

PARADIP PORT (AUTHORISATION OF PILOTS) REGULATIONS, 1967.

G.S.R. 1672-

In exercise of the powers conferred by the proviso to sub-section (1) of section 24, read with section 28 and section 126, of the Major Port Trusts Act, 1963 (38 of 1963) and all other powers hereunto enabling the Central Government hereby makes the following regulations, namely :

1. Short title and commencement--

- 1) These regulations may be called the Paradip Port (Authorisation of Pilots) Regulations, 1967.
- 2) They shall come into force on the 1st November, 1967.

2. Definitions--

In these regulations, unless the context otherwise requires--

- a) "Board" "Chairman" and "Deputy Chairman" shall have the meanings assigned to them in the Major Port Trusts Act, 1963 ;
- b) "Coasting steamer" means a steamer not exceeding (except in special cases) one thousand tons net register, trading between the port of Paradip and other ports on the coast of India and returning to or due to return to Paradip at an interval on each voyage not exceeding fourteen days from the time of leaving Paradip.
- c) "Deputy Conservator" means the officer in whom the direction and management of pilotage are vested;
- d) "Harbour Master" means the officer appointed as such by the Board to perform such duties as may from time to time, be assigned to him by the Deputy Conservator;
- e) "Licensed officer" means a person being a Master or Mate of any coasting vessel lawfully appointed and licensed as such by the Board subject to the authorisation of the Central Government, to pilot in the Port any such vessel.
- f) "Limits of compulsory pilotage waters" means the limits defined in relation to the Port under sub-section (2) of section 4 of the Indian Ports Act, 1908 (15 of 1908);
- g) "Port" means the Port of Paradip ;
- h) "Special pilotage licence" means the licence granted to a licensed officer.
- i) "Pilot" means a person for the time being authorized by the Central Government to Pilot vessels under sub-section (3) of section 3 of the Indian Ports Act, 1908 (15 of 1908).

3. Harbour Master's control over pilots--

The Harbour Master shall have control over pilots in pilotage charge of vessels while entering or leaving the port or mooring or berthing or unberthing at any berth in the port.

4. Pilots to be licensed--

- 1) Every pilot shall hold a licence to perform the duties of a pilot for the port of Paradip, and such licence, subject to the sanction of the central Government, may be issued and be revocable by the Board.
- 2) A pilot severing his connection with the Board shall forthwith deliver his licence to the Board.

5. Conditions for joining Pilot Service--

A person shall not be licensed as a pilot unless and until he satisfies the Board that he fulfils the following conditions; namely :-

- a) The conditions of eligibility laid down in regulation 14 (2) and 14 (3) of the Paradip Port Employees (Recruitment, Seniority and Promotion) Regulations, 1967.
- b) On the date of appointment as a Probationer Pilot, he is of an age not below 24 and not exceeding 35 years unless otherwise relaxed by the Board.
- c) That he possesses the qualifications specified in regulation 6.

6. Qualification of candidates--

- 1) A candidate for a Pilotage Licence Shall--
 - a) produce certificates of good character and sobriety and be in possession of a certificate of competency as Master (Foreign-going granted by the Government of India or its equivalent and shall preferably have experience of at least six months as first Mate on a Foreign-going ship;
 - b) Obtain a certificate of physical fitness issued by the Chief Medical Officer of the Port Trust on the recommendation of the Medical Board comprising a physician, a surgeon and an ophthalmologist to be nominated by the Chief Medical Officer. In case of a female candidate, a Lady Doctor will be co-opted in the Medical Board.
 - c) unless the Board otherwise determines, undergo probationary training for a period of not less than 6 months; on completion of the training the probationer may, if recommended by the Harbour Master and subject to the approval of the Deputy Conservator, apply to be examined as to his qualifications to pilot ships.
- 2) The fee for a Pilotage licence shall be Rs. 50/- (Rupees fifty) only.

7. Subjects of examination--

The subject for the examination shall include the following namely :-

- i) Regulations and rules relating to navigation in port.
- ii) The course and distance between any two places :
- iii) the ebb and flow of tides;
- iv) The depth and character of soundings ;
- v) The anchorages, rocks, shoals and other dangers the land marks buoys and beacons and lights within the Port:
- vi) The management of ships and steamers, how to bring them to anchor and to keep them clear of their anchors in a tideway;
- vii) To moor and unmoor and get underway;
- viii) To handle a vessel under all conditions.

8. Examination Committee--

1) The examination for granting of pilotage Licence shall be conducted in the manner stipulated below by an Examination Committee comprising :

- i) Deputy Conservator : Chairman
- ii) Harbour Master : Member
(in his absence senior-most pilot)
- iii) A Master of Foreign going ship : Member

2) After a Pilot completes the probation period of 6 months and depending on his performance during the training period, the Harbour Master shall conduct a practical ship handling test for one inward bound vessel and one outward bound vessel and submit the report to the Deputy Conservator. The Deputy Conservator after being satisfied with the report of the Harbour Master shall convene the Examination Committee and inform the candidate to appear for an oral test in which the candidate shall be examined in the subjects specified under Regulation 7 of the Principal Regulations.

9. Failure to pass an examination--

In the event of a probationer failing to pass the specified examination within nine months of his appointment, he will be liable to be discharged.

10. Pilot's Distinguishing Flag--

- 1) Each pilot shall be provided with a distinguishing flag, which is to be hoisted on the vessel while in his charge in a position where it can best be seen distinct from other signals.
- 2) A similar flag hoisted at the signal station shall be used in communicating with the

vessel when the pilot is on board.

11. Pilots to obey the order of the authority--

A pilot shall obey and execute all lawful orders and regulations given or issued by the Board, the Deputy Conservator or the Harbour Master.

12. Pilot's behaviour--

1) Every pilot shall at all times exercise strict sobriety and shall throughout the time he is in charge of vessel, use his utmost care and diligence for her safety and the safety of other vessels and property.

2) He shall, when necessary keep the lead going while the vessel is under-way and shall not lay by the vessel aground without a written order from the owner, or Officer in command, of the vessel.

13. Pilot's behaviour towards the Master of the vessel, etc. --

A pilot shall show due civility to the owner, Master and officers of any vessel under his charge.

14. Pilots to obtain certificate of services performed by them--

1) A pilot shall, on boarding a vessel, hand the Arrival/Departure report to the Master, who shall enter in the report all the required particular over his signature.

2) Transporting and Anchoring Certificates shall be filled in by the pilot and presented to the Master for signature when the duties of the pilot are completed.

15. Pilots to go on board vessels in good time--

A pilot about to take charge of a vessel which is outward bound, or which is about to be moved from the berth in which she is lying, shall go on board and report himself to the officer in command at the time appointed.

16. Pilots when on duty to carry with them their licence, etc,-

A pilot when on duty shall always have with him his licence, an official Tide Table for the port, a copy of the Port Rules and the Pilotage Regulations for the time being in force.

17. Provision for accommodation and food--

A Pilot shall, if necessary, be provided with reasonable accommodation; and shall be supplied with breakfast between 7 A.M. and 9. A.M. lunch between 12 noon and 2 P.M. and dinner between 6.P.M. and 8 P.M. (I.S.T.) failing which the Master shall pay compensation

in cash at the rate of Rs. 15/- (Rupees fifteen) only for every meal missed by the pilot.

18. Pilots to see that anchors are ready to let go--

A pilot, before taking charge of an outward-bound vessel, shall enquire of the Master of the vessel whether the steering gear is properly connected and in working order and shall direct that both the anchors be made ready to be let gone.

19. Pilots giving evidence--

A pilot shall not attend to give evidence on any trial or inquiry to which he is not a Party without the permission of the Deputy Conservator unless under sub-poena and a pilot under sub-poena to give evidence shall forthwith report the fact in writing to the Deputy Conservator.

20. Pilots to give information of any alterations in navigational marks, etc.---

A pilot who has observed any alteration in the depth of the channels or noticed that any buoys, beacons or light vessels have been driven away, broken down damaged, or shifted from position or become aware of any circumstance likely to affect the safety of navigation, shall forthwith send a detailed report thereof in writing to the Deputy Conservator.

21. Pilots to report casualties--

A pilot shall, as soon as possible on the occurrence of any accident involving any vessel in his charge, report in writing in the approved form the facts relating to the accident to the Deputy Conservator.

22. Harbour Master to regulate attendance of pilots on vessel--

Pilots on shore duty shall be detailed by the Harbour Master to vessels requiring their services and a list showing the rotation in which pilots (having regard to their respective classes) are to be allotted to such vessels, shall be kept in the office of the Deputy Conservator or Harbour Master.

23. Commencement of pilot's duties in regard to outward bound vessel--

The duties of a pilot in regard to an outward-bound vessel shall commence when the vessel leaves the wharf, pier berth, jetty or anchorage, as the case may be.

24. Cesser of Pilot's duties in regard to outward-bound vessel--

The duties of a pilot in regard to an outward-bound vessel shall cease when he has piloted the vessel to the limits of the compulsory pilotage waters.

25. Commencement of pilot's duties in regard to inward-bound vessel--

The duties of a pilot in regard to an inward-bound vessel shall commence when the vessel enters the compulsory pilotage limits of the port.

26. Action to be taken by a pilot on boarding a vessel--

1) A pilot on boarding a vessel, shall ascertain whether there is or has been during the voyage, any infectious disease of the nature specified in the Port Quarantine Rules for the time being in force, among the persons on board the vessel, if there is or has been any such disease he shall anchor the vessel. hoist the quarantine signal and carry out the instructions contained in the said rules in this behalf;

2) A pilot shall likewise ascertain the vessel's present draft and see that both anchors are clear to be let gone, that the National Design is hoisted and that the flags denoting the name of the vessel and any other signals, as required under the Port Rules from time to time, are hoisted in such a manner as to be clearly seen from the Port Signal Station.

27. Cesser of pilot's duties in regard to inward-bound vessel--

The duties of a pilot in regard to any inward-bound vessel shall cease when the vessel is safely moored or anchored at any wharf, pier, berth, jetty or anchorage, as the case may be.

28. Moving of vessels-

1) No pilot shall, where the vessel is under way, move or direct the moving of any vessel within the port from one position to another unless the Master is on board;

2) Where the Master leaves the vessel before the movement is completed, the pilot shall direct the vessel to be anchored in such safe position as may be most easily reached by the Master, and shall not give directions to proceed with the moving until the return of the Master to the vessel.

3) Throughout the moving of the vessel, the number of officers and crew on board and available for duty shall not be less than the number sufficient to perform any duty which may be required; and if the pilot on boarding the vessel considers that the number is not sufficient, he shall invite the Master's attention to the Port Rules and refuse to proceed with the moving unless the Master first signs a declaration under his own hand expressly assuming entire responsibility for the moving of the vessel.

Explanation--

In this regulation, the expression " Master" shall include the first or other officer duly authorised to act for the Master in the event of the Master being incapacitated from performing the duties of his office.

29. Loss of licence--

A pilot losing his licence shall forthwith give notice in that behalf to the Deputy Conservator, stating the circumstances in which the licence was lost and the Deputy Conservator shall, unless he is satisfied that the loss has been caused by the pilot's negligence issue the pilot a temporary licence pending the grant of a duplicate licence by the Board.

30. Pilot's examination of charts--

Every pilot shall, when required in writing by the Deputy Conservator attend the office of the Deputy Conservator or Harbour Master to acquaint himself with the latest plans and charts of the Port and ascertain any other information concerning the port.

31. Pilot's uniform--

A pilot shall wear when on duty such uniform as may be prescribed by the Board.

Special Pilotage Licences to Masters and Mates of Coasting Steamers.

32. Qualifying voyages--

1) A master or mate of a vessel applying for a special Pilotage licence shall not be examined unless he has made at least nine voyages to the Port within the twelve months immediately preceding the date of his application for such licence, of which seven voyages shall have been made within the six months immediately preceding that date.

2) A Special Pilotage Licence shall be in force only for a period of one year from the date of issue, and shall not be renewed without re-examination unless the Licensed Officer has made not less than five voyages to the Port during the twelve months immediately preceding his application for the renewal of his licence. Provided, however, that if by reason of the Licensed Officer having been or being engaged in a seasonal trade, he has not made the requisite number of voyages during the said twelve months, the Examination Committee may, in its discretion, recommend the renewal of the Special Pilotage Licence without re-examination.

33. Subjects of Examination--

1) A Master or a Mate holding a Home Trade or Foreign-going Master's Certificate shall not receive a Special Pilotage Licence until he has passed the examination (before the Examination Committee) prescribed in these regulations for the Port Trust Pilots (with such modification as the Committee may determine).

2) A Special Pilotage Licence is applicable only in respect of the vessels belonging to the company named therein, but it may, on the recommendations of the Examination Committee, be transferred without re-examination of the holder on change of Company or employment.

34. Intervals between Examinations fees for Examinations etc.--

1) A candidate for examination for a Special Pilotage Licence shall be allowed to appear at three examinations only, at intervals of not less than one month, during a period of six

months from the date of the application.

2) The fees payable for the examination, grant or renewal of a Special Pilotage Licence shall be as under :-

a) Fee for examination	Rs. 30
b) Fee for Special Pilotage licence	Rs. 5
c) Fee for renewal of Special Pilotage licence or grant of duplicate Special Pilotage licence.	Rs. 5

35. Certificate of Conduct--

A Master or a Mate applying for a Special Pilotage Licence shall produce a certificate of conduct from the owner or owners of vessels under whom he has served during the twelve months immediately preceding the date of his application. He shall also produce a medical certificate of fitness in the manner prescribed by the Board.

36. Age limit for Special Pilotage Licence--

No application for a Special Pilotage Licence shall be entertained from a Master or a Mate of the age of fifty years or above and no renewal of license shall be granted to a licensed officer after he has attained the age of sixty years. The Board may, however, in special cases, restrict or extend this age limit.

37. Licensed officer not to add or alter or lend licence--

- 1) A licensed officer shall not add to or in anyway alter, such licence or make or alter any endorsement thereon or at any time lend such licence.
- 2) A licensed officer shall, when he become unemployed, deliver his licence to the Deputy Conservator for safe custody and shall on retirement from service forthwith deliver his licence to the Board.

38. Attendance of a licensed officer at the Deputy Conservator's Office--

- 1) A licensed officer shall attend the office of the Deputy Conservator at least once in every three months to acquaint himself with any changes which may have taken place within the Harbour and Channels and also with the regulations and other directions made by the Board from time to time.
- 2) For the purpose referred to in sub-regulation (1) the latest charts regulations and directions shall be kept open for inspection and the licensed officer shall sign his name in the attendance book provided for the purpose.

39. Quarterly return of Pilotage Services--

A licensed officer shall within the first ten days in the months of January, April, July and October render a return to the Deputy Conservator showing the names, draft and tonnage of the vessels piloted by him during the previous quarter and the dates on which he had so piloted them.

40. Examination as to physical efficiency--

- 1) A licensed officer shall from time to time, if so required by the Deputy Conservator submit to an examination as to his physical fitness to act as a Pilot and to an eyesight test as may be prescribed by the Board.

2) If at any time a licensed officer becomes physically unfit, to act as a Pilot or has not passed the prescribed eye-sight test or if he has contracted habits which may affect his efficiency or trustworthiness as a pilot, the Board shall have the discretion to revoke or suspend his licence.

41. Licensed officers to be subject to control of Deputy Conservator--

Every licensed officer shall be under the authority and direction of the Deputy Conservator in all matters relating to his duty as a pilot, and every order or instruction, whether written or verbal, given by the Deputy Conservator or the Harbour master, shall be promptly attended to by him and carried into effect.

42. Licensed officers to move or anchor in allotted berth--

A licensed officer may pilot coasting steamers to and from the open sea and between any part of the Harbour, to any other part. No licensed officer shall however, moor or anchor the vessel which he is piloting, in any berth in the Harbour unless such berth has been allotted to his vessel by the Deputy Conservator.

43. Precautions to be observed--

A licensed officer shall in the discharge of his duties, be required to exercise all reasonable care and shall not allow his vessel to run aground or come into collision with another vessel, or cause damage to his vessel or to other property.

44. Distinguishing signal--

Every licensed officer shall exhibit in his vessel such distinguishing signal as may be ordered by the Deputy Conservator, where it can best be seen distinct from other signals.

45. Disentitlement of licensed officer as regards fees etc.--

No licensed officer shall be entitled to receive any remuneration from the Board and no pilotage fees or transporting fees shall be charged by any person or authority other than the Board or be received by any licensed officer and no licensed officer shall be entitled to the benefit of any of the Pension and Provident Fund Rules of the Board. The grant of any Special Pilot's Licence shall in no way or prohibit any licensed pilot from performing any or all of the duties for which such Special Licence may have been granted.

46. Application of regulations to Master and Mates--

Pilotage Regulation 12, 16, 20, 21 and 29 shall apply to licensed officers and be observed by them.

47. Interpretation--

If any question arises as to the interpretation of these regulations, the same shall be referred to the Board for its decision.

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NOTE : (1) The Paradip Port (Authorisation of Pilots) Regulations, 1967 were published vide GSR No. 1672 in the Gazette of India dated 01.11.1967.

(2) The first amendment namely, Paradip Port (Authorisation of Pilots) (Amendment) Regulations, 1991 were published vide GSR No. 169 (E) in the Gazette of India dated 23.1.1991.

(3) The second amendment namely, Paradip Port (Authorisation of Pilots (Second Amendment) Regulations, 1993 were published vide GSR No. 605 (E) in the Gazette of India dated 13/9/93.