

**Minutes of the 20th Electronic meeting of National Shipping Board held on 12th
October 2021 at 1630 hrs.**

The 20th Electronic Meeting of the National Shipping Board (NSB) was held under Dr. Malini Shankar, Chairperson, National Shipping Board on 12th October, 2021 at 1630 hours. The list of participants/attendees is as follows:-

Attendees:

1. Dr. Malini Shankar, Chairperson NSB
2. Shri Abdulgani Serang – NUSI
3. Shri Amar Singh Thakur – MUI
4. Shri Anil Devli – INSA
5. Shri Shantanu Bhadkamkar
6. Shri Ishwar Achanta
7. Shri Rahul B. Modi – CCTA
8. Shri Aditya Suklikar – ICCSA
9. Shri A. Balasubramanian
10. Capt. Piyush Sinha
11. Capt. Sankar Kr. Das, Secretary – NSB

1.1 Granting leave of absence: -

The following members were granted leave of absence.

- i) Shri K. S. Bariar, Addl. DG Shipping
- ii) Dr. Ajay Sahai - FIEO
- iii) Capt. Sarvpreet Singh, Director Naval Operations, Indian Navy
- iv) Shri P. Rajesh, DIG, Coast Guard
- v) Shri Sanjay Prashar
- vi) Shri Shitesh Ranjan, Asstt. Secretary - NSB

At the outset the Chairperson welcomed all the members to the 20th meeting of NSB and thereafter instructed to continue with the listed Agenda.

2.0 Following agenda points were discussed at the meeting:-

Sr.No.	Agenda item	Suggested by
1.	Confirmation of previous meeting (18 th & 19 th) Minutes.	Chairperson
2.	Fixing of Agency for Report of NSB; Review of inputs of sub-committee for the Report	Chairperson
3.	HNS Convention	Chairperson
4.	Any other points with the permission of the Chair	

2.1 Confirmation of previous NSB meetings (18th & 19th) held on 3rd Aug, 2021 & 14th Sept, 2021

The minutes of the previous NSB meetings (18th & 19th) held on 3rd August, 2021 & 14th September, 2021 respectively, have been circulated to all members. There being no comments from the members, both the minutes were approved.

2.2 Fixing of Agency for Report of NSB; Review of inputs of sub-committee for the Report

Mr Devli mentioned that as discussed in the last meeting, a professional to write the integrated report has been identified. She has several years of experience, having worked as a journalist in Indian Express, Business Standard etc. and is currently engaged in working as the Research Head and Corporate Communication head for consulting and research companies. Mr. Devli also referred to the draft and scope of work that had been circulated by him on 21.9.2021 seeking feedback from members. He said that the report will broadly include an introduction to NSB, a brief background on formation of NSB, a short bio-data on each member including the Chairperson, reference of various sub-committees & its composition, gist of meetings/activities/discussions/deliberations/finalised reports/etc., list of total meetings held, recommendations & acknowledgements. Inputs have been received only from Shri Rahul Modi, Shantanu Badkamkar and Capt. Sinha. In this regard a number of reminders too had been posted/mailed. It is assumed that there were no other comments from the other members.

Mr. Devli further requested S/Shri Achanta, Balasubramanian & Capt Sinha to submit the minutes of the sub-Committee meetings (like Maritime Board Vision Committee, Maritime Vision 2030, etc.) attended by them for inclusion in the report.

Further, Shri Devli highlighted that this has perhaps been the most robust NSB with a number of effective meetings held on virtual mode. Also, the virtual meetings have enabled most of the NSB members to attend the meetings.

Shri Devli stated that a budget of Rs. 25000 (plus GST/taxes) will be required for producing the report. A formal approval of Chair and the NSB members was requested.

The Chairperson appreciated the presentation made by Shri Devli and informed that Mr. Ishwar & the others may not have the minutes of these meetings as it forms a part of that Committee and will be for internal circulation till acceptance. Nevertheless, a gist of the deliberations along with their contributions in that Committee, could be submitted which will be included in the report. She further enquired whether this report will have a formal structure of having an Executive summary, list of recommendations in the end, etc. Mr. Devli confirmed that the report will have all this covered.

Mr. Bhadkamkar suggested that the word 'Sub-Committee' could be replaced as 'Working Group' as called by the Government. The Chair mentioned that all the editing can be done later on.

Mr. Ishwar stated that the material for submission is ready; in particular the shipping policy which was written along with Mr. Satinder Singh would form a very significant part of the report.

The Chair and Mr. Devli advised and requested Mr. Ishwar to forward all the recommendations to the NSB Secretariat (Ms. Amelia) as it will be the nodal point for collating information

Mr. Bala informed that he has the summary records and the minutes of the meeting attended by him. The Chair and Mr. Devli advised and requested him to route all the material to the NSB Secretariat (Ms. Amelia).

The Chair directed the NSB Secretariat (Ms. Amelia) to keep monitor receipt of required documents/information. In case of any difficulty then it could be brought to the notice of Mr. Devli or Chair.

Mr. Sukhlikar stated that he has been part of two Committees – one is Coastal Committee, input of which has been submitted by Mr. Modi. The other is Merchant Shipping Act where Mr. Devli was a part of this Committee and has excellently documented the summary report. However, Mr. Devli suggested that if fel, that there is any material yet to be submitted then Mr. Sukhlikar could assist him by furnishing the add-ons.

Mr. Devli further mentioned that a lot of work has been done in the Indian Ports Act and Mr. Bala advised Mr. Achanta to share all the report finalized. Further Shri Bala also said that the comprehensive draft report on the functioning of the NSB, which he had prepared earlier, would also be shared by him.

Mr. Achanta enquired about the Sub-Committee that had been constituted under the Joint Secretary (Shipping) to look into the cyber security. The Chair responded that as this was a matter of future concern, the NSB studied & deliberated on the issue. Experts were called to make presentations on the subject and we were fortunate that Shri Brijesh Singh had made a presentation on how MSC had been impacted due to hacking and based on this NSB identified the importance of cyber security as a matter requiring attention. Thereafter on the NSB's recommendations Ministry formed a Sub-Committee to study and make recommendations on mitigating cyber risk of networking technology on-board ships and onshore. All this has to be highlighted in the report, as it is NSB that triggered the formation of this committee.

Finally, the Chair pointed out that the Board receives its funds from DG Shipping which is met from the sanctioned NSB budget and is therefore subject to audit. Hence, in terms of financial prudence, she suggested that the project could be delegated to INSA and then INSA in turn may engage a professional for making the said report. Mr. Abdulgani seconded the suggestion and the rest of the members unanimously agreed to it. Further Mr. Bala suggested that the GST and other taxes may be added or calculated to the total amount so as to avoid any delay in payment.

2.3 International Convention on Liability and Compensation for Damage in connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS) Convention:

Shri Ishwar Achanta, shared IMO's document giving reasons why India should accept and sign the HNS Convention. He mentioned that this can be discussed with DGS to create a framework on the adoption of HNS Convention.

The presentation dealt with several matters relating to the effects of chemical spill and possible damages that can arise due to the noxious substances which are being transported by sea. He said that several chemicals are shipped from India - JNPT and Mundra Ports. Hence the Arabian and Kutch coastlines are at high risk. The report of Capt KPV Mohan on the collision of MSC Chitra and Khalijia shows that Mumbai Harbour too is not safe from potential accidents which can occur because of lack of governance in our seaways i.e. navigable waters of the coast. He said that a similar accident due to chemicals had occurred on the vessel 'X-Press Pearl' that burnt off Sri Lanka coast.

He said that India needed to be cautious about these risks and should become part of the Convention which has substantial funds in its kitty. If India is a signatory and contributor to this Convention then we can rely on this compensation FUND for clean-up of shores, restoration of our ecology or livelihood, death compensation, including loss of life or personal injury as well as loss of or damage to property. He said that the HNS Convention establishes a two-tier system of compensation, with the first tier being paid for by the individual ship owner and the second tier by the HNS Fund. HNS Convention is no different from the Oil Pollution regime. It is only the commodity that is different. But the process and the framework are very similar to the Oil Pollution spill. Since India is already a party to the Oil Pollution Response it won't be difficult for the recommending authority in the Ministry and DGS to understand this Convention. Hence, NSB should recommend to the Government to sign the HNS Convention. Further he replied to the Chair's query that only eight (requirement 12) countries have accepted or signed the Convention.

The Chair further enquired the hesitation or impediment on part of the nations to sign this convention apart from the procedural delays. Mr. Achanta stated that on receiving the authority, he will study this aspect and present a composite picture.

The Chair suggested that a Sub-committee be formed to create a framework on the HNS Convention. Thereafter the sub-committee could make a presentation to the Board.

The Composition of the Sub-Committee is as follows:

1. Shri Ishwar Achanta – Leader.
2. Shri K S Bariar, Addl. D.G. Shipping OR any nominee identified from Retd DGS Officials-Invitee/Member.
3. Shri Capt. Piyush Sinha – Member.
4. Representative of Coast Guard – Member.

2.4 Any other points with the permission of the Chair

2.4.1 Mr. Modi took up the issue faced by the Short Sea Transportation (SST) Operators. He requested that the detention period of 10-14 free days to be increased to 21 days as the SST operators are unable to return the empty containers during this period. Hence, he requested to take up the matter with Ministry through NSB. The Chair directed him to submit a note giving a brief background on

this issue and circulate it to the NSB members so that the matter can be explored. Mr. Modi assented to do the needful with the assistance of Mr. Devli.

2.4.2 Capt. Sinha brought to the notice of the Chair that like the other maritime countries, India does not have a very strong presence for the IMO meetings. Hence, he suggested that if an impact is to be created then a large team has to represent India as done by China. The concerned Minister, the Secretary Shipping, other representatives from the shipping fraternity and the NSB members can form the Indian delegation. The NSB and other members will bear their respective expenditure. Instead of five members a twenty member Indian delegation could represent in the IMO meetings.

The Chair said that she understood the point being made and that the current DG, Shri Amitabh Kumar had supported this. However, the Government had decided to restrict the number.

However, she said that the matter can be taken up once again with the Ministry by citing that countries like China and Germany (not a great maritime country) and even Panama (by virtue of their registry) attend with a large contingent. She suggested that the recommendations have to be put in the right context with apt references. She referred to the fact that the PM had spoken about maritime security which has now become extremely important politically for the region.

Shri Ishwar said that our effort would perhaps be better received by IMO if we work with other maritime states who share a common ocean with us.

3.0 Fixing date of the next meeting:

Capt. Sinha suggested that the next meeting could be held in person at the IMU Campus at Chennai and the members agreed to the same. Hence the 21st meeting of the NSB Board will be held on 2nd December, 2021 at IMU Campus, Chennai.

As there being no other matter to be discussed, the meeting concluded with a vote of thanks to the Chairperson and all Members of National Shipping Board.

Approved
Dr. Malini Shankar
Chairperson-NSB

Place: Mumbai
Date: 13.10.2021