoPSW. However, until such task

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group constituted and made effective, Dy. Conservator/Harbour Master, MPA will assess the nature of urgency and decide about possible immediate technical steps required to bring the situation under control and minimize the damage. Under this emergency condition, technical / administrative decision taken by the port officials shall be protected from investigative scrutiny and shall be treated as steps taken in good faith to protect the interest of the port, local environment and public at large.

Case type – III: A vessel become incapacitated / unseaworthy while inside port.

Following preventive SOP is applicable for vessel/ vessels that has entered MPA in compliance with Port Entry Rules, but MPA/MMD/Court apprehend eventuality due to deteriorating condition of the vessel because of any underlying reason such as non-performance of the owner/ charterer/agent or court case/ prolonged stay for operational reasons/ bad weather etc.

1. Port shall have a tab on validity of the P&I Insurance, Hull & Machinery Insurance, Class certificate, radio/communication license etc. and shall initiate action to inform Insurer about the danger, required actions and recovery etc, at least 30 days in advance of date of expiry of the respective insurance.
2. Status of all vessels shall be taken at weekly interval to ensure continuity of information collection and enabling port to take preventive actions, in case of anticipated breach.
3. It is necessary that general conditionality of the insurance to accept claims must be checked while deciding validity of the insurance period. As in most cases insurance remains valid of the period but due to default / breach of the general applicable condition of the insurance, the insurance agencies/ P&I clubs refuses to accept the claim.
4. If the vessel is lying in the port due to any problem in clearing cargo/ ballast/ bunker etc. because of statutory clearances, the Deputy Conservator, MPA shall bring it to the notice of concerned regulatory authority informing gravity of the situation and repercussion of the delay in removing vessel from the port. If needed, Ministry of Ports, Shipping and Waterways shall also be apprised to draw their intervention.

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5. Port will make all efforts to get the vessel out during the validity period of the P&I cover and issue notices to this effect to the master.
6. If the owner / master of the vessel does not respond positively/ proactively to the notices issued to the vessel under Indian Port Act, the Port shall inform DGCOMM, DG (Shipping), Principle Officer, MMD about situation of the vessel to issue notices under section 356 (J)& (K) of the M S ACT. Deputy Conservator, MPA may take any action as appropriate to ensure safety of the vessel and to protect ecology and environment. Any cost incurred in such effort shall be recoverable from the Owner of the vessel, including auctioning of the vessel and/or, other associated assets of the owner to recover the cost incurred by the port as per Indian Port Act and M S Act.
7. In case the involved vessel happen to be foreign flagged with foreign owner, the port may start action at least two months in advance and inform its claim to the P&I Club /insurer directly and also request DG (Shipping) to write to the P&I Club/insurance company to bear the cost.
8. Port shall invoke provisions of Section 10 or 14 (as the case may be) of the Indian Port Act to issue notices for creating public nuisance and affecting the navigation.
9. It would be necessary to consider entire port area as navigable area, because within port limit any port activity can happen anywhere and suitable vessel can be taken to any suitable place for desired action.
10. In situations where, the concerned vessel is involved in litigation, the Deputy Conservator, MPA shall seek legal opinion i.e., if there is any impediment to carryout sale or auction of the vessel, before proceeding with legal action/auction etc. And, if so, the concerned court may be apprised about the deteriorating condition of the vessel and possible repercussion of keeping the vessel in water and request permission for safe grounding/ auction and depositing the amount with the court.

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11. Deputy Conservator, MPA shall emphasis continuous monitoring of the vessel and take following actions through Master/ shipping agent/ owner for the vessel that entered with all valid documents /following rules but became unseaworthy / incapacitated due to any situation developed while vessel was inside port.
- a. Ensure that mooring ropes and anchor mechanism is adequate.
 - b. Issue notice to Master, Owner, Insurer, P&I Club to start salvage operation to remove the vessel from the port.
 - c. Study G A Plan/ tankage details, hull and survey status and chalk out plan of action.
 - d. Remove Bunker/fuel and HSD and keep bare minimum fuel for DG operation and to start engine, if engine okay.
 - e. Remove Lube oil, oily bilge and other hazardous material/ cargo from the ship.
 - f. In case of tankers, get all tanks checked for any explosive vapour and flammable material on board. If any of the cargo tank shows any indication of flammable vapour mixture or explosive mixture, owner will arrange for nitrogen purging and/ or make it escape to atmosphere to minimize chances of fire and explosion.
 - g. Direct the master of the vessel to report its condition every six hourly interval to the VTMS and to inform any abnormality immediately to the Harbour Master / Dy. Conservator.
 - h. Keep communications open with the master of the vessel so that he feels confident and share the correct information about the vessel.
 - i. If the Class survey expired / suspended get the vessel examined by the IRS Surveyor to ensure water integrity and if any doubt, place the vessel at appropriate place near beach/ shore where it can be grounded within minimum time.
 - j. If because of any reason the vessel become unmanned, keep it at berth and take action to auction the vessel “on as is where is basis”, so that further problems/ nuisance to the port and public at large can be avoided. But if it is risky to keep the same at berth because of poor state of water integrity, the vessel to be beached without any hesitation or reservations.

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- k. Endeavour should be to keep the vessel afloat or grounded (as second option), so that better scrap value can be claimed on auction, if everything fails.
- l. Even after making all efforts, due to uncontrollable circumstances/ accidents, if a vessel gets grounded /sunk in port waters with hazardous (toxics/ explosives) materials on board, and the nature of hazard is such that requires removal / neutralization etc, help of experts/ solvers may be taken to remove the hazardous cargo or neutralise the toxicity of the ill fated cargo.
- m. Keep record of expenditures incurred by MPA towards services provided to the vessel for claiming it from the owner/ insurer or from sale proceeds of the vessels, if required.

Case Type IV: Foreign Flagged vessel carrying armed personnel

- a. A vessel not destined for MPA and is lawfully present in nearby waters requesting a place of refuge to enter into port seeking shelter and/ or assistance.
- b. The MPA will acquire the First Information Report on the status of the emergency;
- c. The MPA will inform the Indian Coast Guard, Indian Navy, Ministry of External Affairs, Directorate General of Shipping and seek assistance on action to be taken under the present circumstances.
- d. The decision of the MPA will be taken in the interest of self and the state under the guidance of the Directorate General of Shipping.”

Appendix:

Appendix I - DG shipping guidelines Standard Operating Procedure (SOP) to handle Marine Casualty published in 2021.

Appendix II - Full section of the applicable statutes/rules/guidelines.

Disclaimer:

The above SOP formulated October 2024 is intended to be used by MPA as a guiding tool only and shall no way interfere / supersede / contradict with any of the existing Acts, Rules and Regulations in force.

Appendix -1

Standard Operating Procedure during Marine Casualty

1. Flow of Information with Directorate General of Shipping during Marine Casualty

The Initial information of the casualty on or around the coast of India or to any Indian Flagged vessel wherever it may be will be notified by the ship or ships involved in the casualty, Ship Manager/Owner or the Deputy conservator or Harbour Master of the Port where the incident occurred or any other verified source of information of the casualty or local MMD. The information of the Marine casualty received by any of the above parties is relayed to the DG Communication Centre (DGCOMM Centre).

The duty of the DGCOMM centre is to relay this information in the fastest possible means (preferably by telephone) followed by an email to the DYNA and NS in charge of Marine Casualties at DGS, the nearest Indian Coast Guard Maritime Rescue and Co-ordination Centre (MRCC), Nautical Advisor (NA) and Additional DG.

The DYNA , Nautical Surveyor (in-charge of casualty investigation), Nautical Advisor (NA) and Additional DG in the absence of DyNA and NS on receipt of such information will relay this information to the Principal Officer (P.O) and Surveyor in-charge (SIC) of the nearest MMD to the place of Casualty and appoint an officer to do a Preliminary Inquiry.

If there is an involvement of a ship registered with another member state, the DYNA and Nautical Surveyor (in-charge of casualty investigation), Nautical Advisor (NA) and Additional DG in the absence of DyNA and NS on receipt of such information will relay this information to the Other Flag State involved, as it is a substantially interested party and has the right to conduct an independent preliminary inquiry as per the IMOs Casualty Investigation Code.

The Nautical Advisor (NA) and Additional DG will order the formation of a Crisis Management Team which will be headed by Additional DG. The Crisis Management Team which will comprise of NA, CS, CSS, DDG (Admin) one member from IRS or other RO whose classed vessel is involved in the casualty or any other member as deemed necessary by Director General of Shipping (DG).

The Crisis Management team will monitor the overall progress in the casualty response and report to the Director General of Shipping (DG) at important points preferably on a daily basis and at a lesser interval in case specially requested by the DG. The Nautical Advisor (NA) and Additional DG will have the responsibility for sending out the Information in consultation with the Director general of Shipping to the Ministry of Shipping, Indian Coast Guard (ICG), MRCC, Salvage Response teams, Port Authorities, Ship Owner/Charterer P&I Correspondent, Oil Companies and Ministry of Petroleum and Natural Gas (MPNGB) and other State agencies involved in the casualty.

The Nautical Advisor and Additional DG will co-ordinate on the progress of the casualty with Ministry of Shipping, Indian Coast Guard (ICG), MRCC, Salvage Response teams, Port Authorities, Ship Owner/Charterer P&I Correspondent, Oil Companies and Ministry of Petroleum and Natural Gas (MPNGB) and other State agencies like Collectors office and Local Disaster Management Units involved in the casualty and assisting the Ships involved.

The Local MMD Principal Officer (P.O.) will verify any casualty information received and will carry out the inspection of the vessel on site, and will inform the progress of events and other rescue operations at the site of the casualty to the DGCOM centre, NA, Additional DG and Director General of Shipping (DG).

Please Refer to Annex1 (attached) for the Flowchart for Information Flow during with Directorate General of Shipping in case of Marine Casualty.

2. Division of Responsibilities during Marine Casualty within DGS:

DGCOMM CENTRE:

The DGCOM centre is a 24X7 manned DG communication centre details as in **Annex-2 List of contacts in case of Marine Casualty.**

Reporting to: Nautical Surveyor In-charge of Marine Casualty, in his absence to DYNA. DGCOMM Centre responsibilities during a Marine Casualty are:

- To relay/Communicate by the fastest possible means the details of the casualty to NS In-charge of Marine Casualty and in his absence to DYNA, Nautical Advisor (NA) and Additional DG and also forward the information to their official and private email IDs, Telephone numbers, whatsapp numbers.
- To forward the Copy of the Blank First Report of Marine Casualty, Incident (**Annexure-I**) to the Ships Owner, Manager, Agent, Master or Other concerned advising them to fill up the form and email to the DG COMM centre on their email ID (dgcommcentre-dgs@nic.in).
- To notify the nearest Indian Coast Guard Maritime Rescue and Co-ordination Centre (MRCC) in case of Marine Casualty reported in Indian coast (Indian or Foreign Flag Ship) or any Ship reporting Distress situations/Oil/chemical Pollution within the Indian Search and Rescue Region.
- To act as a contact source of Information for further regular updates to the NA, Addl. DG, DYNA and NS In-charge of Marine Casualty and also keep the contact with the MRCC for regular updates to the DGS.
- DGCOMM centre will receive the regular updates and information on the progress at the scene of casualty from the Local MMD /SIC.

Nautical Surveyor (NS) In-charge of Marine Casualties:

In his absence the duties and responsibilities will be handled by DYNA

Reporting to: Crisis Management Team, Nautical Advisor (NA) and Additional DG. Their responsibility is:

- To disseminate the information of the incident to all the key members of the DGS forming a part of the crisis management team (NA, CS, CSS, Additional DG, DG, DDG (Crew), IRS member).
- To issue a letter by email to the concerned Local MMD Principal Officer P.O where the incident or casualty has occurred and also nominate a suitable officer or team of officers from MMD /DGS to conduct the Preliminary Inquiry (PI) and undertake the casualty investigation forthwith.
- To issue a letter to the concerned Flag state or states whose ship/ships are involved in the casualty (in case of foreign Ship involved in the casualty) or any other entity that may be considered as a substantially interested party, inviting them to participate in the Casualty Investigation as substantially interested state as per IMOs Casualty Investigation code.
- To nominate a suitable Officer from MMD/DGS for conduct of casualty investigation and also inform the Indian Consular Officer for any assistance, if any casualty has occurred on an Indian Ship in foreign waters then a letter has to be issued to the concerned Foreign Coastal or Port state administration informing our intent to participate as a substantially interested state in any casualty investigation being carried by them as a lead country.
- To act as a contact source of Information for further regular updates to the Crisis Management Team and also keep the contact with the Local MMD Principal Officer and other agencies for regular updates to the DGS.

In case of Grounding/ Stranding/ Collision additionally following to be done:

- To Mobilize **Emergency Towing Vessel (ETV)** in case company is not able to arrange Salvage (if required).
- To instruct DGCOMM centre to Issue Navigational warnings about the site of Wreck due to grounding / Stranding/Collision to other ships approaching the Port.
- To co-ordinate with Port Authorities, DGLL and other agencies.
- To Co-ordinate with R.O for assessing the structural integrity, strength and stability of the vessel/s involved.

In case Of Oil/ Chemical pollution additionally following to be done:

- To issue Notice to the Ships involved in the casualty as per the provisions of the M.S Act.(section 356J)
- In case of Oil/Chemical pollution invoking relevant provisions of the Merchant Shipping Act 1958 in case the polluting ship fails to take action as required by the act to prevent or minimize pollution.(section 356K).

- Co-ordinate with Ship Owners to arrange vessels for transfer of Oil/Chemical if required.
- Reporting of Oil/Chemical spill Incidents to the Flag state of the Ship and the neighbouring coastal State which is likely to get affected by the pollution.
- To Advise Indian Coast Guard/MRCC on Pollution related matters under the provisions of the Merchant Shipping Act 1958 whenever required.
- To take Administrative and Legal action for processing the Claims against damages/cost incurred by Coast Guard, Persons, Ports, State Governments and other agencies relating to any oil/Chemical Pollution incidents.
- Advise concerned agencies to collect the evidences for the purpose of claims against the Polluting ships.
- In case of Oil/Chemical pollution during the marine casualty to advise concerned affected ports or other entities
 - (i) To deal with the evidences for the purpose of raising claims on account of damages caused by the pollution and initiating legal action against the Polluter.
 - (ii) To Mitigate the Pollution and its effects.
 - (iii) To Inform inter governmental agencies such as IOPC fund etc.

In case of Flooding or Breach of Hull additionally following to be done:

- To deploy Salvage vessels to assist the vessel to take it to a safe Place of Refuge in case company is not able to arrange salvage.
- To inform vessel crew to check the cargo Holds/tanks for water leaks and inform these figures from Ship on an hourly basis to Crisis Management Team.
- To instruct DGCOMM centre to Issue Navigational warnings about the site of casualty due to Vessel Engine Room Flooding or Breach of Hull to other ships approaching the Port.
- To Co-ordinate with R.O for assessing the structural integrity, strength and stability of the vessel/s involved.

In Case of Fire On-board:

- To instruct other vessels having Fi-Fi Systems to assist the vessel to Fight Fire onboard.
- To inform the vessel crew to ascertain whether the fire has been extinguished and hourly reporting to be made to the Crisis Management Team.
- To instruct DGCOMM centre to Issue Navigational warnings about the site of casualty.

In Case of Death onboard or Man over-board:

- To instruct DDG (Crew) to issue a letter to the concerned MMD Principal officer to depute a suitable officer or Shipping Master to conduct an enquiry in accordance with section 452 of the MS Act 1958 as amended.
- To instruct DDG (Crew) to issue a letter to the concerned Flag State administration to conduct a

casualty investigation as per their National Laws, if the death of an Indian National has happened outside our Jurisdiction (on a foreign ship or foreign Port).

- To Issue a Letter for conducting a fact- finding Inquiry to the concerned Indian Consular Officer at Indian Embassy/Mission at the next port of call of the vessel, in cases where the accident has taken place on the high seas and preliminary inquiry has not been ordered.
- To Instruct the DDG (crew) to liaise with the Recruitment and Placement agencies (RPSL) to get regular updates of the incident and help in informing Next of Kin.

Nautical Advisor (NA):

In his absence the duties and responsibilities will be handled by Additional DG.

Report To: **Director General Of Shipping (DG)**

Their responsibility is:

- To Order the formation of Crisis Management Team at DGS.
- To disseminate the information of the incident to all the key members of the DGS forming a part of the crisis management team (NA, CS, CSS, Additional DG, DG, DDG (Crew), IRS member).
- To ensure that a letter has been issued by DyNA or NS by email to the concerned Local MMD Principal Officer P.O where the incident or casualty has occurred and nominate a suitable officer or team of officers from MMD/DGS to conduct the Preliminary Inquiry (PI) and undertake the casualty investigation forthwith.
- To ensure that a letter has been issued by DyNA or NS to the concerned Flag state or states whose ship/ships are involved in the casualty (in case of foreign Ship involved in the casualty) or any other entity that may be considered as a substantially interested party, inviting them to participate in the Casualty Investigation as substantially interested state as per IMOs Casualty Investigation code.
- To ensure that a letter has been issued by DyNA or NS to the concerned Foreign Coastal or Port state administration informing our intent to participate as a substantially interested state in any casualty investigation being carried by them as a lead country.
- To ensure that the DyNA or NS have nominated a suitable Officer from MMD or DGS for conduct of casualty investigation and inform the Indian Consular Officer for any assistance if required, if any casualty has occurred on an Indian Ship in foreign waters then a letter has to be issued
- To Act as a contact source of Information for further regular updates to the Crisis Management Team and also keep the contact with the Local MMD Principal Officer and other agencies for regular updates to the DGS.
- To monitor the regular updates from various agencies involved in the Crisis Management Team and advise if any required to them.
- To receive information and regular updates from the concerned Local MMD Principal Officer (P.O) where the casualty has occurred.
- To advise the Crisis management Team on Matters of reporting to Ministry of Shipping and Media.

- To update the DG on technical Matters involving the Maritime Casualty.

In case of Grounding/ Stranding/ Collision additionally following to be done:

- To ensure mobilization of **Emergency Towing Vessel (ETV)** in case company is not able to arrange Salvage (if required).
- To ensure that the DyNA or NS have instructed the DGCOMM centre to Issue Navigational warnings about the site of Wreck due to grounding/ Stranding/ Collision to other ships approaching the Port.
- To ensure co-ordination with Port Authorities, DGLL and other agencies have been made by the DyNA or NS.
- To ensure that DyNa or NS have co-ordinated with R.O for assessing the structural integrity, strength and stability of the vessel/s involved.

In case Of Oil/ Chemical pollution additionally following to be done:

- To ensure that DyNA or NS have issued Notice to the Ships involved in the casualty as per the provisions of the M.S Act.(section 356J)
- To ensure that in case of Oil/Chemical pollution DyNA or NS have invoked the relevant provisions of the Merchant Shipping Act 1958, in case the polluting ship fails to take action as required by the act to prevent or minimize pollution.(section 356K).
- To ensure that DyNA or NS have co-ordinated with Ship Owners to arrange vessels for transfer of Oil/Chemical if required.
- To ensure that DyNA or NS have reported about the Oil/Chemical spill Incidents to the Flag state of the Ship or the neighbouring coastal State which is likely to get affected by the pollution.
- To ensure that DyNA or NS have advised the Indian Coast Guard/MRCC on Pollution related matters under the provisions of the Merchant Shipping Act 1958 whenever required.
- To ensure that DyNA or NS have Administrative and Legal action for processing the Claims against damages/ cost incurred by Coast Guard, Persons, Ports, State Governments and other agencies relating to any oil/Chemical Pollution incidents.
- To ensure that DyNA or NS have advised concerned agencies to collect the evidences for the purpose of claims against the Polluting ships.
- To ensure that DyNA or NS in case of Oil/ Chemical pollution during the marine casualty have advised concerned affected ports or other entities to deal with the evidences for the purpose of raising claims on account of damages caused by the pollution and initiating legal action against the Polluter.

In case of Flooding or Breach of Hull additionally following to be done:

- To ensure that DyNA or NS have deployed salvage vessels to assist the vessel to take it to a safe Place of Refuge in case company is not able to arrange salvage.
- To ensure that DyNA or NS have informed vessel crew to check the cargo Holds/ tanks for water leaks and inform these figures from Ship on an hourly basis to Crisis Management Team.
- To ensure that DyNA or NS have instructed DGCOMM centre to Issue Navigational warnings about the site of casualty due to Vessel Engine Room Flooding or Breach of Hull to other ships approaching the

Port.

- To ensure that Co-ordination is established with R.O for assessing the structural integrity, strength and stability of the vessel/s involved.

In Case of Fire Onboard:

- To ensure that DyNA or NS have instructed other vessels having Fi-Fi Systems to assist the vessel to fight fire onboard.
- To ensure that DyNA or NS have informed the vessel crew to ascertain whether the fire has been extinguished and hourly reporting to be made to the Crisis Management Team.
- To ensure that DyNA or NS have instructed DGCOMM centre to Issue Navigational warnings about the site of casualty.

In Case of Death onboard or Man overboard:

- To ensure that DyNA or NS to instruct DDG (Crew) to issue a letter to the concerned MMD Principal officer to depute a suitable officer or Shipping Master to conduct an enquiry in accordance with section 452 of the MS Act 1958 as amended.
- To ensure that DyNA or NS have issued a letter to the concerned Flag State administration to conduct a casualty investigation as per their National Laws, if the death of an Indian National has happened outside our Jurisdiction (on a foreign ship or foreign Port), then Instruct DDG (Crew).
- To ensure that DyNA or NS have issued a Letter for conducting a fact- finding inquiry to the concerned Indian Consular Officer at Indian Embassy/ Mission at the next port of call of the vessel, in cases where the accident has taken place on the high seas and preliminary inquiry has not been ordered.
- To ensure that DyNA or NS have instructed the DDG (crew) to liaise with the Recruitment and Placement agencies (RPSL) to get regular updates of the incident and help in informing Next of Kin.

Crisis Management Team:

This is a team formed at DGS on receipt of information of the Marine casualty (Grounding/ Stranding/ Collision/ Death onboard/ Jettisoning of Cargo/ Man Overboard/ Fire onboard/ Flooding / Oil/ Chemical Pollution).

Crisis Management Team is headed by Additional DG and comprises of Nautical Advisor (NA), Chief Surveyor (CS), Chief Ship Surveyor (CSS), DDG (Crew), One Member from IRS, Any other member as deemed necessary by Director General of Shipping (DG).

Reports to : Director General of Shipping (DG).

The responsibility of this team is to:

- To give technical assistance and provide any information as necessary during the Marine Casualty.
- To provide advice relating to the ship safety, structural integrity, Strength and stability of the vessel/s involved in Marine casualties.
- Co-ordinate and Advice regarding the extent of the damages and any necessary steps to prevent further impact to the ship, its crew and the marine environment.
- Coordinating with external agencies for disseminating and receipt of information from these agencies. (Indian Coast Guard MRCC, Salvage Teams, Port Authorities, State Agencies like Collectors office and Local Disaster Management Units)
- Giving regular updates and receive any instructions to the Director General of Shipping (DG).
- Co-ordinating and giving updates to the Ministry under the directions of Director General of Shipping.
- To interact with Media and give proper Media releases in case of casualty.

Local MMD Principal Officer (P.O):

Reports to: Crisis Management Team

The responsibilities of the concerned Local MMD Principal Officer (P.O) are to:

- Inform DGCOMM Centre details of any casualty received in their jurisdiction.
- Verify the information of casualty and do a preliminary inspection of vessel site irrespective of the information received on the nature and extent of damage received.
- Liaise to the DYNA or NS in-charge of Marine casualty and to the Crisis Management team formed at the DGS.
- To Advise the Indian Coast Guard MRCC on pollution related matters under the provisions of the Merchant Shipping Act in consultation with the DGS/Crisis Management Team.
- Depute a casualty Investigation team or if specifically appointed by DGS, supervise the officers to undertake the casualty investigation.
- To Co-ordinate with other state authorities like Collectors office and Local Disaster Management Units, if required.
- Act as a contact source of Information for further regular updates to the Crisis Management Team and also send information of the progress of the casualty incident to DYNA/ NS In- charge of the Marine casualties DGCOMM Centre, NA/ Additional DG/ Director General of Shipping (DG) with the Local MMD Principal Officer (P.O) for regular updates to the DGS.

CLASSIFICATION OF A CASUALTY/ INCIDENT:

<u>Type</u>	<u>Resulting</u>	<u>Casualty Classification</u>
<p>Fire/Explosion OR</p> <p>Collision/contact OR</p> <p>Heavy weather damage /ice damage, OR</p> <p>Stranding/Grounding OR</p> <p>Foundering OR</p> <p>Capsizing/ Listing/ Shifting of Cargo/ Cargo Overboard OR</p> <p>Loss of Control OR</p> <p>Hull cracking, or suspected hull defect</p>	<ul style="list-style-type: none"> - The total loss of the ship or - A death or - Severe damage to the environment. - Blocking navigational channels. - Floating of cargo leading to Navigational hazard. 	<p>Very serious casualty</p> <p>Crisis Management team to be called immediately.</p>
<p>Fire/Explosion OR Collision/contact OR</p> <p>Heavy weather damage/ Ice damage, OR</p> <p>Stranding/Grounding OR</p> <p>Foundering OR</p> <p>Capsizing/ Listing/ Shifting of Cargo/ Cargo Overboard OR</p> <p>Loss of Control OR</p> <p>Hull cracking, or suspected hull defect</p>	<ul style="list-style-type: none"> - Immobilization of main engines, or - Extensive accommodation damage or - Severe structural damage, such as penetration of the hull underwater, etc., rendering the ship unfit to proceed, or - Pollution (regardless of quantity); or - A breakdown necessitating towage or shore assistance. 	<p>Serious casualty</p> <p>Nautical Advisor can assess the situation and take a call on mobilizing the Crisis Management team</p>

Definitions:

1. **Foundering** is defined as, 'Sinking due to rough weather, leaks, breaking in two etc, but not due to other categories such as collision [and so on]'.
Foundering is considered when the vessel has sunk. Foundering should only be regarded as the first casualty event if we do not know the details of the flooding which caused the vessel to founder. In the chain of events foundering can be the last casualty event in this case there is the need to add accidental events.
2. **Flooding:** Flooding refers to a casualty when a vessel takes water on board and can be:- Progressive if the water flow is gradual
Massive if the water flow is extensive
3. **Stranding/Grounding**, a moving navigating ship, either under command, under power, or not under command, drifting, striking the sea bottom, shore or underwater wrecks.
4. **Collision**- a casualty caused by ships striking or being struck by another ship, regardless of whether the ships are underway, anchored or moored. This type of casualty event does not include ships striking underwater wrecks. The collision can be with other ship or with multiple ships or ship not underway.
5. **Contact** - a casualty caused by ships striking or being struck by an external object. The objects can be: floating object (cargo, ice, other or unknown) ;fixed object, but not the sea bottom; or flying object.
6. **Capsizing/Listing** : is a casualty where the ship no longer floats in the right side-up mode due to: negative initial stability (negative meta-centric height), or transversal shift of the centre of gravity, or the impact of external forces.
Capsizing : when the ship is tipped over until disabled;
Listing : when the ship has a permanent heel or angle of roll.
7. **Fire/explosion:** an uncontrolled ignition of flammable chemicals and other materials on board of a ship:
Fire is the uncontrolled process of combustion characterized by heat or smoke or flame or any combination of these.
Explosion is an uncontrolled release of energy which causes a pressure discontinuity or blast wave.
8. **Hull failure:** Consists of a failure affecting the general structural strength of the ship.
9. **Loss of control:** a total or temporary loss of the ability to operate or maneuver the ship.
10. **Shipping casualty**—
 - (1) For the purpose of investigations and inquiries under this Part, a shipping casualty shall be deemed to occur when—
 - (a) On or near the coasts of India, any ship is lost, abandoned, stranded or materially damaged;
 - (b) On or near the coasts of India, any ship causes loss or material damage to any other ship;
 - (c) Any loss of life ensues by reason of any casualty happening to or on board any ship on or near the coasts of India;

(d) In any place, any such loss, abandonment, stranding, material damage or casualty as above mentioned occurs to or on board any Indian ship, and any competent witness thereof is found in India;

(e) Any Indian ship is lost or is supposed to have been lost, and any evidence is obtainable in India as to the circumstances under which she proceeded to sea or was last heard of.

2) In the cases mentioned in clauses (a), (b) and (c) of sub-section (1), the master, pilot, harbour master or other person in charge of the ship, or (where two ships are concerned) in charge of each ship at the time of the shipping casualty, and in the cases mentioned in clause (d) of sub-section (1), where the master of the ship concerned or (except in the case of a loss) where the ship concerned proceeds to any place in India from the place where the shipping casualty has occurred, the master of the ship, shall, on arriving in India, give immediate notice of the shipping casualty to the officer appointed in this behalf by the Central Government.

APPEDIX II

APPLICABLE LAWS/ REGULATIONS/ RULES

Sec 358 Merchant Shipping Act 1958

Shipping casualties and report thereof. –

(1) For the purpose of investigations and inquiries under this Part, a shipping casualty shall be deemed to occur when-

- (a) on or near the coasts of India, any ship is lost, abandoned, stranded or materially damaged;
- (b) on or near the coasts of India, any ship causes loss or material damage to any other ship;
- (c) any loss of life ensues by reason of any casualty happening to or on board any ship on or near the coasts of India;
- (d) in any place, any such loss, abandonment, stranding, material damage or casualty as above mentioned occurs to or on board any Indian ship, and any competent witness thereof is found in India;
- (e) any Indian ship is lost or is supposed to have been lost and any evidence is obtainable in India as to the circumstances under which she proceeded to sea or was last heard of.

2. Major Port Authorities Act, 2021

Relevant Sections of the act are Section 26 & Section 65. While Section 26 empowers the Port Authority to make rules and regulations governing the port activities, Section 65 excuses the board or any member from the threat of any suit against them. Powers of Board in respect of planning and development.

26. (1) For the purposes of planning and development of the Major Port, the Board in relation to that Major Port shall have the power to make regulations, not inconsistent with the Customs Act, 1962 or any rules made there under, to—

(a) undertake, execute and perform such works and provide such services at or within the port limits and Major Port approaches on such terms and conditions as it may deem necessary or expedient;

.....

(e) order, in case of emergency or for any other reason, the master or owner or agent of any sea-going vessel, not to bring any vessel alongside of, or to remove such vessel from, any dock, berth, wharf, quay, stage, jetty or pier belonging to or under the control of the Board;

.....

Section 65: Protection of action taken in good faith.

65. No suit or other legal proceeding shall lie against the Board or any Member or employee thereof or the Adjudicatory Board or the Presiding Officer or any member or employee thereof in respect of anything which is in good faith done or intended to be done under this Act or any rule or regulation made there under, or for any deficiency of service or any consequential losses on account of deficiency in services.

3. International Maritime Organisation, Guidelines on Place of Refuge for Ships in Need of Assistance, Resolution A.949

Under this resolution IMO has provided guidelines for Action Required of Masters and/or Salvors of Ships in Need of a Place Of Refuge. The guidelines are based on the following considerations:

Appraisal of the situation

2.1 The master should, where necessary with the assistance of the company and/or the salvor, identify the reasons for his/her ships need of assistance. (Refer to paragraph 1 of Appendix 2.)

Identification of hazards and assessment of associated risks

2.2 Having made the appraisal referred to in paragraph 2.1 above, the master, where necessary with the assistance of the company and/or the salvor, should estimate the consequences of the potential casualty, in the following hypothetical situations, taking into account both the casualty assessment factors in their possession and also the cargo and bunkers on board:

- if the ship remains in the same position;
- if the ship continues on its voyage;
- if the ship reaches a place of refuge; or
- if the ship is taken out to sea.

Identification of the required actions

2.3 The master and/or the salvor should identify the assistance they require from the coastal State in order to overcome the inherent danger of the situation. (Refer to paragraph 3 of Appendix 2.)

Contacting the authority of the coastal State

2.4 The master and/or the salvor should make contact with the coastal State in order to transmit to it the particulars referred to in paragraphs 2.1 to 2.3 above. They must in any case transmit to the coastal State the particulars required under the international conventions in force. Such contact should be made through the coastal State's Maritime Assistance Service (MAS), as referred to in resolution A.950(23).

Establishment of responsibilities and communications with all parties involved

2.5 The master and/or the salvor should notify the MAS of the actions that are intended to be taken and within what period of time.

2.6 The MAS should notify the master and/or the salvor of the facilities that it can make available with a view to assistance or admittance of the ship to a place of refuge, if required.

Response actions

2.7 Subject, where necessary, to the coastal State's prior consent, the shipmaster and the shipping company concerned should take any necessary response actions, such as signing a salvage or towage agreement or the provision of any other service for the purpose of dealing with the ship's situation.

2.8 The master, the company and, where applicable, the salvor of the ship should comply with the practical requirements resulting from the coastal State's decision-making process referred to in paragraphs 3.12 to 3.14.

Reporting procedures

2.9 The reporting procedures should be in accordance with the procedures laid down in the safety management system of the ship concerned under the ISM Code or resolution A.852(20) on Guidelines for a structure of an integrated system of contingency planning for shipboard emergencies, as appropriate.

3. Guidelines for Actions Expected of Coastal States

3.1 Under international law, a coastal State may require the ship's master or company to take appropriate action within a prescribed time limit with a view to halting a threat of danger. In cases of failure or urgency, the coastal State can exercise its authority in taking responsive action appropriate to the threat.

3.2 It is therefore important that coastal States establish procedures to address these issues, even if no established damage and/or pollution has occurred.

3.3 Coastal States should, in particular, establish a Maritime Assistance Service (MAS).

Assessment of places of refuge

Generic assessment and preparatory measures

3.4 It is recommended that coastal States endeavour to establish procedures consistent with these Guidelines by which to receive and act on requests for assistance with a view to authorizing, where appropriate, the use of a suitable place of refuge.

3.5 The maritime authorities (and, where necessary, the port authorities) should, for each place of refuge, make an objective analysis of the advantages and disadvantages of allowing a ship in need of assistance to proceed to a place of refuge, taking into consideration the analysis factors listed in paragraph 2 of Appendix 2.

3.6 The aforementioned analysis, which should take the form of contingency plans, is to be in preparation for the analysis provided for below when an incident occurs.

3.7 The maritime authorities, port authorities, authorities responsible for shoreside safety and generally all governmental authorities concerned should ensure that an appropriate system for information-sharing exists and should establish communications and alert procedures (identification of contact persons, telephone numbers, etc.), as appropriate.

3.8 The aforementioned authorities should plan the modalities for a joint assessment of the situation.

Event-specific assessment

Analysis factors

3.9 This analysis should include the following points:

- seaworthiness of the ship concerned, in particular buoyancy, stability, availability of means of propulsion and power generation, docking ability, etc.;
- nature and condition of cargo, stores, bunkers, in particular hazardous goods;

- distance and estimated transit time to a place of refuge;
- whether the master is still on board;
- the number of other crew and/or salvors and other persons on board and an assessment of human factors, including fatigue;
- the legal authority of the country concerned to require action of the ship in need of assistance;
- whether the ship concerned is insured or not insured;
- if the ship is insured, identification of the insurer, and the limits of liability available;
- agreement by the master and company of the ship to the proposals of the coastal State/salvor to proceed or be brought to a place of refuge;
- provisions of the financial security required;
- commercial salvage contracts already concluded by the master or company of the ship;
- information on the intention of the master and/or salvor;
- designation of a representative of the company at the coastal State concerned;
- risk evaluation factors identified in Appendix 2; and
- any measures already taken.

Expert analysis

3.10 An inspection team designated by the coastal State should board the ship, when appropriate and if time allows, for the purpose of gathering evaluation data. The team should be composed of persons with expertise appropriate to the situation.

3.11 The analysis should include a comparison between the risks involved if the ship remains at sea and the risks that it would pose to the place of refuge and its environment. Such comparison should cover each of the following points:

- safeguarding of human life at sea;
- safety of persons at the place of refuge and its industrial and urban environment (risk of fire or explosion, toxic risk, etc.);
- risk of pollution;
- if the place of refuge is a port, risk of disruption to the port's operation (channels, docks, equipment, other installations);
- evaluation of the consequences if a request for place of refuge is refused, including the possible effect on neighbouring States; and
- due regard should be given, when drawing the analysis, to the preservation of the hull, machinery and cargo of the ship in need of assistance.

After the final analysis has been completed, the maritime authority should ensure that the other authorities concerned are appropriately informed.

Decision-making process for the use of a place of refuge

3.12 When permission to access a place of refuge is requested, there is no obligation for the coastal State to grant it, but the coastal State should weigh all the factors and risks in a balanced manner and give shelter whenever reasonably possible.

3.13 In the light of the outcome of the assessment provided for above, the coastal State should decide to allow or refuse admittance, coupled, where necessary, with practical requirements.

3.14 The action of the coastal State does not prevent the company or its representative from being called upon to take steps with a view to arranging for the ship in need of assistance to proceed to a place of refuge. As a general rule, if the place of refuge is a port, a security in favour of the port will be required to guarantee payment of all expenses which may be incurred in connection with its operations, such as: measures to safeguard the operation, port dues, pilotage, towage, mooring operations, miscellaneous expenses, etc.

3. International Maritime Organisation, Maritime Assistance Services, Resolution A.950

Guidelines On Maritime Assistance Service (MAS)

Introduction

The circumstances of a ship's operation that involve a MAS are not those requiring rescue of persons

Three situations can arise:

- the ship is involved in an incident (e.g., loss of cargo, accidental discharge of oil, etc.) that does not impair its seakeeping ability but nevertheless has to be reported;
- the ship, according to its master's assessment, is in need of assistance but not in a distress situation (about to sink, fire developing, etc.) that requires the rescue of those on board; and
- the ship is found to be in a distress situation and those on board have already been rescued, with the possible exception of those who have remained aboard or have been placed on board to attempt to deal with the ship's situation.

If, however, in an evolving situation, the persons on board find themselves in distress, the involvement of the MRCC and not the MAS will have priority

3 Duties of MASs

3.1 In accordance with the above resolution, the functions of a MAS are the following:

- .1 to receive the reports, consultations and notifications provided for by the relevant IMO instruments in the event of an incident involving a ship;
- .2 to monitor the ship's situation if a report as referred to in .1 discloses an incident that may give rise to a situation where the ship is in need of assistance;
- .3 to serve as the point of contact between the master and the coastal State if the ship's situation requires exchanges of information between the ship and the coastal State other than a distress situation that could lead to a search and rescue operation;

4 to serve as the point of contact between those involved in a marine salvage operation undertaken by private facilities at the request of the company and the coastal State if the coastal State considers that it should monitor the conduct of the operation.

3.2 The establishment of a MAS does not entail any reorganization of governmental or administrative responsibilities or duties since, in accordance with the above resolution, the MAS is only a contact point. It does, however, entail the implementation of procedures and instructions enabling the MAS to forward any given information to the competent organization and requiring the organizations concerned to go through the MAS in order to make contact with the ship.

National instructions should therefore indicate to the organization discharging the MAS functions at a minimum:

- the authority or organization to which it transmits the information obtained from a ship; and
- the authority or organization from which it receives instructions concerning its action and the particulars to be transmitted to the ship.

Nevertheless, as soon as information indicates that the ship's situation might subsequently require a rescue operation, the MRCC if the MAS function is not discharged by it, must be informed so that it can make preparations to respond if necessary.

3.3 The above resolution and the present guidelines would not prevent a government from allocating to its MAS duties other than those referred to above with regard to a ship in need of assistance.

4 Operation of a MAS

4.1 A MAS should be operational on a 24-hour basis.

4.2 It should be possible for the English language to be used in exchanges between a ship in need of assistance and a MAS.

4.3 MASs should be authorized by their respective Governments to exchange with each other information concerning reports received and situations involving ships which may be in need of assistance.

5 Communication facilities

With regard to provisions of communication facilities to MASs, circular COMSAR/Circ.18, entitled "Guidance on minimum communication needs of maritime rescue co-ordination centres (MRCCs)", could be used as a basis.

4. Comité Maritime International, Report on Place of Refugee submitted to the International Maritime Organisation in April 2009

3. Legal obligation to grant access to a place of refuge

(a) Except as provided in Article 3 (b) any competent authority shall permit access to a place of refuge by a ship in need of assistance when requested.

OPTION 1

[(b) The competent authority may deny access to a place of refuge by a ship in need of assistance when requested, following an assessment which on reasonable grounds establishes that the condition of the ship is such that it and/or its cargo is likely to pose a greater risk if permission to enter a place of refuge is granted than if such a request is refused.

(c) The competent authority shall not deny access to a place of refuge by a ship in need of assistance when requested on the grounds that the shipowner fails to provide an insurance certificate, letter of guarantee or other financial security.]

OPTION 2

[(b) Notwithstanding Article 3 (a) a competent authority may, on reasonable grounds, deny access to a place of refuge by a ship in need of assistance when requested, following an assessment and having regard to the following factors:

(i) the issue of whether the condition of the ship is such that it and/or its cargo is likely to pose a greater risk if permission to enter a place of refuge is granted than if such a request is refused, and

(ii) the existence or availability of an insurance certificate, letter of guarantee or other financial security but the absence of an insurance certificate, letter of guarantee or other financial security, as referred to in Article 7, shall not relieve the competent authority from the obligation to carry out the assessment, and is not itself sufficient reason for a competent authority to refuse to grant access to a place of refuge by a ship in distress, and the requesting of such certificate, or letter of guarantee or other financial security shall not lead to a delay in accommodating a ship in need of assistance.]

OPTION 3

[(b) Notwithstanding Article 3 (a) the competent authority may deny access to a place of refuge by a ship in need of assistance when requested :

(i) following an assessment which on reasonable grounds establishes that the condition of the ship is such that it and/or its cargo is likely to pose a greater risk if permission to enter a place of refuge is granted than if such a request is refused or

(ii) on the grounds that the shipowner fails to provide an insurance certificate, or a letter of guarantee or other financial security in respect of such reasonably anticipated liabilities that it has identified in its assessment, but limited in accordance with Article 7.]

(d) If access is denied the competent authority shall use its best endeavours to identify a practical or lower risk alternative to granting access.

(e) The obligations imposed by this Article shall not prevent the competent authority from making any claim for salvage to which it may be entitled.

5. Liability to another State, a third party, the ship owner or salvor where refusal of access is unreasonable

If a competent authority refuses to grant access to a place of refuge to a ship in need of assistance and another State, the ship owner, the salvor, the cargo owner or any other party prove that it or they suffered loss or damage (including, in so far as the salvor is concerned, but not limited to, the salvors inability to complete the salvage operations) by reason of such refusal such competent authority shall be liable to compensate the other State, ship owner, salvor, cargo owner, or any other party, for the loss

or damage occasioned to it or them, unless such competent authority is able to establish that it acted reasonably in refusing access pursuant to Article 3(b).

8. Plans to accommodate ships in need of assistance

States shall draw up plans to accommodate ships in need of assistance in appropriate places under their jurisdiction around their coasts and such plans shall contain the necessary arrangements and procedures to take into account operational and environmental constraints to ensure that ships in need of assistance may immediately go to a place of refuge, subject to authorisation by the competent authority, granted in accordance with Article 3. Such plans shall also contain arrangements for the provision of adequate means and facilities for assistance, salvage and pollution response.

5. European Union Operational Guidelines on Places of Refuge, 01 February 2018

Chapter 1: Roles and Responsibilities of Key Players in relation to a request for a Place of Refuge

1.2. Responsibilities of other involved parties

1.2.6. Port & Harbour Authorities

Depending on circumstances and following the risk assessment a port or harbour may be identified as a potential PoR.

If a port or harbour is identified as a potential PoR for a vessel in need of assistance, the following issues will need to be considered:

- The availability of a suitable Berth, designated Emergency Reception Berth, or otherwise, place to accommodate the vessel.
- The risk to safety and/or human health, particularly if the port or harbour is in close proximity to populated areas.
- Technical considerations of the port's operations (e.g. assessment of the potential risk of lengthy disruption, the vessel blocking or restricting access through navigation channels, damage to infrastructure).
- If the CA responsible at sea changes to the Authority responsible in the port or harbour, the continuity of all operation towards the vessel seeking a place of refuge regarding the vessel / port interface should be maintained without any loss. (Vessel/port Interface regarding waste management, cargo handling, safety and security etc. diverts from service on intact vessels.)

Chapter 3: Places of Refuge Co-ordination

Many times situations leading to a request for a place of refuge involves only one Member State and will be handled by the same State, under their jurisdiction. There may however be situations progressing

into a situation involving neighbouring Member States or Member States in the vicinity of the incident. These Operational Guidelines should complement national plans and apply to situations where it is likely that more than one State may become involved, or where it is outside of the jurisdiction of any one Member State. The principle is that each State involved starts to examine their ability to provide a place of refuge and that, in the interest of resolving the situation, there is direct contact between those CAs involved to decide who is best placed to take the coordinating role.

Chapter 6: Decision Making & Outcomes

6.1.1. Decision to grant a place of refuge

The decision by a State to grant a place of refuge on their territory should be immediately communicated to all parties involved and should include any practical requirements set as a condition of entry.

6.1.2. Decision not to grant a place of refuge

Before taking any decision, the necessary risk assessments and/ or inspection visits should always be completed. Unless deemed unsafe, there should be no rejection without inspection. The State that receives a request to provide a place of refuge cannot refuse for commercial, financial or insurance reasons alone.

Whilst each MS should remain sovereign in their decision, if a CA is unable to accept a request for place of refuge, it should immediately communicate to the other parties involved and to the shipowner/operator the information on which its decision has been made, including any assessment relating to:

- Safety persons on board and threat to public safety on shore;
- Environmental Sensitivities; Lack of availability of suitable resources at desired PoR and concern over structural stability and ability for ship to make successful safe transit to same;
- Prevailing and forecast weather conditions, ie. Lack of sheltered area for proposed works;
- Physical limitations and constraints incl. bathymetry, navigational characteristics;
- Foreseeable consequences escalation, i.e. pollution, fire, toxic and explosion risk;
- Any other reason.

Copies of the Member State's Risk Assessment and/or Inspection Report(s) should also be made available as appropriate.

6. Convention and Statute on the International Regime of Maritime Ports, 1923

Article 8

Each of the Contracting States reserves the power, after giving notice through diplomatic channels, of suspending the benefit of equality of treatment from any vessel of a State which does not effectively apply, in any maritime port situated under its sovereignty or authority, the provisions of this Statute to the vessels of the said Contracting State, their cargoes and passengers.

In the event of action being taken as provided in the preceding paragraph, the State which has taken action and the State against which action is taken, shall both alike have the right of applying to the Permanent Court of International Justice' by an application addressed to the Registrar ; and the Court shall settle the matter in accordance with the rules of summary procedure.

Every Contracting State shall, however, have the right at the time of signing or ratifying this Convention, of declaring that it renounces the right of taking action as provided in the first para- graph of this article against any other State which may make a similar declaration.

Article 13

This Statute applies to all vessels, whether publicly or privately owned or controlled.

It does not, however, apply in any way to warships or vessels performing police or administrative functions, or, in general, exercising any kind of public authority, or any other vessels which for the time being are exclusively employed for the purposes of the Naval, Military or Air Forces of a State.

Article 15

Where in virtue of a treaty, convention or agreement, a Contracting State has granted special rights to another State within a defined area in any of its maritime ports for the purpose of facilitating the transit of goods or passengers to or from the territory of the said State, no other Con- tracting State can invoke the stipulations of this Statute in support of any claim for similar special rights.

Every Contracting State which enjoys the aforesaid special rights in a maritime port of another State, whether Contracting or not, shall conform to the provisions of this Statute in its treatment of the vessels trading with it, and their cargoes and passengers.

Every Contracting State which grants the aforesaid special rights to a non-Contracting State is bound to impose, as one of the conditions of the grant, an obligation on the State which is to enjoy the aforesaid rights to conform to the provisions of this Statute in its treatment of the vessels trading with it, and their cargoes and passengers.

Article 17

No Contracting State shall be bound by this Statute to permit the transit of passengers whose admission to its territories is forbidden, or of goods of a kind of which the importation is prohibited, either on grounds of public health or security, or as a precaution against diseases of animals or plants. As regards traffic other than traffic in transit, no Contracting State shall be bound by this Statute to permit the transport of passengers whose admission to its territories is forbidden, or of goods of which the import or export is prohibited, by its national laws.

Each Contracting State shall be entitled to take the necessary precautionary measures in respect of the transport of dangerous goods or goods of a similar character, as well as general police measures, including the control of emigrants entering or leaving its territory, it being understood that such measures must not result in any discrimination contrary to the principles of the present Statute.

Nothing in this Statute shall affect the measures which one of the Contracting States is or may feel called upon to take in pursuance of general international conventions to which it is a party, or which may be concluded hereafter, particularly conventions concluded under the auspices of the League of Nations, relating to the traffic in women and children, the transit, export or import of particular kinds of articles such as opium or other dangerous drugs, arms, or the produce of fisheries, or in pursuance of general conventions intended to prevent any infringement of industrial, literary or artistic property, or relating to false marks, false indications of origin or other methods of unfair competition.

MORMUGOA PORT AUTHORITY



Action plan/ SOP

for

Prevention & Mitigation during

Emergencies/ Adverse Weather/Cyclone



- IMD weather reports and Alerts shall be studied and analyzed for the severity whenever the warning is received. All records shall be logged and maintained with situational awareness keeping in mind at VTS.
- Cyclone Storm warning to be issued to all vessels within the Port Limits of MPA, Stake holders, all concerned Govt. Authorities, DDMA, Shipping agents, operators, stevedores and to all concerned involved in Port business indicating DATE of Impact.
- The following parameters are to be Monitored and recorded in the logbook in VTS with due diligence every 4 Hrs or as advised. The parameters are to be taken from the vessels at anchorage.
 1. Wind speed & direction,
 2. Swell height & direction
 3. Barometric pressure
 4. Visibility
 5. Rain conditions
- VTS RTOs/Pilots shall man the VTS at all times, monitoring the position of the vessels in the vicinity and within the Port limits to access of any emergency situations keeping situational awareness in mind.
- Whenever wind speed is 25 kts, inform DC, HM, Marine Engineers, FO, AE's.
- Port Storm signals to be monitored and hoisted at VTS as per IMD weather advise from time to time.

On receiving advise from IMD regarding formation of depression over the area:

- VTS RTOs / Pilot to access the wind direction, speed, path, date of impact and inform the Deputy Conservator/ Harbour Master. On this basis notice shall be issued to all concerned for suspension of Port operation, shipping movements and to take heavy weather precautions.
- Plan shall be made to sail out all vessels from the berth before 24hrs so as to give enough time to vessels to cross the path of cyclone and remain in navigable semicircle. (For guidance, once the wind speed reaches 25kts

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hoses / loading arms shall be disconnected and all operations suspended, however this can happen early depending upon the weather forecast, impact & intensity of the Cyclone). Shifting of vessels shall be on Ports Account. Harbour Master to execute the plan and all shipping movements.

- Those vessels which cannot go out to sea, the Master of the vessel shall secure with additional moorings of the vessel, keep engines on standby, take heavy weather precaution and take care of the safety of his vessel and crew at all times.
- Indian Customs, Indian Coast Guard, including hired crafts and all other crafts/vessels are responsible for placing all of their vessels /crafts at safe places and shall be fully responsible for the safety of their vessels, crafts and crew, MPA shall no way be responsible.
- The Master of the vessels at anchorage to pay out more cables/ pick up anchor, manoeuvre, take heavy weather precaution and take care of the safety of his vessel and crew at all times.
- VTS RTOs / Pilot to keep a good watch on weather forecast from IMD website/meteorological data.
- No maintenance should be planned to carry out during this alert period.
- All small vessels shall come back to the port for shelter and to be secured as mentioned above.
- All crafts and vessels to monitor VHF Ch 16 and 12 and obtain weather reports by all available means.
- The vessel agents to advise their vessels at berth or/and at anchorage to obtain frequent weather reports by all available means, keep good navigational, anchor and port watches, keep engines on standby, monitor vessels position frequently, tend to moorings, pay out more cables/ manoeuvre, etc, take safety and heavy weather precautions.

For vessels hired by any firm other than Mormugao Port Authority (MPA) to operate at MPA Port limits, the complete responsibility of the vessel and crew shall lie with the concerned hiring firm. The firm shall ensure safe manning, maintenance, observance of safe practices, good seamanship, receiving of weather warnings, etc. including compliance of statutory requirements, safe operations at all times and taking heavy weather/cyclone precautions in respect of the vessel.

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- **All above doesn't relieve any vessel Master of the power vested under SOLAS, chapter V, Regulation 34-1 and International Management Code for Safe Operation of Ships and pollution Prevention (International Safety Management (ISM) Code), Section 5.2 under the Master's responsibility and Authority.**

Also, the above does not relieve the Vessel master from any of his duties and responsibilities under the prevailing Acts towards the safety of the crew, vessel and environment and will continue to exercise his powers and take all precautions according to the prevailing circumstances and conditions and will take the best action to keep his vessel and crew safe at all times. The vessel Master shall be responsible for the safety of the crew and his vessel under all circumstances.

Terminal Operators/ Stevedores:

- All Terminal Operators/ Stevedores/ Stakeholders shall ensure Loading arms, Loaders, gantry cranes, containers, etc., are properly secured and to take heavy weather precautions. Oil jetties and Berths to be clear from any loose or hanging items, debris, empty drums, etc. The slop tanks at the oil jetties shall be emptied and clear from debris to avoid overflow and pollution.
- All hazardous liquid cargo lines are to be drained.

Port Crafts/VTS/Respective Departments/Pollution & Environment Cell:

- All Port crafts/including hired shall take sufficient quantity of bunkers in advance to be available for operations.
- All port craft and hired crafts to be on Standby and ready for operation.
- All port crafts and hired crafts shall be properly secured with additional moorings and shall be monitored.
- All port crafts and hired crafts shall be manned with full compliments at all times.
- LSA, FFA, Search lights and navigation lights must be in operational condition. All backup battery must be charged and functional.
- All portable walky-talkies/VHFs to be charged and other communication means should be functional.
- All crafts and vessels to monitor VHF Ch 16 and 12 and obtain weather reports.

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- The Power backup/Generators at VTS should have sufficient fuel level for uninterrupted operation for at least 24 Hrs.
- Oil pollution equipments shall be kept in complete readiness with manpower for any emergency situation along with pollution control vessels in readiness with sufficient fuel/backup.
- Respective Departmental heads shall ensure safety at all times and take all necessary steps in view of the cyclonic weather including advising the firms/stake holders under their control for safety precautions. All vulnerable Ariel structure should be secured. Trolley trucks and port cranes, etc., must be secured firmly at their respective places. Port Drainage system shall be checked to avoid water logging for uninterrupted evacuation, if any.
Port fire service, Port Trust Hospital & CISF unit shall be on Alert & Stand by for any emergency and evacuation.
- The Roles and responsibility of Marine Officers is as per the Annexure-I.
- **While complying with the SOP due diligence shall be made to the present circumstances, conditions, situation, traffic density, weather condition, etc., which may require to deviate from the above mentioned points for the safety of life and property. Any action to be taken while complying with the SOP shall be in the best interest for saving life and property and shall be treated as taken on good faith.**

Harbour Master (Assisted by AEMs):

Overall in charge of preparedness for cyclonic storm.

- To ensure all crafts/vessels within port limits have valid trading certificate & Insurance at all times.
- To ensure that weather warnings are issued to all stakeholders, Port Users, all vessels, Govt agencies, etc., received from IMD / ICG / DG Shipping / District Administration.
- To ensure the vessels in the berths are manned, moored and secured properly with additional hawsers / ropes and will keep their Engines ready.
- To ensure that floating crafts such as pollution control vessels, speed boat, service boat, bunker barge, customs and coast guard vessels, dredging associated vessels, etc. are properly manned and secured. Ensure confiscated boats / vessels are properly secured and respective organisations are informed to look after the vessel.

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- To ensure that the fire tenders are readily available to meet any exigencies.
- To monitor all the buoy positions and its lighting including the position of wreck marker buoy and the same to be recorded.
- To ensure that all the communication equipments like VHF, walkie talkies etc. are in working condition.
- To ensure there is sufficient fuel in the Emergency generator at VTS for at least 12 hrs.

Asst Engineer (M)/RTOs- VTS:

- Weather warnings/message shall be sent by E-mail daily/frequently to all vessels, Port users, stake holders, terminal operators, Govt agencies etc.
- To alert by VHF to all the vessels, shipping agents, stakeholders regarding the warnings received from IMD, Coastguard, DG Shipping and District Administration from time to time. Storm signals to be hoisted accordingly.
- To advise all vessels at anchorage to take adequate heavy weather precautions as per the SOPs of their respective companies (to confirm by return mail). Security/Safety messages shall be transmitted at regular intervals.
- VTS to monitor the positions of vessels at anchorage and necessary advices to be passed to the vessels. To advise/ensure the vessels at anchorage to monitor VHF channels 16 and 12 for weather advisory.
- All vessels shall receive weather warnings by all available means of sources, keep the vessels engines ready, pay out more anchor cable, take adequate safety precautions for their vessel, crew and environment. Adequate heavy weather precautions shall be taken by all vessel Master.
- VTS to ensure weather report, warnings and forecast are being monitored and recorded. Weather and safety warnings shall be relayed from time to time.
- To update the weather condition reports received from IMD periodically and communicate the same to the vessels at Port.
- One Master Mariner to be posted at VTS round the clock (24X7) and to be made in-charge of the shift.
- All vessels Masters shall take adequate measures for their safety of the crew, vessels and environment at all times.
- All events shall be properly logged at VTS.

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Marine Engineer, Tug Masters & Tug Engineers:

- To ensure all port owned and hired tugs, Pilot launches and mooring launches, etc are properly manned and secured / moored and monitored continuously.
- Pilot Room/all crafts to monitor the VHF Radio channel 16 and 12 for advisory.
- To ensure that the Port owned and hired crafts are readily available to meet any exigencies.
- To ensure adequate quantity of fuel is available in the floating crafts.
- To ensure availability of additional ropes for securing in heavy weather conditions for assistance to Port and other crafts.
- To ensure LSA, FFA, engines, search light/flood lights of Tugs, Pilot launches and other crafts are in working condition. Sufficient fresh water availability.

However, the above does not relieve the Vessel Master from any of his duties and responsibilities under the prevailing Acts towards the safety of the crew, vessel and environment and will continue to exercise his powers and take all precautions according to the prevailing circumstances and conditions and will take the best action to keep his vessel and crew safe at all times. The vessel Master shall be responsible for the safety of the crew and his vessel under all circumstances.

Marine Department

HEAVY WEATHER CHECK LIST		
Sl.No.		
1	Is the weather alert been studied & plotted for its severity?	Yes / No
2	Whether records of weather reports maintained?	Yes / No
3	Cyclone /Storm warnings issued to all vessels?	Yes / No
4	Cyclone /Storm warnings issued to all stake holders and operators?	Yes / No
5	Cyclone /Storm warnings issued to all shipping agents and Stevedores?	Yes / No
6	Whether VTS is manned by a RTO/Master Mariner 24 X 7?	Yes / No
7	Whether the storm signals hoisted at VTS as per IMD warning?	Yes / No
8	Is the planning made to stop all Port operations :- Maximum wind criteria is as below:- a) Stop Cargo operation at - 25 Kts b) Disconnect the Chickson at - 30 Kts c) Unberth the vessel at - 35 Kts	Yes / No
9	Is approval obtained from Competent Authority to stop all Port operation including SPM/anchorage operation?	Yes / No
	a) If yes date and time of stopping complete Port operation	
10	Are all Port Users, Stakeholders, Operators, Agents, Terminals informed regarding cease of all Port operation and to secure their respective gears/loaders/un loaders/cranes, etc and take all safety precautions as per their SOPs for heavy weather.	Yes / No
11	Whether the plan prepared for shifting out the bigger vessels to roads giving sufficient time for the vessel to remain in navigable semicircle?	Yes / No
12	Is approval obtained from Competent Authority for shifting the vessels to roads on Port account?	Yes / No

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13	Whether vessel at anchorage asked to steer away from the path of the Cyclone?	Yes / No
14	Whether plan made and approval of CA obtained to cease the SPM/anchorage operation and call back the WOB tugs?	Yes / No
	If yes date and time	
15	Are Port Tugs kept on standby with engines for any emergency use (considering tugs safety and depending on the weather)	Yes / No
16	Number of crafts/vessels inside the Port.Nos.
17	Number of vessels at anchorage informed to manoeuvre.Nos.
18	Are all crafts / vessels inside the harbour properly manned and secured.	Yes / No
19	Whether the vessels in the Port unable to sail out have been advised to secure with additional moorings, manned and take all safety precautions with engines on readiness?	Yes / No
20	The position of the channel& marker buoys monitored and checked as far as possible taking safety in to account.	Yes / No
21	Whether the Fire team in readiness.	Yes / No
22	Whether Pollution team in readiness	Yes / No
23	Whether marine crew and mooring team in readiness	Yes / No

MORMUGAO PORT AUTHORITY



SOPs for Fire Division



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SOP FOR FO/DUTY OFFICER

1. FO/Duty officer must respond to each and every emergency call and must reach the incident spot before reaching the fire tender, assess the fire fighting plan.
2. Irrespective of the patrolling duty, every day FO/duty officer must visit to cross check all the hot work/vulnerable locations to ensure safety requirements and shall be recorded the information.
3. FO/duty officer must carry out extinguisher inspection of the location before verifying/signing the extinguisher register.
4. FO/duty officer must monitor all the drills being physically present.
5. Complaints of repair of the fire tender or fire equipment if any, must be personally verified before making final report & submit to HM for further necessary action.
6. After obtaining section/location for fire prevention training work, must make all the arrangements and provide training according to the requirements.
7. FO/duty officer must directly supervisor & ensures control room operators duties and responsibilities for proper operation and recording.
8. FO/duty officer to verify & initial all the records under custody/subordinate custody and submits to HM for further necessary action.
9. In case of ambulance call, FO/duty officer must visit & inspect the site as soon as the call received, collect all details and shall record all details accordingly.
10. FO/duty officer shall ensure & record the actual timings of the leaves and initiate further necessary action.

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11. FO/duty officer must ensure readiness of the fire tender/fire-fighting equipment/manpower in readiness and working condition at all times. In case of any shortcomings, if any should report to HM.
12. FO/duty officer must visit and inspect standby duty locations or assigned work if any.

SOP FOR FIRE CONTROL ROOM OPERATOR

1. Control room operator shall check all the communication system for readiness.
2. On receipt of any emergency call shall collect the following details
 - i) Location
 - ii) Type of call
 - iii) Name of the caller & telephone number
3. Siren turnout bell and/or inform to the nearest fire station.
4. Pass the information to turn out crew.
5. Cross check the information of the caller by calling back.
6. Pass the information to all the concerned authorities.
7. Record details in the Occurrence Book.

SOP FOR FIRE PREPARDNESS AT OIL BERTHS

1. Fire personnel shall maintain a high degree of fire safety vigilance, particularly in the oil jetty areas.
2. The updated emergency contact list shall be displayed at the fire control stations.
3. The FO shall ensure that the latest vessel berthing programme status is available at the fire control station.
4. Material Safety Data Sheet (MSDS) of all types of Oil / Chemical/LPG cargoes handled at Mormugoa Port shall be readily available at the Fire Control Stations and near the respective berth/s.
5. All fixed and portable fire fighting appliances are to be well maintained and should always be in a state of readiness for use.
6. The daily / weekly /monthly/ annual operational checks of all fire fighting appliances are to be carried out. The planned maintenance schedules of all fire fighting appliances are to be adhered to.
7. The physical condition of fire lines and associated equipment such as fire hydrants isolation valves etc., should be included in the joint quarterly pipelines inspection report. Any observations are to be reported to the concern department.
8. Drain containment tanks, if any located at the berths shall be monitored. It shall be ensured that these tanks & its surroundings are kept clean and tank is emptied periodically by the concerned operators.
9. Any corrosion, deterioration or leakage in the fire fighting and / or the cargo systems should be recorded and informed to concerned department promptly. Follow up of the corrective action is to be undertaken to ensure that the defect is rectified.
10. Prior to berthing of any vessel at the tanker jetties, the FO or his representative shall carryout an physical inspection of particular berth to ensure that the berth is free from fire hazards including combustible material, unused materials and any ignition sources.

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11. Fire fighting equipment should be placed closed to the berth prior commencement of cargo operations as per requirement. Sufficient number of charged compressed air breathing cylinders should be readily available.
12. Regular fire patrols of the berth shall be carried out throughout the period of vessel's stay at the berth. A record of these fire rounds to be maintained.
13. During cargo operations, the nature of the cargo, discharge/ load quantities, the rate of cargo discharging/ loading and hazard identification as per MSDS to be known to all the fire personnel on duty.
14. Fire vigilance should extend to the sea – side of tanker vessels too.
15. Proactive monitoring of fire fighting system and cargo lines to be carried out to avoid any incident/ leakage during cargo operations and to effectively deal with any emergencies.
16. To avoid any leakage or pressure build up due to temperature variation. Ensure with oil state holders that proper draining of cargo is carried out after every operation.
17. As per the guideline, no hot work shall be allowed in surrounding area where tanker is berthed, adhering to minimum safe distance.
18. Proper inspection and monitoring will be carried out under the supervision of FO during the hot work.
19. Before issuing any hot work permission, necessary checks and thorough site inspection to be carried out by the FO. Necessary entries to this effect to be made in the log book.
20. If work is to be carried out in the hydrocarbon pipelines, it is to be fully purged and ensure that no residual of flammable gasses is present.
21. All the hot work and cold work operation will be carried out under the supervision of FO.

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22. If necessary, additional fire tender will be placed to ensure high standard of safety on the request of concerned stake holder. Port fire tender if provided will be on chargeable basis.
23. In case any shortcoming is noticed, immediate corrective action shall be initiated, which may include stoppage of cargo operations or other action as may be necessary. The matter shall be forthwith brought to the notice of the Harbour Master and the Deputy Conservator by proper means of direct communication and further instructions obtained from them.
24. Periodic drills and training programs with stake holders shall be conducted in order to practice emergency responses covering varied scenarios that may be encountered in the port.
25. Pressure testing of cargo pipelines and calibration of measuring instruments fitted on pipelines are to be recorded. Accordingly, copies of test certificated and calibration reports are to be collected by the FO for records.
26. The concerned oil companies / firms shall carry out loading and discharge of cargoes complying with OCIME standards.
27. The Vehicle movements to be restricted at oil jetty areas during the period of cargo handling. Vehicles fitted with spark arrester only to be permitted to the oil jetty areas.

SOP FOR HOT/ COLD WORKS AT MPA

1. Contractor / Agency must submit a request letter to the Fire Officer, MPA for obtaining permission to carry out the work in which location, nature of work must be mentioned clearly.
2. After the receipt of the letter, FO will personally carry out the site inspection along with the receiver before issuing the work permit.
3. After the thorough site inspection, if the conditions are found conducive the check list/ permit will be issued by the FO and all the records pertaining to the hot/cold work permission shall be maintained by the Port Fire Service.
4. Time period for issuing the hot work permit in all conditions shall be permitted during **“Day light hours only”** (0600 to 1800 hrs). Whereas the project works/ Time bound urgent works of National importance may be permitted for day and night basis (round the clock) with special care (Sl No. 13).
5. The entire unit mentioned in the permit must be filled out by the receiver before commencing the work.
6. The original copy of the work permit will be issued to the receiver & shall comply all the requirements marked in the permit and shall be held solely responsible. The receiver shall post their safety officer on site responsible for the said work / project.
7. The work permit will be issued on a daily basis.
8. During the hot work process authorised person/ safety supervisor of the firm should be present at the site for monitoring the work.

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9. Issued permit must be always available at the work spot and shall be produced for verification during the surprise inspection, routine patrolling by the Port Fire Service or related MPA department. If failed to produce work permit during inspection / patrolling the work will be stopped immediately.
10. During the Hot / Cold work the workers shall be using all PPE (Personal Protective Equipments) without fail.
11. Ensure proper grounding / earthing / insulation of cables before start the work.
12. If found necessary, additional standby of fire tender will be placed to ensure the high standard of safety by the concerned Oil Companies or will be provided by the Port on chargeable basis.
13. If the works has to be carried out in a hydrocarbon line, the line has to be purged and ensure the no residual of flammable gases.
14. If the works has to be carried out in vessel pump room, in a confined space where entry of man power is required, gas free certificate of the work permit has to be filled before commencing.
15. During the Hot work in the sensitive area like slope tank, sample point etc. It should be drained, tested and protected / covered by asbestos sheet.
16. Deputy Conservator's clearance shall be obtained, before issuing any permit for on board vessels.
17. The Oxy- Acetylene welding gas hoses shall be checked periodically and replaced on regular basis. Non Return Valves on both the cylinders and flash back arrestors at both the end of gas hoses shall be provided for the Oxy-Acetylene/ Oxy-LPG welding and Gas cutting system.

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18. No hot work will be allowed during the stay of any tanker / vessels alongside for that respective berth.
19. Contractor should provide 2 Nos. of tested / working condition DCP Fire Extinguisher at each work spot in addition to 2 Nos. of dry sand buckets and 2 Nos. of water buckets to combat fire fighting.
20. Contractor's worker should be trained to operate the available fire extinguishes in case of fire.
21. Contractor should remove all the Hot work equipments and Gas Cylinder immediately after completion of the work on same day including Scrap materials.
22. In case of POL liquid/ Gas release, stop work and immediately inform the concerned operational personal and Fire Station: (0832-2594811/2594823/2521300), VTS: (0832-2594807/2520184), Safety Officer: (0832-2594216). All the numbers should be displayed at the place of work.
23. In case of fire alarm, all the vehicles movement, work must be stopped, all personnel must leave work site and proceed to assembly point/ designated area.
24. After the completion of the work the receiver must return the original permit by stating that "Work is Completed safely" with time and date of completion.
25. Daily hot work permit status of jetty & Wharf shall be intimated by the FO to HM, Safety Officer and DC for information.
26. The respective Oil companies shall label their pipe lines as per standards, laid inside the jetty area.

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27. Prior to commencement of any Civil work like excavations of soil, cutting of roads prior intimation / permission to be obtained from Civil/ Electrical and Traffic Department.
28. After Completion of cargo operation inside the Jetty, all the valves to be kept closed and monitored by the concern Oil companies.
29. All the hoses handling hazardous chemicals shall be tested and certified annually.
30. Safety officer to ensure periodic hydro- test of all the pipe lines to be carried out by the concerned firm/ oil companies.
31. Safety Officer to make frequent rounds of the work site and ensure the Hot work/Cold work process is as per the SOP.
32. Safety Officer shall ensure the availability of wind socks and replacement is to be made if required.
33. Safety Officer shall ensure the assembly points at all the berth and marking the same to be made for easy identification during the emergency.
34. All the Hot work and cold work operation will be carried out at Jetty area under the supervision of FO & Safety officer of the Port.
35. All permission shall automatically stands null & void for any non-compliance of any statutory requirements/incidents by the firms/stake holders during the execution period and the stake holder/firm shall be held solely responsible.

MORMUGOA PORT AUTHORITY



SOP for Garbage disposal from Vessel



**STANDARD PROCEDURE FOR COLLECTION,
SEGREGATION AND DISPOSAL OF VESSEL
GENERATED GARBAGE AT MORMUGOA PORT
AUTHORITY (ANNEXURE V)**

- Through SwachhSagar Portal, the master/ steamer agent on behalf of vessel to intimate the garbage collecting agency approved by the Port for collection of garbage about the category of waste in order to arrange necessary receptacles and vehicles for proper collection without undue delay.
- On the request from the vessel, the garbage collecting agency has to obtain necessary permission from the Port Authority & Customs for each vessel in order to board the vessel for collection of garbage in each case.
- The garbage should be collected by the designated Agency duly following the terms and conditions of the Work Order issued by the Port and Segregation of the garbage to be carried out as per the Municipal Solid Waste Rule no mixing of garbage is allowed at any point of time.
- The copy of waste delivery receipt to be submitted/forwarded to the Pollution control cell of Marine department MPA (sandeshalornekar@mptgoa.gov.in) after collection of garbage from each and every ship and same will be uploaded at Swachhsagar Portal by the vendor.
- Copies of the Waste Delivery Receipt, Permission letter obtained from the Port/Customs and any other documents as required at the gate are to be produced while going out from the Port by the vendor.
- The quantity of garbage taken out from the Port is to be transported directly and disposed off in the designated garbage dump area of the City Corporation duly obtaining the necessary receipt for the same from the Corporation.
- The Garbage Collecting Agency has to submit the receipts received from the City Corporation to the Pollution control cell sandeshalornekar@mptgoa.gov.in on monthly basis.
- The Garbage Collecting Agency of the Port shall provide copies of following to the Port:
 - Permission letters issued by the port/customs for clearing of waste/garbage along with type and quantity.
 - Waste Delivery Certificate signed by the Master of the vessel and issued to the vessel.
 - Waste Delivery Receipt issued by the City Corporation (in standard format)

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Note:

- As per the D.G.Shipping Circular No.6 of 2018 “Utilization of Centralized Port Reception Facility Portal: SwachhSagar” each vessel has to declare waste quantities on ship and port have to ensure that Advance Notification as per SwachhSagar Portal is forwarded through Steamer Agent or directly to the Port prior berthing for intended disposal of garbage.
- Steamer agent has to ensure Advance Notification is positively filled up specifying the category of the waste, quantity of waste etc. complying the MARPOL (Annex-V) Regulations
- Garbage collecting agency approved by the Port shall follow all organizational requirements of notification, permission, reception and delivery of ship-generated waste and cargo residues established as per work order. If any violation of requirements of the port is observed, necessary actions deemed fit will be initiated.
- Waste will be collected and transported out from port premises (no scope for storing the waste in premises).
- Mixing of different types of ship-generated garbage shall not be accepted at any period of time.
- Indulging in smuggling or any other illegal activity is prohibited and contract for disposal of garbage is liable to be terminated.
- Garbage collecting Agency approved by the Port shall organize and perform collection, segregation and disposal work duly following the occupational protection, fire safety, sanitary, without causing any hindrance to port operation, environmental and other statutory requirements.
- The work shall be carried out 24x7.

STANDARD OPERATING PROCEDURE FOR COLLECTION AND DISPOSAL OF USED COOKING OIL, FISHING GEAR, EXPIRED MEDICINE, WASTE, USED BATTERIES FROM THE VESSEL VISITING TO MPA

- Through SwachhSagar Portal the master/ steamer agent on behalf of the vessel to intimate the collecting agency designated by the Port for collection of wastes such as used cooking oil, expired medicine, Fishing Gear, e-waste and used batteries in order to arrange necessary receptacles and vehicles for proper collection before vessel berthing.
- On the request from the vessel, the collecting agency shall obtain necessary permission from the Port & Customs for each vessel in order to board the vessel for collection of cooking oil, expired medicine, Fishing Gear, e-waste and used batteries.
- A standard format of waste delivery receipt provided by the D.G. Shipping to be filled up and signed by the vessel and garbage collecting agency for collection of used cooking oil, fishing gear, expired medicine, e-waste and used batteries.
- The copy of waste delivery receipt to be submitted/forwarded to the Pollution control cell of marine department (sandeshalornekar@mptgoa.gov.in) by the collecting agency soon after collection for every ship.
- The expired medicine collected has to be certified by the Port Health Officer, MPA before disposal.
- Fishing Gear, used cooking oil, E-waste and used batteries has to be declared to the Customs. Collecting agency shall obtain the bill of entry with applicable duty paid if any or otherwise declaration of customs may be submitted to the pollution control cell of MPA. (sandeshalornekar@mptgoa.gov.in)
- Copies of the Waste Delivery/ Receipt, Permission letter obtained from the Port/Customs and any other documents required at the port gate are to be produced while going out from the Port by the vendor.
- The used expired medicine, Fishing Gear, e-waste and used batteries quantity taken out from the Port is to be transported directly and disposed off to respective PCB authorized recyclers and obtain necessary receipt for the same. The copies of the receipts obtained are to be submitted to the Pollution control cell (sandeshalornekar@mptgoa.gov.in) on monthly basis.

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- Used cooking oil is to be transported directly and disposed off NMAM institute of technology, Udupi which is approved by Karnataka Bio-fuel Development Board and obtain necessary receipt for the same.
- The collecting agency of the Port shall provide copies of following to the Port:
 - Permission letters issued by the port/customs for clearing of used cooking oil, fishing gear, expired medicine, e-waste and used batteries along with the quantity.
 - Bill of entry / custom declaration of landed item certified from the customs.
 - Waste Delivery Certificate signed by the Master of the vessel and issued to the vessel.
 - Waste Delivery Receipt issued by the authorized PCB recyclers (in standard format) and NMAM institute of technology, Udupi (for used cooking oil) for procedure disposal.

Note:

- As per the D.G.Shipping Circular No.6 of 2018 “Utilization of Centralized Port Reception Facility Portal: SwachhSagar” each vessel has to declare waste quantities on ship and port have to ensure that Advance Notification as per SwachhSagar Portal is forwarded through Steamer Agent or directly to the Port prior berthing for intended disposal of garbage.
- Steamer agent has to ensure that Advance Notification is positively filled up specifying the category of the waste, quantity of waste etc. complying the MARPOL (Annex-V) Regulations.
- Collecting agency approved by the Port shall follow all organizational requirements of notification, permission, reception and delivery of ship-generated waste and cargo residues established as per work order. Upon violation of requirements of the port, necessary actions deem fit will be initiated.
- Waste will be collected and transported out from port premises (no scope for storing the waste in premises).
- Mixing of different types of ship-generated garbage shall not be accepted at any period of time. Hazardous waste like e-waste, used batteries etc are to be collected and disposed off complying the laid down guidelines.
- Indulging in smuggling or any other illegal activity is prohibited and contract for disposal of garbage is liable to be terminated.

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- Collecting agency approved by the Port shall organize and perform collection, segregation and disposal work duly following the occupational protection, fire safety, sanitary, without causing any hindrance to port operation, environmental and other statutory requirements.
- The work shall be carried out 24x7.

MORMUGOA PORT AUTHORITY



SOPs for

Right of way Permission



SOP for right of way permission.

Sl. No.	Document to be submitted	Remarks
1	Request letter to be submitted mentioning the Purpose.	
2	Submission of certificates of registry, IV certificate.	
3	Submission of certificates of I.V certificate.	
4	Submission of certificates of Insurance covering wreck removal and pollution mitigation.	
5	If the Insurance does not cover wreck removal and pollution mitigation, then the owner needs to submit Undertaking on Court Paper/letter head taking full responsibility.	
6	Clearance from Captain of Ports (as required)	

- Upon receiving all above documents permission shall be issued.
- This SOP shall reviewed from time to time

Undertaking on Indemnification

We _____ (Contractor Name) hereby agree and undertake to indemnify, keep indemnifies, depended and hold harmless the MPA and its Officers against all losses, penalties, costs and expenses, duties of any kind whatsoever which may arise on account of breach unauthorized act, fraud deed or any other acts of ours or any of our personnel. We hereby further agree and undertake to indemnify and keep indemnifies against any order passed by any executive, quasi-judicial or judicial authority wherein the MPA is compelled to obey the order which arise due to breach of contract by us.

We _____ (Contractor name) shall indemnify, protect and defend at our own cost, MORMUGAO PORT AUTHORITY & employees from & against any/all actions, claims, losses or damages arising out of;

- i. Any violation in course of execution of the contract of any legal provisions or any right of third parties.
- ii. Failure to exercise the skill and care required for satisfactory execution of the contract.
- iii. Shall indemnify MPA against all claims for compensation by or on behalf of any workman employed by us in connection with the contract, for any injury or death by accident under the Workman Compensation Act (Act VIII of 1923) as amended from time to time.

We _____ (Contractor name) shall be responsible for all commissions and omissions on part of manpower engaged for the purpose. MPA shall not be responsible in any manner whatsoever, in matters of injury/death/health etc. of our employees performing duties under the contract.

We _____ (Contractor name) hereby undertake that,

- a. The workforce deployed under this contract will be provided with all the necessary safety gears and equipment for the job.
- b. Bidder/deployed staffs will follow all the required safety procedures while executing the job.

Sign and Seal of the contractor/ Contractors Authorized representative
