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नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

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### **Standard Operating Procedures: PSC/FSI: Authorizations/Targeting/Reporting**

The United Nations Convention on the Law of the Sea (UNCLOS) provides every nation with rights and obligations with regard to ship registration and freedom of passage both over the high seas and through coastal waters of any other nation. Some of these responsibilities are further detailed in International Maritime Organization (IMO) Conventions such as the International Convention for the Safety of Life at Sea (SOLAS); International Convention for the Prevention of Pollution from Ships (MARPOL); International Convention on Load Lines; International Convention on the Standards of Training, Certification and Watch-keeping for Seafarers (STCW); Maritime Labour Convention 2006 and also in numerous technical Codes and Resolutions associated with these Conventions.

The Administration offering ship registration is referred to as the “flag State”. Flag States maintain the responsibilities and obligations imposed upon them by International Conventions for ships flying their flag. The flag State must ensure that these ships comply with the Conventions. To achieve this, flag States regularly delegate some or all of the survey, certification and verification functions to the “Recognized Organizations” (RO), most commonly the Classification Societies of IACS. These ROs have developed networks of worldwide resources to enable them to carry out delegated tasks. However, even when delegating these functions the flag State, as the signatory to the International Convention, retains ultimate responsibility. The role of the ship owner

and/or operator are critical factors, along with the flag State and RO, in ensuring that ships are fully compliant with International Convention requirements. In addition, operators and owners are responsible for ensuring ships are operated in a manner that ensures safety of the crew and the protection of the environment.

Ideally, the above mechanisms would ensure ships and shipping activities are fully compliant with all applicable requirements throughout the ship's life. However, this is not the case as some sections of industry continue to jeopardize life, property and the environment by operating unsafe ships and using less competent crews to maximize their profits [substandard operators/owners]. To cope with this substandard operators/owners and the substandard ships, the International Conventions and UNCLOS both give powers to States to which ships travel (known as port States) to ensure ships do not pose an unreasonable threat to the safety of the ship, its crew or the environment whilst in their waters. International Conventions allow a port State to exercise some degree of "control" over ships in their waters. The mechanism whereby port States verify ships are compliant with all the International conventions that it has ratified whilst in their waters is known as "Port State Control" (PSC).

UNCLOS also imposes an obligation upon Port States to maintain a reasonable capacity to monitor vessels within their ports and off-shore terminals for compliance with applicable international rules / regulations, standards relating to ships seaworthiness and environmental protection and recognizes the need for sufficient number of trained Port State officers. Also the IMO Resolution A. 27/Res.1052 clearly specifies that Port State Control should only be carried out by Officers complying with the qualification criteria specified therein (Refer Chapter 1, Clause 1.9 of the said resolution, which is reproduced below):

*1.9 QUALIFICATION AND TRAINING REQUIREMENTS OF PSCOs*

*1.9.1 The PSCO should be an experienced officer qualified as flag State surveyor.*

*1.9.2 The PSCO should be able to communicate in English with the key crew.*

1.9.3 Training should be provided for PSCOs to give the necessary knowledge of the provisions of the applicable conventions which are relevant to the conduct of port State control, taking into account the latest IMO Model Courses for port State control.

1.9.4 In specifying the qualifications and training requirements for PSCOs, the Administration should take into account, as appropriate, which of the internationally agreed instruments are relevant for the control by the port State and the variety of types of ships which may enter its ports.

1.9.5 PSCOs carrying out inspections of operational requirements should be qualified as a master or chief engineer and have appropriate seagoing experience, or have qualifications from an institution recognized by the Administration in a maritime related field and have specialized training to ensure adequate competence and skill, or be a qualified officer of the Administration with an equivalent level of experience and training, for performing inspections of the relevant operational requirements.

1.9.6 Periodic seminars for PSCOs should be held in order to update their knowledge with respect to instruments related to port State control.]

Recognizing the fact that sub-standard vessels are a threat not only for safe navigation in our coastal waters but also can lead to environmental degradation along with providing a competitive advantage to sub-standard vessel operator. Besides, to follow the Government of India policy of Ease in Doing Business, the standard operator / owner should not be treated at par with the sub-standard operators / owners.

Realizing that the Flag State Implementation [FSI] and Port State Control [PSC] are the two vital instruments, which can ensure that the objectives of the Indian Government i.e., the protection of life and property at sea and the preservation of environment can be enhanced, provided they are effectively implemented, a standard operating procedures [SOP] detailing the requirements for qualification of surveyors, training, targeting of ships for inspection and reporting have been prepared for FSI and PSC inspections, as under, to be followed with immediate effect.

#### FSI [Flag State Implementation]

- a) The officer conducting FSI must be a certified Chief Engineer, Master Mariner or a Naval Architect employed with the Government of India on a regular basis.

Radio Officer / Inspector can only assist qualified Flag State officer for radio related inspections.

- b) The officer should have conducted at-least ten (10) FSI Inspections satisfactorily under a qualified Flag State officer before being authorized him as an independent flag state officer by the Principal Officer of the district.
- c) The qualification record along with a copy of authorization by the Principal Officer of the district concerned to be forwarded to the Chief Surveyor for record.
- d) Re-Qualification of the authorized flag state officer is required if the officer has not carried out at least two FSI in a calendar year. Such officer is to get re-qualified by conducting at least two FSI under an authorized FSI officer and on satisfactory completion of the same the authorization to be renewed by the concerned jurisdictional Principal Officer.

#### PSC [Port State Control]

- a) The PSC officer to be a certified Chief Engineer, Master Mariner or a Naval Architect employed with Government of India on a regular basis. Radio Officer can only assist qualified PSC officers for radio related inspections.
- b) The officer should have been a qualified FSI officer for a period of at-least six months and has a minimum of one year experience as flag state surveyor [pls. refer Merchant Shipping Notice 9 of 2013 dated 26 March 2013].
- c) The officer should have completed at least ten (10) Flag State Inspections as an authorized Flag State officer and satisfactorily carried out at least ten (10) PSC inspections under a qualified PSC officer.
- d) After completion of the above, a suitable recommendation from the jurisdictional Principal Officer along with the officer's training records to be forwarded to the Chief Surveyor for approval.
- e) Re-Qualification of the authorized PSC officer is required if the officer has not carried out at least two PSC in a calendar year. Such officer is to get re-qualified

by conducting at least two PSC under an authorized PSC officer and on satisfactory completion of the same; a suitable recommendation is to be forwarded to the Chief Surveyor by the jurisdictional Principal Officer for approval.

### Number of Inspections

Under IOMOU, India is obliged to conduct PSC inspections of 10% of all eligible foreign flag vessels visiting her ports. Eligible vessels are those which have not been inspected by any state who is the member of IOMOU in last six months. Further, IOMOU allots a risk profile (Very High, High, Medium and Low) to each vessel; and each vessel need to be inspected once in six months irrespective of her risk profile. In line with Government of India policy of "Ease of Doing Business", vessels who have demonstrated required behavior should be given preferential treatment. Therefore, the PSC targeting procedures are modified and are now as below:

- a) India is divided into 5 districts namely Mumbai, Kolkata, Chennai, Kochi and Kandla. Each district should endeavor to inspect 10% of all eligible-vessels visiting their ports in a calendar year.
- b) Each authorized officer should carry out at-least four inspections per month two each under FSI and PSC inspections respectively.
- c) The vessel should be targeted on the basis of their risk profile with highest priority given to high risk vessel and so on.

### Reporting

Each district should forward to the PSC cell of DGS a monthly report which should include at-least the following information:

- Name and IMO number of the vessel visiting port/s under their jurisdiction.
- No of high risk vessels visiting Indian ports under their jurisdiction

