

**ORDER OF WITHDRAWAL OF APPROVAL AND
DE-RECOGNITION OF INSTITUTE**

Background

The Maritime Training Institute (MTI) "**R M Maritime Academy**" (MTI No: 204021) located at Unit No. 118, NBC Complex, plot No. 43, Sector 11, CBD, Belapur, Navi Mumbai - 400614 was granted approval by the Directorate for conducting the modular courses. As per DGS Training Circular 07 of 2018 dated 21 / 03 / 2018, MTIs conducting "Personal Survival Techniques" course were required to have swimming pool for imparting practical training at their own campus. The said Circular also mentioned that if it was not feasible to have a swimming pool within their own campus, they may have a tie-up arrangement with other MTI approved by the Directorate having swimming pool facility.

Brief Note -

- A. The Directorate had developed an online module for uploading monthly Time table. All the MTIs are required to upload the monthly time table for all the maritime courses they wish to conduct in a month. The time table is required to be uploaded on last Friday of the previous month. A facility was provided to edit the time table even on the day of commencement of course to make any amendments if necessary. The online system automatically prevented MTI to make any back dated entry. Training Circular 06 of 2019 dated 19 / 03 / 2019 is enclosed as Annexure - 1 for reference.

The time table uploaded by the MTI "R M Maritime Academy" reflected that the same classroom has been shown to have been used for conducting classes for more than one batch at the same time thus

overlapping the batches. Overlapping of batches is neither possible nor permissible as the number of candidates in one class room cannot exceed 24, which is the maximum intake capacity allowed per batch for the course.

- B. The Directorate had issued Training Circular No. 04 Of 2018 dated 23 / 01 / 2018 restricting the batch details of candidates present to be included in the e-governance latest by 10 AM on the date of commencement of course. The MTI is expected to delete the batch details of any candidate if he fails to report by 10 AM. The Directorate had also issued Training Circular No 32 of 2018 dated 02 / 11 / 2018 for procedure to generate certificate number for the candidate who has completed the course and has been found successful in assessment. In case a candidate does not completely attend the course or fails in the assessment, a provision is made for the MTI to withdraw the certificate of the candidate. Training Circulars 06 of 2019 dated 19 / 03 / 2019 and Training Circular No 32 of 2018 dated 02 / 11 / 2018 are enclosed for reference as Annexure - 2 and Annexure - 3 respectively.

The records from the e-governance system show that the MTI had uploaded batch details suggesting that the candidates have attended the course but neither the certificate was generated nor withdrawn for some candidates. This clearly indicates that the batch details were incorrectly submitted by the MTI.

- C. The Maritime Training Institutes and the facilities available for imparting practical training are inspected by the Mercantile Marine Departments and reports submitted to the Directorate. Upon recommendation by MMD, the Directorate grants approval to the MTI for the conduct of the course. Any MTI cannot use any facility for imparting practical training unless satisfactorily inspected by MMD and approved by the Directorate. DGS Order 05 of 2016 dated 01 / 11 / 2016 is enclosed as Annexure - 4 for reference.

The MTI "R M Maritime Academy", vide Suspension Order No. TR / TAR / 1 (14) / 2016 / 331 dated 12 / 07 / 2018 had earlier been suspended from 12 / 07 / 2018 to 15 / 08 / 2018 for using facility for imparting practical training in fire-fighting which was not approved by the Directorate. The Suspension Order No. TR / TAR / 1 (14) / 2016 / 331 dated 12 / 07 / 2018 is enclosed as Annexure - 5 for reference.

- D. The e-governance system of the Directorate has various modules for training, sea service experience, examinations and certification which are inter-linked. Incorrect submission of any data leads to false certification and affects the Indian seafarers employment. Also, as per the STCW Convention, all the data regarding the certification of seafarers is to be made available worldwide for verification of the authorities. Therefore, the Directorate had included "False submission of information to Authorities" a major deficiency in the DGS Order 05 of 2016 dated 17 / 06 / 2016.
- E. The requirements of swimming pool in the MTI campus was difficult owing to land requirements and State permissions and clearances. Owing to this, the Directorate had allowed MTIs to have a tie-up arrangement with other MTIs for making use of the practical training facilities for imparting practical training. The MTIs were also encouraged to share their facility for imparting practical training. However, such permissions were limited to five MTIs. Training Circular 07 of 2018 dated 21 / 03 / 2018 is enclosed as Annexure - 6 for reference.

The MTI "R M Maritime Academy" informed the Directorate that they shall be constructing their own swimming pool and also informed the Directorate that they have made tie-up arrangements with other MTI "Anvay Maritime Institute" for making use of the swimming pool facility for imparting practical training to the candidates in the interim period. The records and the email communication as discussed in irregularity no. 03 clearly show that the MTI "R M Maritime Academy"

did not send the candidates to the MTI "Anvay Maritime Institute" for making use of the swimming pool facility for imparting practical training to the candidates. At certificates for PST were issued by the Institute during this period, which was definitely not in accordance with the approval accorded by DGS.

- F. Owing to the major deficiencies noted, the Directorate had issued Show Cause Notice (SCN) to the MTI vide letter No. TR / TAR / 1 (14) / 2016 dated 21 / 06 / 2019. The Show Cause Notice is enclosed as Annexure - 7 for reference. The MTI replied to the Show Cause Notice vide their letter No. RMMA / SN / 08 / 2019 dated 29 / 06 / 2019. The reply of the MTI to the issued SCN is enclosed as Annexure - 8 for reference. The reply of the MTI to the issued SCN was reviewed at the Directorate and para wise comments of the Directorate are given below.

2. Irregularity No. 1

The subject MTI did not have swimming pool in their campus. On 30 / 08 / 2018, the Directorate received an email from the MTI requesting time for 90 days for constructing their swimming pool and as proof of their intention to construct the swimming pool, it attached pictures of the partly constructed swimming pool. On 18 / 03 / 2019, the MTI informed the Directorate that they have a tie-up arrangement since 01 / 03 / 2019 with another MTI "Anvay Maritime Institute", (MTI No. 204071), Belapur, Mumbai for use of swimming pool located at Survey No. 89 / 2 / 3A, Post Apta, Taluka Panvel, District Raigad - 410206 approved by the Directorate. The swimming pool is required for imparting practical training for the "Personal Survival Techniques" and "Refresher Training for proficiency in Personal Survival Techniques" courses.

Reply by the MTI

We did not have swimming pool in our campus and were trying our best to construct it and maintain it as part of our training infrastructure. The picture of partly constructed swimming pool was forwarded to DGS for information. However, due to some legal issue we were unable to continue further with the project at the same location and are now identifying a new location to construct the same. This was an unforeseen set back to us.

In order to comply as per DGS Training Circular No. 07 of 2018 we had tie-up with DGS approved MTI "M/s Anvay Maritime Institute", Belapur, Navi Mumbai agreed on 01/03/2019 for imparting practical training for PST & Ref.PST and was duly informed to the DGS on 18/03/2019.

Findings of the Directorate:

The reply of the MTI is not acceptable. While the MTI sent photographic evidence for construction of swimming pool to continue functioning it did not inform the Directorate about difficulties faced in constructing the swimming pool. However, as the tie-up arrangement with other MTI was allowed by the Directorate, the MTI was allowed to have a tie-up arrangement as an alternative. The Training circular on Swimming pool was issued on 21.03.2018. All the Maritime Training Institutes are directed to abide by the issued guidelines latest by 31.08.2018. R.M Maritime Academy fails to comply with the guidelines issued by the Directorate. Despite having tie-up arrangement with the DGS approved MTI "Anvay Maritime Institute", the MTI did not send their candidates for practical training at the swimming pool belonging to the MTI "Anvay Maritime Institute". This means that the entire training of PST was either not conducted by the MTI or conducted by the training institute in violation of Guidelines and approval granted by the Director General of shipping which in turn resulted in violation of the provisions of STCW

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convention. This is a major non-compliance of DGS Training Circular 07 of 2018. Para E of the brief note has more details on this issue.

Irregularity No. 2

The Directorate received online application (Application No: 100256 dated 03 / 06 / 2019) from the MTI requesting for approval of additional batch for "Basic Safety Training" course and new batch for "Crowd Management, Passenger Safety and Safety Training" course. The MTI already had approval "Basic Safety Training" course for an intake capacity of 20 candidates / batch at a frequency of 48 batches / year. It was noticed that during the period 01 / 03 / 2019 to 31 / 05 / 2019, the MTI had uploaded batch details of 527 candidates for "Basic Safety Training" and "Refresher Training for proficiency in Personal Survival Techniques" courses within three months raising suspicion about the courses conducted.

Reply by the MTI

Expecting the future growth in job opportunities for Indian Seamen and accordingly more seats requirement of our Institute for training, we had submitted online application requesting for approval of additional batch for Basic Safety Training and new batch for Crowd Management, Passenger Safety and Safety Training.

We had uploaded the batch details for 527 candidates during 01/03/2019 to 31/05/2019. However **we found some lapse in procedural issues** and the master checker has been corrected for candidate details of Basic Safety Training 439 (1 candidate withdraw the master checker) and Refresher PST 88 (26 Candidates did not come for the course and the master checker updated for those who have not done the course). We are submitting that the training provided to the 500 candidates as in compliance with the DGS guidelines and approval

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given by the DGS for conducting the said course. Accordingly, the batch details were uploaded. May we please stress here that not a single certificate was ever issued without appropriate training imparted.

Findings of the Directorate:

The MTI has accepted their fault that they have made certain procedural lapses. The MTI did not follow the procedures for uploading batch details of candidates for a maritime course and subsequent generation of certificates. In addition, the MTI had submitted false information to Authorities in way of uploading incorrect details in the e-governance system which is unlawful. This is major non-compliance by the MTI. Kindly refer Para B and Para D of the brief note for details.

Irregularity No. 3

The Directorate sent an email to the MTI "Anvay Maritime Institute" on 17 / 06 / 2019 to confirm that these candidates had undergone practical training. The MTI "Anvay Maritime Institute" replied that only 40 candidates had undertaken the practical training at their swimming pool. They had also informed that they are no longer interested in continuing the tie-up arrangement for swimming pool with the MTI "R M Maritime Academy".

Reply by the MTI :

M/s. Anvay Maritime Institute replied to DGS email dated 17.06.2019 that the practical training was provided by them in the DG approved swimming pool agreed with them was for 40 candidates whereas the record of the institute shows record of 70 candidates. Since, some of the students complained of skin irritation post using the swimming pool of Anvay Maritime Institute. Thereafter, they have informed the institute

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that they are no longer interested in continuing the tie - up for swimming pool with us.

In addition to the above, we would like to inform that remaining students were provided practical training for PST/Ref. PST course at DG approved swimming pool of YMCA, Belapur, which is being used by various other MTI and earlier the kind approval of DGS. to our Academy was given for PST course on the basis of our tie-up with YMCA.

In retrospect, **our default is not informing the DG of the swimming pool switch and following the procedures for taking approval for the same** by assuming that since other MTI were using it thus we could do the same for the effective completion of training of the candidates coming to us.

Our intentions were never questionable and there was never intended to fraud but **we accept procedure lapse from our office to inform DG to take suitable permission** and are already taking suitable steps to strengthen our quality system to avoid such lapse in future.

Findings of the Directorate:

The MTI has accepted its mistake. The MTI seems to be taking shelter for its wrong doings by accepting faults under the aegis of "procedural lapses". The deficiencies pointed out by the Directorate are of serious nature. Such deficiencies affect the training imparted to the candidates and unlawful certification of the candidates. India is a major seafarer supplying nation to the world maritime industry. Any deviation from quality parameters of Indian maritime education and training shall affect the employment of lakhs of Indian seafarers working in the world maritime industry. The MTI had been earlier suspended and should have taken precautions to ensure that such procedural lapses do not recur. Also, the MTI never made any efforts to inform the Directorate if

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any certificate was issued without imparting training. **“Procedural lapses”** in submitting false information to the authorities, using facility not approved by the Directorate and issuing certificates to the candidates without imparting training can never be accepted.

The MTIs contention that some of the students complained of skin irritation post using the swimming pool seems that the MTI is finding excuses for not using the swimming pool. The MTI did not inform the Directorate about the problems associated with the swimming pool. Also, there are other MTIs which are using the same swimming pool for the practical training of their candidates. The MTI has been a perpetual defaulter with regard to falsification and issuance of certificates without imparting training. In addition to the above, the findings of the Directorate mentioned under irregularity No. 01 may be seen. Hence the contention of the MTI is not accepted.

Irregularity No. 4

4.1 During the period 01 / 03 / 2019 to 31 / 05 / 2019, the MTI had uploaded batch details of 438 candidates for “Basic Safety Training” course and issued 437 certificates and did not issue certificate to one candidate despite completing the course. The reason for not issuing the certificate to the candidate is not known to the Directorate and needs to be investigated. However, as per the records submitted by the MTI “Anvay Maritime Institute”, only 39 candidates from the MTI “R M Maritime Academy” were present for the practical training at the swimming pool.

4.2 As per the agreement for use of swimming pool, the MTI had allotted slots from Monday to Thursday for practical training for “Refresher Training for proficiency in Personal Survival Techniques”

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course. However, as per records uploaded by the MTI, the MTI had conducted the course on Saturday for 83 candidates.

4.3 During the period 01 / 03 / 2019 to 31 / 05 / 2019, the MTI had uploaded batch details of 90 candidates for "Refresher Training for proficiency in Personal Survival Techniques" course and issued 64 certificates for and did not issue certificate to 26 candidates despite completing the course. The reason for not issuing the certificate to the 26 candidates is not known to the Directorate and needs to be investigated. However, as per the records submitted by the MTI "Anvay Maritime Institute", only one candidate from the MTI "R M Maritime Academy" was present for the practical training at the swimming pool.

4.4 As per the Time-table uploaded by the MTI for the month of April 2019 and May 2019, it is observed that multiple batches for "Basic Safety Training" course were conducted in same room. This indicates the irregularities of the MTI in conducting the course. The details of the same are as given below.

Room No.	Batch No.	Start Date	End Date	Remarks
01	26	01.04.2019	12.04.2019	Overlap
01	28	11.04.2019	23.04.2019	Overlap
01	30	18.04.2019	30.04.2019	Overlap
01	32	25.04.2019	07.05.2019	Overlap
02	27	08.04.2019	19.04.2019	Overlap
02	29	15.04.2019	26.04.2019	Overlap
02	31	22.04.2019	03.05.2019	Overlap
02	33	29.04.2019	10.05.2019	Overlap
05	35	13.05.2019	24.05.2019	Overlap

05	37	16.05.2019	28.05.2019	Overlap
05	36	27.05.2019	07.06.2019	Overlap

4.5 As per the Time-table uploaded by the MTI for the month of April 2019 and May 2019, it is observed that the MTI did not conduct any batch for "Refresher Training for proficiency in Personal Survival Techniques" course. However, they had uploaded batch details of 90 candidates for the said course during the two months.

4.6 The MTI "R M Maritime Academy" is located at Unit No. 118, NBC Complex, Plot No. 43, Sector 11, CBD, Belapur, Navi Mumbai - 400614 as per the records submitted at the Directorate. As per records submitted by the MTI in their MTI profile, the MTI has provided additional address of MTI at 301, Shree Govardhani Apartment, Plot No. B17, Sector 20, Navi Mumbai which is not approved by the Directorate. The activities of the MTI at 301, Shree Govardhani Apartment, Plot No. B17, Sector 20, Navi Mumbai needs to be investigated.

4.7 The MTI "R M Maritime Academy" had earlier been suspended from 12 / 07 / 2018 for a period of one month for using infrastructure which was not approved by the Directorate. This proves that the MTI is a perpetual defaulter and not conducting the maritime courses as per the DGS guidelines.

The above observed deficiencies were found to be of serious nature falling under the category of major deficiency as per Section 5.3.1 of DGS Order 05 of 2016 dated 01 / 11 / 2016.

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Reply by the MTI:

In view of the above, our humble submission / reply to para 5 of the said Show Cause Notice and annexure to the Show Cause Notice are given below:-

- a. We have never issued certificate to any candidate without imparting.
- b. We are using the swimming pool at YMCA for PST/Ref. PST after getting information from students about itching problems from swimming pools for which we had sought approval. UMCA is also convenient for the students. Justification with supporting documents was given to DGS on 18/06/2019 by meeting personally with the concerned officer of DGS and shown PST Practical video and Bio-metric attendance, Payment made to YMCA etc. Since, we had agreement for using Swimming Pool of Anvay Maritime Institute from Monday to Thursday only, we had to conduct practical training for 83 students on Saturday.
- c. We have Separate Classrooms for each approved course and have already uploaded the time table for utilization of Classroom etc.
- d. The second address provided by us in Company details of DGS site was added by mistake with the assumption that it was required to submit an alternate address for postal requirements. The address is a house owned by the directors of the institute where they reside too and never used as a Classroom.
- e. In compliance with the DGS guidelines, we are issuing certificates to only the students who have successfully completed the Course.

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Certificates to the absent students are issued after the candidates attend the classroom / practical training.

f. Further to state that we are thankful to DGS guidelines and always trying our best to provide quality training in compliance with the guidelines.

g. We also submit that our CIP Grading is 'A-2'.

h. Unknowingly and unintentionally, **we may have made some procedural lapse in conducting approved course for which we sincerely / deeply regret the same.** We assure you that we shall effectively comply all guidelines of DGS and put diligent measures to ensure that we carry out internal audits through independent experts and ensure we follow all procedures as laid out by DGS guideline.

Findings of the Directorate:

The MTI accepted the irregularities made by them while conducting courses, hence denying all the allegation does not absolve them from culpability. In the training module of e-governance the details uploaded by the MTI establishes the fact that MTI conducted multiple batches from one classroom. The MTI has not imparted practical training properly to the candidates and the Directorate is having evidence to that. Hence, the MTI has issued course certificate to the candidate without imparting training. Details mentioned in Para A, B, C, D and E in the brief note may be seen. Regarding the procedural lapses, the findings of the Directorate mentioned against irregularity 3 may be seen.

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5. The Directorate has observed few more deficiencies and irregularities while examining the case of MTI. The faculty Capt. VarunSurendra Sigh Chauhan, INDoS No. 08NL0593, who was working as faculty in RM Maritime Academy from 01/07/2017 till 23/04/2018 as per the records submitted by the MTI. The faculty VarunSurendra Sigh Chauhan, INDoS No. 08NL0593, holds CoE No. UKM0462 sailed as Master with the Company M / S D.S.G Ship Services Private limited on the Ship "Poorna" from 15 / 12 / 2017 till 09 / 01 / 2018. The above clearly proves that during the period 15 / 12 / 2017 till 09 / 01 / 2018, the faculty being on ship cannot be the faculty or the Course In-charge for any course being conducted by the MTI during that time. Also, it has come to the notice of the Directorate that the said faculty was never on the payroll of the MTI. The various certificates shown and submitted by the candidates have different signatures (5 different signatures) of Capt. V. Chauhan. Most of the certificates signed by Capt. V. Chauhan had been issued while he was sailing onboard. The Course In-charge, faculty Mr. ShekharRanjan Prasad, INDoS No. 01EL5825, holds CoC No. CoC0017885. The various certificates shown and submitted by the candidates have different signatures (3 different signatures) of Mr. P. S. Ranjan. The various certificates shown and submitted by the candidates have different signatures (2 different signatures) of the Principal Capt. P. M. Choudoor and Dr. B. S. More. Further The MTI "RM maritime Academy" was found issuing certificates using two different type of logo of the MTI.

6. **Ninety-nine** candidates who were issued certificate for different modular courses from "R M Maritime Academy" (MTI No: 204021) CBD-Belapur, Navi Mumbai - 400614, and have submitted to the Directorate that they have obtained these course certificate without attending classes. The statement of these candidates only corroborates the findings of the Directorate. In view of the above it is evident that the MTI

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was not following the instructions contained in the DGS Orders/Guidelines issued from time to time and have been involved in issue of course certificate without conducting classes.

7. The Directors of the Section 8 Company "SL Maritime Welfare Organization" having Mr. Mukesh Kumar Gupta and Mrs. Rekha Mukesh Gupta were involved in issuing course certificates to candidates without imparting training, submitting incorrect data on e-governance.

8. The deficiencies were found to be of serious nature and shall be treated as **major deficiencies**. Some of the major deficiencies were related to:

a) **Issuance of course certificates to candidates without imparting training.**

Ninety-nine candidates who were issued certificate for different modular courses from "R M Maritime Academy" have submitted to the Directorate that they have obtained these course certificate without attending classes. This is a major deficiency as per DGS Order 05 of 2016.

b) **Issuance of course certificates to candidates with different signature of same course In-charge.**

The various certificates shown and submitted by the candidates who received these certificates from R.M. Maritime Academy to the Directorate have different signatures of the same course In-charge on the issued certificates. This is a major deficiency as per DGS Order 05 of 2016.

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c) **Using infrastructure facility which is not approved by the Directorate.**

The MTI "R M Maritime Academy" did not send the candidates to the MTI "Anvay Maritime Institute" for making use of the swimming pool facility for imparting practical training to the candidates. The MTI was having tie-up with the Anvay Maritime Institute for the use of swimming pool. Whereas the MTI as claimed by the MTI has used other private swimming pool for training of candidates without informing and taking approval from the Directorate. This is a major non-compliance of DGS Training Circular 07 of 2018.

d) **False submission of information to Authorities**

Conducting multiple batches in one class room. The Time table uploaded by the MTI "R M Maritime Academy" showing training of multiple batches of students on the same date in the same classroom. Thus overlapping the batches and the same has been uploaded on e-Governance. "False submission of information to Authorities" is a major deficiency in the DGS Order 05 of 2016.

e) **Course certificates not issued to candidates even after completing the course**

The records from the e-governance system show that the MTI had uploaded batch details suggesting that the candidates have attended the course but neither the certificate was generated nor withdrawn for some candidates. This clearly indicates that the batch details were incorrectly submitted by the MTI. "False submission of information to Authorities" is a major deficiency in the DGS Order 05 of 2016.

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9. Now, therefore the undersigned, in exercise of the powers of supervision of maritime training as provided in Rule 75 of the Merchant Shipping (Standards of Training, certification and Watch Keeping for Seafarers)n Rules, 2014 notified under Section 78, 87, 88, 98, 456, 457 and 458 of Merchant Shipping Act, 1958, as amended, and in terms of para 5.5 of DGS Order No. 5 of 2016 for the preceding reasons spelt out, hereby de-recognizes the institute and withdraws all the approvals accorded to the MTI "R M Maritime Academy" (MTI No: 204021) located at Unit No. 118, NBC Complex, plot No. 43, Sector 11, CBD, Belapur, Navi Mumbai - 400614 the details of which are given below:

Sr. No.	Name of the Course	Date of Approval
1	Elementary First Aid	21.06.2017
2	Fire Prevention & Fire Fighting	21.06.2017
3	Personal Safety & Social Responsibilities	21.06.2017
4	Personal Survival Techniques	11.08.2017
5	Security Training for Seafarer with Designated Security Duties	20.07.2017
6	Refresher Training for Proficiency in FPFF	21.06.2017
7	Refresher Training for Proficiency in PST	11.08.2017
8	Basic Training for Liquefied Gas Tanker Cargo Operations	15.09.2017
9	Basic Training for Oil and Chemical Tanker Cargo Operations	27.06.2017

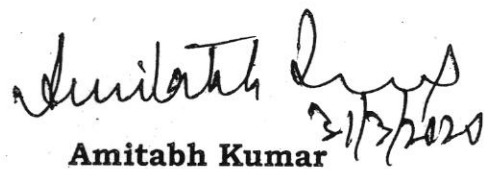
The Trustees/ Directors of the "R M Maritime Academy" (MTI No: 204021) located at Unit No. 118, NBC Complex, plot No. 43, Sector 11, CBD, Belapur,

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Navi Mumbai – 400614 belongs to a Section 8 Company “**SL Maritime Welfare Organization**” having Mr. Mukesh Kumar Gupta and Mrs. Rekha Mukesh Gupta as Directors are also debarred from DGS related activities.

The MTI is directed to preserve all records pertaining to the attendance of faculty, candidates and biometric attendance, registers, video recordings and all such requirement as per relevant DG Order, Circulars and Guidelines and present it to the DG authority as an when called for further investigation and verification.

Receipt of this order may please be acknowledged.


Amitabh Kumar

(Director General of Shipping &
Addl. Secretary to the Govt. of
India.)

To,

“**R M Maritime Academy**” (MTI No: 204021) located at Unit No.
118, NBC Complex, plot No. 43, Sector 11, CBD - Belapur, Navi
Mumbai – 400614

Copy To,

1. The Principal Officer, MMD, Chennai
2. MMD Kolkata, Kochi, Kandla & Mumbai
3. The Shipping Master, Mumbai/Kolkata/Chennai
4. E-Governance Cell
5. Hindi Cell