

PSC Circular 1 of 2005

NO:SS/PSC/ Circular/2005

Dated: April 29, 2005

Sub: Detention under Port State Control Inspection

The Principal Officer,
Mercantile Marine Department,
Mumbai/Kolkata/Chennai

The Surveyor-in-Charge,
Mercantile Marine Department,
Tuticorin/Port Blair/Visakhapatnam/Kochi/
Jamnagar/Goa/Kandla/Mangalore/Haldia/Paradip.

Sir,

It has been observed that the Port State Control Officers (PSCOs) have been detaining the ships by assigning Code '30' against several minor deficiencies, which do not render the ship "substantially sub-standard", which is the prime criteria for detaining a ship.

It has to be appreciated that there has to be a clear distinction between a ship whose condition or its crew does not correspond substantially with the applicable Conventions, to ensure that the ship will not sail until it can proceed to sea without presenting a danger to the ship or persons on board, or without presenting an unreasonable threat or harm to the marine environment and a ship which may have

although some significant deficiencies but the same can be rectified almost immediately.

Therefore PSCOs are required to bear it in mind that a ship which is otherwise well maintained and may have some deficiencies like the servicing certificate of some equipment having expired recently, but the condition of the equipment as such appears to be satisfactory, some air pipes having pin holes, some supply items validity having expired recently, etc. All these defects have to be viewed in the background of overall condition of the ship i.e. its hull, machinery and equipment condition and general level of maintenance.

Further, assignment of action Code '17' does in itself ensure that the deficiencies, which require urgent attention/rectification as per the PSCO, do get attended to before the ship is allowed to leave the port. Whereas in case of a really sub-standard ship it would not be possible for the shipowners to rectify all the deficiencies pointed out by the PSCO, within a short time.

We have to appreciate that the ships operating in our region are mostly old ships and therefore a significant number of them are likely to have substantially serious hull, machinery and equipment deficiencies. Hence the aim of the PSCOs should be concentrated on identifying such ships and ensuring that they are not allowed to operate in our waters till their owners undertake all the necessary repairs on them. Such ships would definitely qualify to be called as sub-standard ships.

PSCOs are advised to bear these points in mind while undertaking PSC inspections so that they are able to distinguish clearly between a sub-standard and reasonably well maintained ship and they do not assign Code 30 to second category of ships.

You may be aware that we have been receiving several communications/protests from various flag state authorities questioning the detention order issued by our PSCOs. While analyzing the concerned cases it has been noticed that detention of some ships was not appropriate. However, receipt of such communication does not mean that the PSCOs should not perform their assigned duties under PSC inspections but the Directorate would surely like to ensure that PSC detentions are imposed only on those ships, which have been identified as "substantially sub-standard" from the point of view of safety and environment protection.

It may also be ensured that the detention orders are issued by the PSCOs only after obtaining their respective Principal Officer's concurrence.

Yours faithfully,

Sd/-

(Sudhir Kumar)

Deputy Chief Ship Surveyor-cum-

Senior Deputy DG (Tech)