

## DGS Order No. 02 of 2011

NO: SSMISC (1) 2011

17.02.2011

NOTING the urgency of regulating the sand barges and monitoring them by implementing safety and security standards;

UNDERSTANDING the difficulties faced by Maharashtra Maritime Board in regulating and monitoring the sand barges movement and inspections;

CONSIDERING the request of Maharashtra Maritime Board and sand barge operators;

NOTING the judicial intervention in the sand mining activities with a view to protect coastal environment;

RECOGNISING the importance to strike a balance between livelihood issues of people involved in the trade for a long time and the safety & security concerns on the coast;

UNDERSTANDING that sand barges trade in a low value high volume cargo has traditionally been taking place with good reported track record of safety of human life;

REFERRING to the meeting dated 18.01.2011, held in DG Shipping under the Chairmanship of Nautical Advisor to the Govt. of India with the Sand Barge Owners Association along with Indian Coast Guard, Maharashtra Maritime Board, Mumbai Port Trust and other stake holders;

HAVING received various requests from stakeholders, for dispensation from safety and security norms that are presently available to be implemented on the operation of sand barges and as ASSURED by the sand barge owners that full compliance of all the applicable requirements shall be ensured after such period of one time dispensation as provided herein;

AND

CONSIDERING that a one time relaxation/dispensation from the requirements as a measure to encourage the adoption of River-Sea Vessels (RSV) notification and for the smooth transition of existing inland vessels to RSVs.

**A.** Hence, by virtue of the powers conferred under Section 456 of the Merchant Shipping Act 1958 (Act 44 of 1958), the Director General of Shipping hereby permits the sand barges to operate under the following dispensations from the requirements of Merchant Shipping Act, 1958, subject to compliance of terms and conditions stipulated under paragraph B of this order;

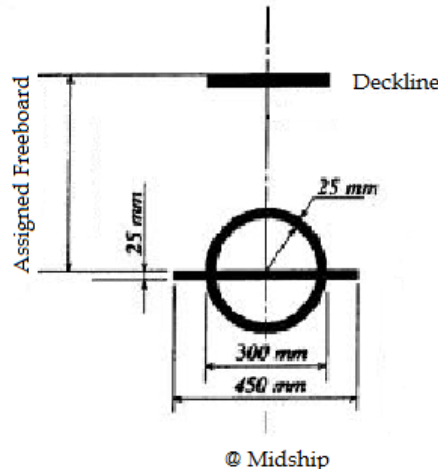
1. Preamble and General Provisions

2. Section-175 Accommodation for seamen
  3. Sections-284 & 311 - Cargo Ship Safety Construction & Survey
  4. Sections-288, 289 & 290 - Life Saving Appliances/ Fire Fighting Equipment
  5. Section-76 Certificated officers and prescribed manning scale
  6. Section 291- Radio Communication Requirements
  7. Section 356-Safety of Navigation
  8. Section 299A, 300, 303, 307(2), 207(3) & 318- Surveys and Certification
  9. Section 356C, 356E & 356F-Pollution Prevention Certificates
  10. Section 344O, 344Q & 344R- Ship Security Measures
- B. The aforementioned dispensation shall be subject to strict adherence of the following terms and conditions,
- 1) This dispensation is limited to
    - (i) plying areas between the outside of Mumbai/MbPT IV limits and minor ports along the Konkan Coast of Maharashtra, where the duration of the sea leg of the voyage does not exceed twelve (12) hours, and
    - (ii) the current fair weather season extending up to 25/05/2011.

This dispensation shall not be directly or indirectly construed to be precedent and shall be limited for the aforementioned period only.
  - 2) The sand barges shall not ply beyond 6 (six) miles limit from the coast.
  - 3) The vessel shall be in possession of a valid Certificate of Registration and Certificate of Survey, issued under the IV Vessel Act, 1917 (as amended).
  - 4) The vessel shall be certified by IRS for the hull scantlings, structural strength, general condition of the hull and closing appliances, in accordance with the technical provisions contained in the rules promulgated by the Government of Goa for structural strength of the barges.
  - 5) The barges shall carry only such sand that have legal mandate and originated from parties/agencies having requisite permissions and valid licenses/permits for sand mining/transportation issued by appropriate authorities. Any or all such licenses/permits, as required, shall be submitted to the MMB as a proof of compliance and eligibility for operation of sand barge under the present dispensation.
  - 6) The sea leg of the voyage as well as the transit through MbPT/JNPT port limits shall be undertaken during daylight hours only.
  - 7) MMB and MbPT, in consultation with the barge owners, shall jointly decide the points where the sand barges should cross the channel, and decide on other safety measures including permission/clearance from VTMS of MbPT while transiting through MbPT/JNPT port limits. The sand barges shall strictly adhere to

the lane discipline prescribed by MbPT and MMB when traversing through MbPT/JNPT port limits.

- 8) The vessel shall maintain a crew list on board and all the personnel on board shall have a photo identity card prescribed and issued by Maharashtra Maritime Board (MMB) or MbPT, which shall be readily available for verification by Indian Coast Guard or any other governmental agency.
- 9) The vessel shall be marked with a load line on both sides in the midship location, in a contrasting colour to the background, as indicated in the figure below.



The freeboards to be marked as per the following table:

<i>Overall Length of Barge (metres)</i>	<i>Assigned freeboard (in millimeters)</i>
Below 40 metres	750 mm
Between 40 and 55 metres	between 750 and 825 (by linear Interpolation)
55 metres	825 mm

The IRS shall verify that the load line marks are painted on both the sides of the barges, as stated above. The vessel shall not exceed the draft corresponding to the assigned freeboard at any point of time during the voyage.

- 10) The vessel shall be provided with the following :
  - a) Two orange smoke signals,
  - b) Buoyant apparatus suitable for all persons on board,
  - c) SOLAS life jackets for each person on board,
  - d) Four lifebuoys,
  - e) Navigational lights,
  - f) VHF communication equipment of approved type,
  - g) Global Positioning System (GPS),

- h) Automatic Identification System (AIS)-Type-B,
- i) Navigational charts,
- j) Bilge pumping arrangements, with two independent pumps of adequate capacity to pump out the water from bilge spaces,
- k) Firefighting equipments as per IV Rules, and
- l) General Alarm.

11) The vessel shall fully comply with the regulations for prevention of collision.

12) The manning on the navigation side shall be as follows –

i) Master Second Class (IV) CoC holder with a total of 5 years experience in the sand barge trade in deck department	One
ii) Serang (IV) CoC holder with a total of 3 years experience in the sand barge trade in deck department	One
iii) IV Ratings with at least one year experience in same trade	Three
iv) IV Rating	One

The IV Second Class Master shall be examined by the Chief Port Officer, or any other Port Officer holding Master Foreign Going Certificate on his behalf, in all disciplines for safe navigation on the coast in the prescribed area. Their proficiency may be specially examined in following areas -

- a) Plotting the Course and position on the chart from terrestrial objects and GPS
- b) Communicating on VHF with Port controls, Merchant Ships, fishing ports and Coast Guard in the vicinity.
- c) Identify the available depths on the chart and calculate the under keel clearance
- d) Familiarity with approaches to Mumbai Harbour and procedures to be followed while entering, leaving and in transit Mumbai Port areas.
- e) International regulations for prevention of collision

13) The manning on engineering side shall be as follows,

Type of Ship/Propulsion Power of Vessel (In Kw.)	Type of Manning Required	No. of Manning
Vessels having Propulsion Power of below 350 Kilowatts.	1) 1 <sup>st</sup> Class Engine Driver (IV)/2 <sup>nd</sup> Class Engine Driver (IV)	1
	2) IV Rating	2
Vessels having Propulsion Power of 350 Kilowatts and	1) MEO Class IV (NCV) / S.G.E.D with One year experience / 1 <sup>st</sup> Class Engine Driver	1

above up to 750 Kilowatts	(IV) with One year experience. 2) IV Rating	2
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- C. The MMB is the designated authority for enforcement and verification of compliance with the requirements of this circular by sand barges and shall issue an endorsement confirming the compliance for the sea-leg of the voyage. This endorsement by MMB shall be issued subject to the satisfactory inspection and certification of the barge by IRS with respect to the requirements indicated in sub paras 4, 9 and 10 of para B of this order. MMB shall forward a copy of the permission issued to each barge alongwith IRS inspection certificate/survey report to the Directorate for information and records.
- D. The dispensation provided herein, refers to the voyage to be undertaken by the sand barges and hence, shall not be directly or indirectly interpreted as dispensation from any of the legal requirements with regard to sand mining, transportation of sand, payment of applicable taxes and duties, trade permissions or allied licensing requirements which are applicable to the conduct of trade or sand mining or any other activity, other than that covered for the purposes of MS Act and that are specifically listed in paragraph A of the present order.
- E. Director General of Shipping may withdraw the present dispensation(s) as provided under paragraph A, in full or in part; or stipulate additional conditions under paragraph B, if and when deemed necessary, on the grounds of misuse, lack of compliance, acts in bad faith and /or any grounds arising from time to time.

This issues with the approval of Director General of Shipping and ex-officio Additional Secretary to the Government of India.

Sd/-

(Suresh Kumar)

Chief Ship Surveyor-cum-Jt. DG (Tech.)

For Director General of Shipping & Ex-officio

Additional Secretary to the Govt. of India

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