

# **The Andaman and Nicobar Islands Ports Harbours (Authorisation of Pilots) Rules, 1998**

ANDAMAN AND NICOBAR ISLANDS

India

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### **Rule**

### **THE-ANDAMAN-AND-NICOBAR-ISLANDS-PORTS-HARBOURS-AUTHC of 1998**

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The Andaman and Nicobar Islands Ports Harbours (Authorisation of Pilots) Rules, 1998Published vide Notification Gazette of India, extraordinary, Part 2, Section 3(i), dated 27th August, 1998(w.e.f. 27th August, 1998)

**1589.**

G.S.R. 529 (E), dated 27th August, 1998. - The following draft Rules which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of Sec. 6 of the Indian Ports, Act, 1908 (Act No. 15 of 1908) is hereby published as required by the said sub-section for information of all concerned likely to be affected thereby. Notice is hereby given that the said draft will be taken into consideration on or after the expiry of 45 days from the publication of this notification. Any objection or suggestion which may be received from any person/authority with respect to the said rules before the date specified above will be considered by the Central Government. Objection or suggestion may be addressed to the Secretary, Ministry of Surface Transport, New Delhi.

## **Part I – Preliminary**

### **1. Short title and commencement.**

(1)These Rules may be called the Andaman and Nicobar Islands Ports Harbours (Authorisation) of Pilots Rules, 1998.(2)They shall come into force on the date of publication in the Official Gazette.

## **2. Definitions.**

- In these, unless the context otherwise requires (a) "Conservator" means the Conservator of the port and the Officer in whom the direction and management of pilotage are vested. (b) "Harbour Master" means the officer appointed as such by the Conservator to perform such duties as may, from time to time, be assigned to him by the Conservator. (c) "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). (d) "Pilot" means a person lawfully appointed and licensed as such by the Conservator subject to the authorisation of the Central Government, to pilot in the port any vessel as directed by the Conservator/ Harbour master.

## **3. Harbour Master's Control over Pilots.**

- The Harbour Master shall have control over pilots in pilotage charge of the vessels while entering or leaving the port of 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 ports of Andaman and Nicobar Islands and such licence, subject to the sanction of the Central Government, may be issued and be recoverable by the Conservator. (2) A pilot servicing his connection with the Conservator shall forthwith deliver his licence to the Conservator.

## **5. Condition for joining the Pilot Service.**

- A person shall not be licensed as a Pilot unless and until he satisfies the conservator that he fulfils the following conditions (a) The conditions of eligibility laid down in the appointed order. (b) That on the date of appointment as a Probationer Pilot, he is of an age not below 24 and exceeding 35 years. (c) In the case of a candidate who is an ex-serviceman, i.e. ex-employee of India Defence Forces, Coast Guard and persons working in Public Sector Undertakings/Central/State Govt. undertakings to the extent of the service rendered by him in the Defence Forces. Public Sector Undertaking (Central or State Govt. undertaking plus three years). (d) In the case of a candidate belonging to the Scheduled Caste or a Scheduled Tribe, in accordance with such orders of the Central Govt. as may be issued from time to time for appointments to service or posts under it in favour of the Scheduled Caste and the Scheduled Tribe, and (e) That he possesses the qualifications detailed in regulation 6 below.

## **6. Qualifications of candidates.**

(1) A candidate for a Pilotage Licence shall:-(a) be in possession of a certificate of competency as Master Home Trade/ Foreign Going granted by the Govt. of India or preferably, experience of at least six months in first mate of Foreign going ships/Indian Navy/Coast Guard or at least two years experience as Berthing master or One year experience as Commander of Yards. (b) obtain a

certificate of physical fitness from such medical authority as may be prescribed by the Conservator for the purpose.(c)produce certificate of good character and sobriety,(d)unless the Conservator otherwise determines, serve a period of probationary training 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 Conservator, apply to be examined as to his qualifications to pilotships.(2)The fee for a Pilotage licence shall be prescribed by the Board from time to time.

## **7. Subject of Examinations.**

- The subjects for the examination shall include following, namely : (i) Regulations and rules relating to navigation in the port; (ii) the course and distance between any two places within the Ports limits; (iii) the ebb and flow of tides. (iv) the depth and character of soundings, (v) the anchorages, rocks, shoals, and other, dangerous, the land marks, and other dangerous landmarks 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 on their anchors in a tideway; (vii) to handle a vessel under all conditions; (viii) to moor, unmoor, and get underway; (ix) harbour craft Rules of the Port; (x) safety Rules, of the Port; (xi) quarantine Rules; (xii) the Indian Ports Act 1908 (15 of 1908 and the Major Port Trust Act 1963); and (xiii) such other subjects as may be determined by the Examination Committee in this behalf.

## **8. Examination Committee.**

- The examination shall be conducted in the manner prescribed by the board by an examination committee constituted as follows: (1) The Chief Port Administrator (Chairman) (2) The Harbour Master, and in his absence, another marine officer nominated by the Chairman. (3) The Deputy Conservator, Madras Port Trust.

## **9. Failure to pass an examination.**

- In the event of 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. (3) Notwithstanding anything contained in sub-regulations (1) and (2), the pilot shall also maintain VHF communication with the Port control and obey all instructions conveyed from the Port control.

## **11. Pilots to obey the order of the Authority.**

- A pilot shall obey and execute all lawful orders and regulations given or issued by Conservator, the Deputy Conservator and/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 on her safety, the safety of all other vessel in the proximity and all port property, installations and crafts. (2) He shall, when necessary, kept the lead, Echosounder, Radar and/or any other navigational aid going while the vessel is under-way and shall not lay the vessel a ground without a written order from the owner, Master/Officer in command of the vessel. (3) Notwithstanding the provisions contained in sub-regulation (2), the Pilot shall take such appropriate action in the special circumstances of the case as may be necessary to safeguard the port, all port property, installations, navigational channel, other ships and crafts in the port in larger interests of the port and her users.

## **13. Pilot's behaviour towards the Master of the vesselete.**

- A Pilot shall show due civility to the owner, Master and Officers of any vessel under his charge. The pilot will bring to the attention of the Conservation of Harbour Master any instances when the Master and Officer-in-Command behaved in an uncivil manner.

## **14. Pilots to obtain certificate of services performed by them.**

(1) A pilot shall, on boarding a vessel, hand the Arrival Harbour Departure report to the Master, who shall enter the report all the required particulars over his signature. (2) Transporting and Anchoring Certificates shall be filled in by the pilot and presented to the Master for signature when 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 about to be moved from the berth in which he is lying, shall go on board and report himself to the Master/Officer-in-Command at the time appointed. The pilot shall comply with the rules in force on the subject at the Ports and Harbour of Andaman & Nicobar Islands.

## **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 Time Table for the Port, a copy of the Port Rules and the pilotage, Regulations for the time being in force.

## **17. Provisions for accommodation and food.**

- A pilot shall, if necessary, be provided with reasonable accommodation, and shall be supplied with breakfast between 7.00 a.m. and 9.00 a.m., Lunch between 12 noon and 2.00 p.m., dinner between 6.00 p.m. and 8.00 p.m. (IST). The pilot may leave the vessel at anchor or alongwith in the harbour and go for his meals if not provided with food. This matter, should, however, be brought to the attention of the Deputy Conservator/ Harbour Master.

## **18. Pilots to see that anchor are ready to let go.**

- A pilot, before taking charge of an outward-bound vessel, shall enquire the Master/Officer-in-charge of the vessel that the vessel is in readiness in all respects with regard to her engines, steering, Telegraph, windless, mooring winches, navigational lights and signals, whistle/siren for sound signals and also that anchor are got ready to be let gone instantly.

## **19. Pilots giving evidence.**

- A pilot shall not attend to give evidence on any trial or inquiry to which he is not a party unless under sub-poena without the permission of the conservator and a Pilot under sub-poena to give evidence shall forthwith report the fact in writing to the 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 circumstances likely to affect the safety of navigation, shall forthwith send a detailed thereof in writing to the Conservator and Harbour Master. The same may be recorded in the Harbour Log Book at Control Tower also.

## **21. Pilots to report casualties.**

- A pilot shall, immediately after the occurrence of any accident involving any vessel in his charge, report the facts relating to the accident to the Conservator and/or the Harbour Master as soon as possible followed by a report in writing to the Conservator through the Harbour Master, will be details of damages, reason for the accident and the responsibility for the same within 24 hours of the occurrence.

## **22. Harbour Master to regular attendance of Pilots.**

- The attendance of the pilot to be kept in the office of the Conservator or 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 Conservator or Harbour Master.

### **23. Commencement of Pilot's duties in regard to outward bound vessels.**

- The duties of a pilot in regard to an outward bound vessel shall commence from the time "Section" are called and the pilot has proceeded to the navigational for the purposes of piloting the outward-bound vessels to sea from the wharf, pier, berth, jetty or anchorage, as the case may be.

### **24. Ceaser of Pilot's duties, in regard to outward-bound vessel.**

-The duties of pilot in regard to an outward bound vessel shall cease when he has piloted the vessel' to the limits of the compulsory pilotage waters or to such a position that the Master/Officer-in-charge does not consider it necessary to engage the services of the pilot any more and the pilot also in his opinion feels that in the prevailing circumstances that the Master/Officer-in-command can safely take the vessel out to sea.

### **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 after he has boarded the vessel and proceeded to the navigational bridge and taken charge from the master for the purposes of piloting the vessel inward into the Harbour and when the said 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 the vessel, shall(a)as certain in whether there is, or has been during the voyage an infectious diseases of the nature specified in the Port Quarantine Rules for the time being in force, among the persons on board vessel; if there is or has been any such disease he shall anchor the vessel, hoist the quarantine signal and carry out the instruction contained in the said rules in this behalf;(b)as certain in the vessel's present draft and see that both anchor are clear to be let gone; see that the National Ensign 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 in such a manner as to be clearly seen from the port Control Tower.

### **27. Ceaser 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, peir 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 are available for duty shall not be less 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, attention to the Port Rules and refuse to proceed with the moving.**

Explanation. - In this regulation, the express "Master" shall include the first or other officers 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 Conservator, stating the circumstances in which the licence was lost and the Conservator shall, unless he is satisfied that the loss has not been caused by the pilot's misconduct, issue to the pilot a temporary licence pending the grant of a duplicate licence by the Board.

## **30. Pilot's examination of charts.**

- Every pilot shall attend the office of the Conservator or the Harbour Master to acquaint himself with the latest plan and charts of the Port and ascertain any other information concerning the port and also fill up the Harbour Log Book on completion of his pilotage duties every day.

## **31. Pilot's Uniform.**

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

## **32. Interpretation.**

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