

THE COCHIN PORT TRUST (AUTHORISATION OF PILOTS) REGULATIONS, 1964

G.S.R 316 : In exercise of the powers conferred by proviso to section 24 (I) 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 Cochin Port (Authorisation of Pilots) Regulations, 1964.
- (2) They shall come into force on the 29th February, 1964.

2. Definitions

In these regulations, unless the context otherwise requires:-

- (1) "Board", "Chairman", Deputy Chairman" shall have the same meaning as in the Major Port Trusts Act, 1963.
- (2) "Limits of Compulsory Pilotage Waters" means the limits defined under sub-section (2) of Section (4) of the Indian Ports Act, 1908 (15 of 1908).
- (3) "Deputy Conservator" means the officer in whom the direction and management of Pilotage are vested.
- (4) "Harbour Master" means the Officer appointed by the Board to perform such duties as may, from time, to time, be assigned by the Dy. Conservator.
- (5) "Port" means of port of Cochin.

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) All Pilots shall hold licenses to perform the duties of a pilot for the Port of Cochin. These licences, subject to the sanction of the Central Government, shall 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 the pilot service

A person shall not be licensed 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 Cochin 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 possess 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 he in possession of a Certificate of Competency as Master (Foreign-going) granted by the Government of India on 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. 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 subjects:

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 soundings; the anchorages, rocks, shoals and other dangers, the Land Marks, Buoys and Beacons and Lights within 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 vessels while in 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 orders 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' behavior

A Pilot shall at all times exercise strict sobriety. He shall throughout the time 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. Pilots' 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 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 inforce, 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, namely ¹Rs..25/- for any of the meals missed by the pilot.

18. Pilot 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

¹ Substituted vide Notification No. PR-12019 / 1 /88-PE-I- dated 13-10-1988 published in the Govt. of India Gazette dated 13-10-1988 under G.S.R 1006 (E).

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 any 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 the 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 onshore 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 a pilot in regard to outward bound vessels shall commence at any wharf, per 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 vessel 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. 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 Rule 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 Pilots inward duties

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

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 to 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.

¹Explanation: In this regulation, the expression 'Master' shall include the Chief Officer or any deck Officer holding a certificate of competency, duly authorised to act for the Master, by the owner of the vessel, 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 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 pre-scribed by the Board.

32. ²Interpretation

If any question arises relating to the interpretation of these regulations, it shall be referred to the Central Government who shall decide the same.

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¹ Substituted vide Notification No. PR-12019 / 1 / 88-PE-I- dated 13-10-1988 published in the GOI dated 13-10-1988 under G.S.R 1006 (E).

² Substituted with effect from 26-7-1977.