

Mormugao Port (Authorisation of Pilots) Regulations, 1964

G.S.R. 963 – In exercise of the powers conferred by proviso to Section 24 (1) read with section 28, of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following regulations, namely:-

1. SHORT TITLE AND COMMENCEMENT:

(1) These regulations may be called the Mormugao Port (Authorization of Pilots) Regulations, 1964.

(2) They shall come into force on the 1st July, 1964.

2. DEFINITIONS: In these regulations, unless the context otherwise requires –

(a) “Board”, “Chairman” and “Dy. 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) thousand tons net register, trading between the port of Mormugao and other Ports on the coast of India and returning to or due to return to Mormugao at an interval on each voyage not exceeding fourteen days from the time of leaving Mormugao.

(c) “Dy. Conservator” means the officer in whom the direction and management of pilotage are vested.

(d) “Harbor Master” means the officer appointed by the Board with that designation to perform such duties as may, from time to time, be assigned by the Deputy Conservator;

(e) “Licensed Officer” means a person lawfully appointed and licensed by the Board, subject to the authorisation of the Central Government, to pilot in the Port any coasting steamer of which he is the Master or Mate;

(f) “limits of compulsory pilotage waters” means the limits defined in relation to the Port under sub-section (2) of Section 4 of the India Ports Act, 1908 (15 of 1908);

(g) “Port” means the Port of Mormugao;

(h) “Special Pilotage Licence” means the licence granted to a licensed officer.

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 LICENCED:**
- (1) All pilots shall hold licences to perform the duties of a pilot for the port of Mormugao. These licences, subject to the sanction of the Central Government, shall be issue 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 THE PILOT SERVICE:** A person shall not be licenced as a pilot unless and until he satisfies the Board that he fulfils the following conditions:-
- (a) The conditions of eligibility laid down in regulation 14(b) and 14 (c) of the Mormugao Port Employees' (Recruitment, Seniority and Promotion) Regulations, 1964.
- (b) That 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 detailed in regulation 6 below.
6. **QUALIFICATIONS 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 should have preferably experience of at least six months as First Mate on a foreign-going ship.
- (b) Obtain a certificate of physical fitness from such medical authority as may be prescribed by the Board for the purpose;
- (c) Unless the Board otherwise determines, serve a period of probationary training of not less than 6 months and 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 Pilot's licence shall be prescribed by the Board from time to time.

7. **SUBJECTS OF EXAMINATION** : The examination shall include the following subject:- Regulations and Rules framed for navigating in the Port; the course and distance between any two places; the rise and set of tides; the depth and character of sounding; the anchorages, rocks, shoals and other dangers, the Land Marks, Buoys and Beacons and Lights with the port; the management of ships and steamers, how to bring them to anchor and to keep them clear of their anchors in a tideway; to moor and unmoor and get underway; to handle a vessel under all conditions and such other subjects as may be determined by the Examination committee in this respect.
8. **EXAMINATION COMMITTEE**:- The examination shall be conducted in the manner prescribed by the Board by an Examination committee constituted as follows:-
- (1) The Deputy Conservator (Chairman)
 - (2) The Harbour Master
 - (3) A Master of a foreign-going ship.
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**:- Each pilot shall be provided with a Distinguishing Flag which is to be hoisted on the vessel while on his charge in such a position where it can best be seen and apart from other signals.
- The same flag hoisted at the Signal Station will 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 and/or the Harbour Master.
12. **PILOTS BEHAVIOUR**:- A pilot shall at all times exercise strict sobriety. He shall throughout the time he is in charge of a vessel, use his utmost care and diligence for her safety and the safety of other vessels and property. He shall, when necessary, keep the lead going while the vessel is underway. He shall not lay by the vessel aground without a written order from the Owner or Officer in command.

13.PILOT'S BEHAVIOUR TOWARDS THE MASTER OF THE VESSEL ETC.:-

A pilot shall behave with due civility towards the Owner, Master and Officers of any vessel under his charge.

14.PILOTS TO OBTAIN CERTIFICATE OF SERVICES PERFORMED BY THEM:- A pilot shall, on boarding a vessel, hand the arrival/departure report to the Master, who shall enter therein all the required particulars over his signature.

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, i.e. in sufficient time for her to be moved out to sea or to her destination.

16.PILOTS WHEN ON DUTY TO CARRY WITH THEM THEIR LICENCE, ETC:- A Pilot when on duty shall always have with him an official Tide Table for the port, a copy of the Port Rules, Pilotage Regulations for the time being in force, and his licence.

17.PILOTS MAY LEAVE VESSELS AT ANCHOR IN THE HARBOUR IF NOT PROVIDED WITH PROPER FOOD AND SLEEPING ACCOMMODATION:- A pilot shall be provided with reasonable accommodation, if necessary, and shall be supplied with breakfast between 7 A.M. and 9 A.M. with lunch between 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 for food, at the rate of Rs. 3/- for any meal missed by the Pilot.

18.PILOTS TO SEE THAT ANCHORS ARE READY TO LET GO:- A pilot, before taking charge of a vessel outward bound shall enquire of the Master of the vessel whether the steering gear is connected and in proper working order and direct that both the anchors be ready for letting go.

19.PILOTS GIVING EVIDENCE:- A pilot shall not attend to give evidence on any trial or enquiry to which he is not a party unless under sub-poena without the permission of the Deputy Conservator and a pilot under sub-poena to give evidence shall at once 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 circumstances 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, whenever any accident has happened to or been caused by a vessel, while in his charge, shall as soon as possible, report the facts in writing in the approved form to the Deputy Conservator.
- 22.HARBOUR MASTER TO REGULATE ATTENDANCE OF PILOTS ON VESSELS:-** 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 OUTWARD DUTIES:-** The duties of pilot in regard to outward bound vessels shall commence at any wharf, pier, berth, jetty or anchorage on boarding the vessel.
- 24.PILOT'S OUTWARD DUTIES SHALL CEASE:-** The duties of a pilot in regard to an outward bound vessels shall cease when he has piloted the vessel to the limits of the compulsory pilotage waters.
- 25.PILOT'S INWARD DUTIES SHALL COMMENCE:-** 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:-** A pilot on boarding a vessel shall –
- (a) Ascertain whether there is, or has been during the voyage, any infectious disease on board, if there is, or has been, and the disease is of a serious nature as laid down in the Quarantine Rules, he shall anchor the vessel, hoist the Quarantine Signal and carry out the instructions contained in the Port Quarantine Rules in this respect;

(b) Ascertain the vessel's present draft and see that both anchors are clear to be let go; see that the National Design is hoisted and the flags denoting the name of the vessel and any other signals, as required by the Port Rules, from time to time, are hoisted in such a manner as to be clearly seen from the Port Signal Station.

27. TERMINATION OF PILOT'S INWARD DUTIES:- The duties of a pilot in regard to any bound vessel shall cease at any wharf, pier, berth or jetty or anchorage when the vessel is safely moored or anchored therein.

28. MOVING OF VESSELS:- No pilot shall move or direct the moving of any vessel within the port from one position to another unless the following conditions are fulfilled:-

(a) If the vessel is under-way, the Master shall be on board;

(b) If 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 vessel, and shall not give directions to proceed with the moving until the return of the Master of the vessel;

(c) Throughout the moving the number of officers and crew on board and available for duty shall be sufficient to perform any duty which may be required, and if the pilot on boarding considers that the number is not sufficient; he shall call 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.

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 latter being incapacitated from performing the duties of his office.

29. LOSS OF LICENCE:- A pilot losing his licence shall forthwith give notice thereof 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 misconduct issue the pilot a temporary licence pending the grant of a duplicate licence by the Board.

30. PILOT'S EXAMINATION OF CHARTS:- All pilots shall attend frequently at the office of the Deputy Conservator or Harbour Master to examine the latest plans and charts of the Port and 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 MASTER 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 his application for a licence of which seven of such voyages shall have been made within the six months previous to such application.

(2) A Special Pilotage Licence shall be in force for one year only from the date of issue, and shall not be renewed without re-examination unless the Licenced 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 being engaged in a seasonal trade, he has not made the requisite number of voyages during the twelve months prior to his application for a renewal, the Examination Committee may, if they think fit, recommended the renewal of a 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 an examination (before the Examination Committee) as provided by these regulations for the examinations of Port Trust Pilots, with such modification as the Committee may determine.

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

34.INTERVALS BETWEEN EXAMINATION:- A candidate for examination for a Special Pilotage Licence will be allowed to appear at three examinations only, at intervals of no less than one month, in any six months from the date of the application.

NOTE: The following fees are payable for examination, grant and renewal of (a) Special Pilotage Licence:-

(a) Fee for examination	...	Rs. 30/-
(b) Licence fee	...	Rs. 05/-
(c) Annual renewal of licence or a grant of duplicate licence.	...	Rs. 05/-

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 with whom he has served during the 12 months prior to his application he shall also produce a certificate of medical fitness in the manner prescribed by the Board.

36.AGE LIMIT FOR SPECIAL PILOTAGE LICENCE:- No application for a Special Pilotage Licence will be entertained from a Master or a Mate of age of fifty years or over and no renewal of licence will be granted to a licenced officer after he has attained the age of sixty years. The Board may, however, in cases, restrict or extend this age limit.

37.LICENCED OFFICER NOT TO ADD OR ALTER OR LEND LICENCE:- A licenced officer shall not add to or in any way alter, such licence or make or alter any endorsement thereon or at any time lend such licence.

He shall when unemployed deliver his licence to the Deputy Conservator for safe custody and on retirement from service he shall forthwith deliver his licence to the Board.

38.ATTENDANCE OF A LICENCED OFFICER AT THE DEPUTY CONSERVATOR'S OFFICE – A Licenced Officer shall attend at 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 for the regulation of Masters or Mates holding Pilotage Licences.

For this purpose the latest charts, regulations and directions will be open for inspection and the Licenced Officer shall sign his name in the Attendance Book provided for the purpose.

39. QUARTERLY RETURN OF PILOTAGE SERVICES:- A Licenced 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 dates and the names, draft and tonnage of the vessels piloted by him during the previous quarter.

40. EXAMINATION AS TO PHYSICAL EFFICIENCY:-

(1) A Licenced 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/or for eye-sight by such tests as may be prescribed by the Board.

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

41. LICENCED OFFICERS TO BE SUBJECT TO CONTROL OF DEPUTY CONSERVATOR:- Every Licenced Officer shall be under the authority and direction of the Deputy Conservator in all respects relating to his duty as a Pilot, and every verbal order or instruction given by the Deputy Conservator, the Harbour Master, must be promptly attended to by him and carried into effect.

42. LICENCED OFFICERS TO MOVE OR ANCHOR IN ALLOTTED BERTH:-

A Licenced Officer may pilot coasting steamers to and from the open sea and any part of the Harbour, and to and from any part of the Harbour to any other part thereof. No Licenced Officer shall, however, moor or anchor the vessel 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 Licenced Officer who through want of reasonable care, has allowed his vessel to ground, come into collision with another vessel, or caused damage to his vessel or to other property, shall be liable to the penalties prescribed in Regulation No. 50.

- 44.**DISTINGUISHING SIGNAL:-** Every Licenced Officer shall exhibit such Distinguishing Signal as may be ordered by the Deputy Conservator, where it can best be seen apart from other signals.
- 45.**FEES FOR REMUNERATION:-** No Licenced Officer shall be entitled to receive any remuneration from the Board and no Pilotage Fees or Transporting Fee shall be charged by any person other than the Board or be received by any Licenced Officer, and no Licenced 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 prevent or prohibit any Licenced Pilot from performing any or all duties for which such Special Licence may have been granted.
- 46.**APPLICATION OF REGULATIONS TO MASTERS AND MATES** – Pilotage Regulation Nos. 12, 16, 20, 21 and 29 shall apply to Licenced Officers and be observed by them.
- 47.**PENALTY FOR INFRINGEMENT OF REGULATIONS:-** Any Licenced Officer who contravenes any of these regulations shall, without prejudice to any action which the Board may take by way of suspending or cancelling his licence, be punishable for each such contravention with fine which may extend to two hundred rupees.
- 48.**INTERPRETATION:-** If any question arises relating to the interpretation of these regulations, it shall be referred to the Board and the Board shall decide the question.