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Chennai

T: +91 44 408 008 01 / +91 988 406 9907
rajiv.kunnekat@bs-shipmanagement.com

Colombo

T: + 94 11 237 2853
nuwanpriya.sugunapala@bs-shipmanagement.com

Delhi

T: +91 11 416 409 66 / +91 88 002 196 35
munish.kanwar@bs-shipmanagement.com

Kochi

T: +91 484 451 67 51 / +91 98 952 786 22
ranganathan.ms@bs-shipmanagement.com

Kolkata

T: +91 33 4073 2607 / +91 99 039 820 61
amit.dutt@bs-shipmanagement.com

Mumbai

T: +91 22 40 017 302
mukesh.kumar@bs-shipmanagement.com

Goa

T: +91 89 767 59 325
sanjay.misra@bs-shipmanagement.com

Patna

T: +91 99 343 002 74
madhup.chandrashekar@bs-shipmanagement.com

For ratings:

+91 22 400 174 981 / +91 88 284 288 98
pravin.chavan@bs-shipmanagement.com

Scan to apply:

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EDITOR:

Capt Sunil Nangia

E-MAIL:

info@sailortoday.net

WEBSITE:

www.sailortoday.net

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Sailor Today

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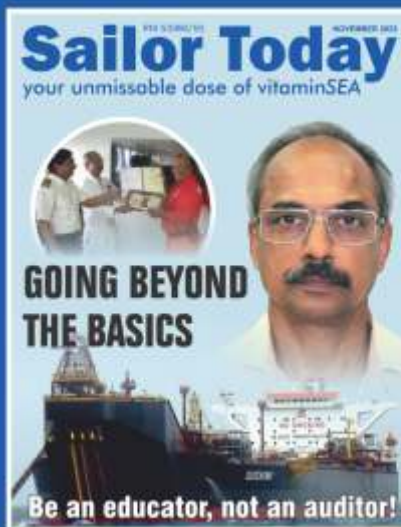
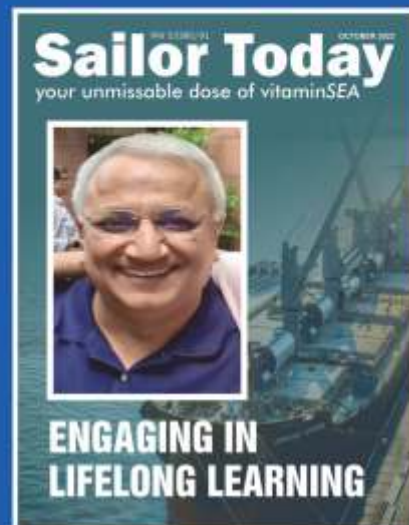
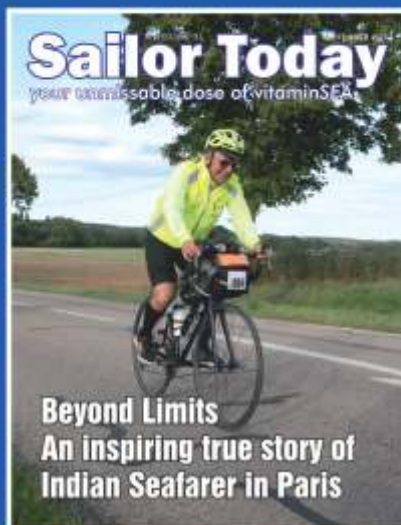
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Preamble: This series of articles from Navguide Solutions, one every month, will focus on Rightship Inspection requirements, eventually going deeper into the subject and helping the industry phase into the RISQ regime.

RISQ Series | Article 5 | June 2024

Author: Capt. Robert Vaz, Chief Operating Officer, Navguide Solutions

Hatch covers: Part 2

In the last article published in May, we discussed the difference between watertight and weathertight; it was very clear, as per the International Convention on Load Lines, that hatch covers are constructed to be weathertight. We also discussed the wrong notion that some seafarers have about the hatch cover sealing, “The tighter we compress the hatch packing, the better the seal”. Weather tightness is achieved by the weight of the hatch cover, and it does not depend on the tightening of the cleats.

In this article, we will discuss the rules and conventions regarding hatch covers and how we can fulfil our obligations. We will not go into details and keep this more practical.

REGULATORY COMPLIANCE

Some of the rules and conventions related to hatch covers are:

- The Load Line Convention
- SOLAS
- Marpol
- The ISM code
- The Code of Safe Working Practices
- The Maritime Labour Convention
- Classification Society rules, and
- P & I club/Insurance rules

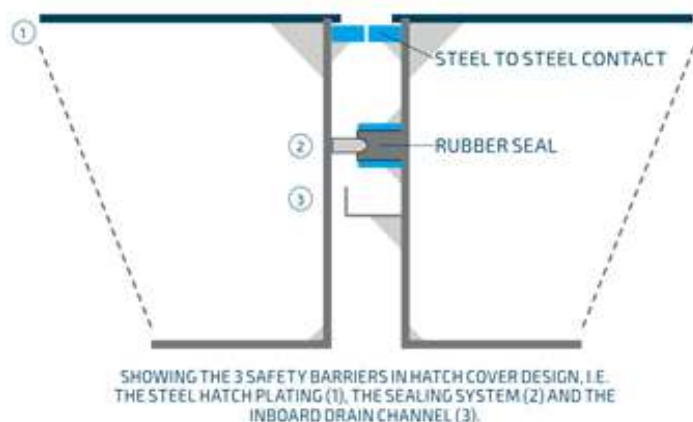
When it comes to the carrier's responsibility for cargo damage relating to seawater ingress via the hatch covers, this largely depends on whether the carrier can

demonstrate that they exercised due diligence to make the vessel seaworthy before and at the beginning of the voyage. This is where the Company's SMS, PMS, testing schedules, maintenance schedules and, most importantly, record keeping will be minutely scrutinised.

PREVENTION OF WATER INGRESS

Now that we know about the hatch packing, bearing pads, and quick-acting cleats, let's see the other barriers in place and the testing arrangements.

The Hatch steel plating is the main barrier to prevent water ingress; in addition, we have other safety barriers, which include



the hatch cover rubber packing and the inboard drain channel.

In case the relative movements of the hatch cover exceed the packing rubber's design compression, water may ingress through the sealing arrangement; this water will be led through the drain channel to the drain hole in the hatch coaming and out on deck through a non-return valve, this is our final frontier, our last barrier



protecting the hold and cargo from water ingress.

There are various ways to conduct tests to ensure the sealing arrangements are in order. We have the traditional chalk test,

hose test and the more recent Ultrasonic or Ultrasound testing.

The hose testing is still carried out on many ships. This will not show if the compression of the packing rubbers is in satisfactory condition. Also, it must be carried out correctly using an appropriate jet of water from the right distance. The general procedure for hose testing is to apply a powerful jet of water from a 20-50 mm diameter hose fitted with a 12mm diameter nozzle held at a distance of 1-1.5 meters from a hatch joint at a speed of 1 metre every 2 seconds.

ALTERNATIVES TO HOSE TESTING

Surely, hose testing, too, has drawbacks

- the cargo hold needs to be empty
- a minimum of two crew members to supervise
- all the deck scuppers need to be open (pollution possibility)
- cannot be performed in subzero temperatures

The more modern and reliable method is Ultrasonic tightness testing, which involves



placing a transmitter in the cargo hold and measuring an ultrasonic signal received outside the space. This accurately provides an idea of the compression of a sealing system and gives an indication of areas where the sealing system is compromised.

Surely, ultrasound or ultrasonic testing has advantages

- Can be carried out by one crew member
- No pollution risks
- It can point out the exact area where the leak is
- It can be done in any temperatures
- Most of them have software that gives you immediate reports

The person carrying out these tests must be well-trained and, more importantly, must be able to interpret the signals correctly.

If you compare the two tests, the hose tests give an idea of the physical contact between a packing rubber and its compression against the bar/mating



surface; ultrasonic tests give an idea of areas where the compression of the sealing system is compromised.

We also have the traditional chalk test, but this only indicates poor compression and potential leaks. Chalk testing is not a leak detection test.



The top edge of the compression bar is covered with chalk. Hatch is then fully closed and reopened. The rubber packing is examined for a chalk mark, which should be run continuously along the centre of the packing. Gaps in the chalk mark indicate areas where there is a lack of compression.

CONCLUSION

Cargo claims are very expensive; we must realise that just doing an ultrasound or a hose test does not guarantee that our hatch covers are weathertight as these don't include any structural checks like deformations, checking the securing arrangements or hatch panel alignment issues etc.; this will be achieved only by a thorough VISUAL inspection hence regular testing, visual inspections, maintenance and record keeping will help us demonstrate due diligence carried out.

Next time, when onboard, we could inspect the hatches from a different perspective and check the components more carefully. We can also train and guide our crews to do their jobs more effectively.



Capt Ramji S Krishnan

Sloan Fellow, London Business School

An In-Depth Analysis of the EU Emissions Trading System (EU ETS) and Its Impact on the Maritime Sector

Introduction:

The European Union Emissions Trading System (EU ETS) is a cornerstone of the EU's policy to combat climate change and a key tool for reducing greenhouse gas (GHG) emissions cost-effectively. As the world's first major carbon market, the EU ETS operates in all EU countries plus Iceland, Liechtenstein, and Norway, and covers around 40% of the EU's greenhouse gas emissions. Recently, the EU has extended the ETS to include the maritime sector, a significant step towards achieving the EU's climate targets. This extension has substantial implications for EU shipowners, Greek shipowners, other EU-shipowners, non-EU shipowners and Indian shipowners, each facing unique challenges and financial burdens. Here we offer an insight (made by OceanScore) into the financial impact on Greek shipowners (in detail). We also offer a brief insight on the financial impact on other ship owners including Indian ship owners. We conclude with a short summary on A comprehensive Strategy for Compliance with EU Maritime Emissions Regulations. Readers short of time might prefer to peruse that section.

The EU Emissions Trading System (EU ETS)

- A carbon trading scheme to reduce greenhouse gas emissions
- Applies to sectors like power, industry, shipping and aviation, playing a crucial role in EU climate efforts
- Set to begin in 2025 for trading of Shipping emissions

In a subsequent article we shall calculate the impact of FuelEU Maritime on a particular vessel.

Overview of the EU ETS

Objectives and Scope

The primary goal of the EU ETS is to reduce GHG emissions through a cap-and-trade system. This system sets a cap on the total amount of certain GHGs that can be emitted by installations covered by the system. The cap is reduced over time so that total emissions fall. Within the cap, companies

The average emissions cost per vessel for the Greek Owners will be nearly €400,000 once fully implemented - OceanScore

FuelEU Maritime Regulation

- Promotes renewable and low-carbon fuels in EU international shipping.
- Sets emission intensity standards.
- Encourages cleaner technologies.
- Mandates onshore power for ships at major EU ports from 2030.

receive or buy emission allowances which they can trade with one another as needed. Each year, they must surrender enough allowances to cover all their emissions, otherwise, they face heavy fines. If a company reduces its emissions, it can keep the spare allowances to cover its future needs or sell them to another company that is short of allowances.

Extension to the Maritime Sector

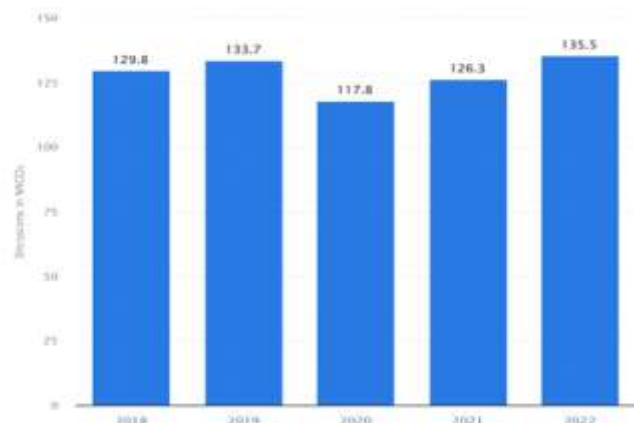
The inclusion of the maritime sector in the EU ETS, set to begin in 2025, aims to increase the demand for renewable and low-carbon fuels in the shipping industry and reduce the carbon footprint of maritime transport. The regulation will apply to all ships with a gross tonnage (GT) of 5,000 or more that call at EU ports, regardless of their flag.

Key Provisions of the FuelEU Maritime Regulation

Gradual Decrease in GHG Intensity

The regulation mandates a gradual decrease in the GHG intensity of fuels used

Annual carbon dioxide emissions from shipping in the European Union (EU-27) from 2018 to 2022 (in million metric tons) - Statista



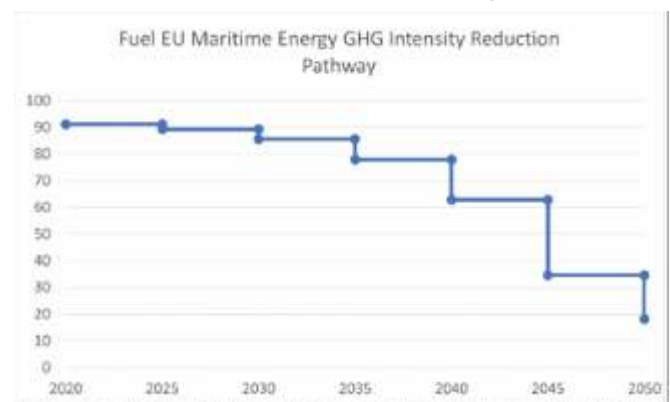
by the shipping sector, targeting an 80% reduction by 2050. This progressive reduction incentivizes the adoption of cleaner fuels and technologies.

Incentives for Renewable Fuels

The regulation includes special incentives to support the uptake of renewable fuels of non-biological origin (RFNBO) with high decarbonization potential. This is aimed at fostering innovation and investment in sustainable fuel alternatives.

Exclusion of Fossil Fuels

Fossil fuels are excluded from the regulation's certification process, underscoring the EU's



Competitive Disadvantages - Non-EU shipowners might find themselves at a competitive disadvantage compared to EU shipowners who may have greater access to EU funding and incentives

commitment to transitioning away from carbon-intensive energy sources.

On-Shore Power Supply

From 2030, passenger ships and container vessels will be required to use on-shore power supply for all electricity needs while at major EU ports, significantly reducing air pollution in port areas.

Voluntary Pooling Mechanism

The regulation allows for a voluntary pooling mechanism where ships can pool their compliance balance with other ships, ensuring that the overall pool meets the GHG intensity limits.

Use of Penalties

Revenues generated from the regulation's implementation (referred to as FuelEU penalties) will be reinvested in projects supporting the maritime sector's decarbonization.

Impact on Greek Shipowners

Financial Liabilities

Greek shipowners face significant financial liabilities under the EU ETS. According to OceanScore, Greek shipowners will need to surrender 11.96 million EUAs based on 2022 voyage data. With the current EUA price around €70, this results in total EUA costs of approximately €335 million for Greek shipping in 2024. This cost is projected to rise to €586 million in 2025 (70% exposure) and €837 million with full implementation in 2026. The average emissions cost per vessel will be

nearly €400,000 once fully implemented.

Compliance and Data Management

Greek shipowners need to improve the quality of vessel data to ensure compliance with the EU ETS. Accurate real-time emissions data communicated from ship to shore is crucial for the correct allocation of EUA costs among voyage stakeholders. Data need to be validated with an accredited verifier, thereby streamlining processes between shipowners, managers, and charterers to manage EUAs effectively and maintain control over EU ETS costs and associated risks.

Charter Parties and Accountability

Greek shipowners must finalize charter parties that incorporate EU ETS clauses to assign accountability for voyage EUA costs between shipowners and charterers. Without proper commercial contracts, shipowners may bear the burden of EUA liabilities and resort to litigation against charterers to recover emissions costs.

Impact on Other EU Shipowners

General Compliance Requirements

All EU shipowners, regardless of nationality, are subject to the EU ETS. This includes vessels with a gross tonnage of 5,000 and above. The regulation covers 100% of emissions from voyages between EU/EEA ports and 50% of emissions from voyages into or out of EU/EEA ports. This broad scope ensures that all significant maritime emissions are accounted for and incentivizes EU shipowners to adopt cleaner technologies and fuels.

Asian shipowners, including those from China and Singapore, may face estimated emissions liabilities of over €1 billion once the EU ETS is fully implemented - OceanScore

Financial Impact

Similar to Greek shipowners, other EU shipowners face considerable financial liabilities. The cost of EUAs and the necessity to invest in greener technologies or fuels can represent a significant financial burden. However, the overall impact may vary depending on the size of the fleet, the routes operated, and the existing level of investment in sustainable practices. We do not have detailed data of the fleet size and trade patterns hence we do not offer a detailed calculation of the impact. However, we offer a brief insight below in the section Quantified Impact of the EU ETS on Ship Owners.

Impact on Non-EU Shipowners

Emissions Liabilities

Non-EU shipowners are also affected by the EU ETS when their vessels call at EU ports. These shipowners must buy EUAs corresponding to their ships' carbon emissions during these voyages. For instance, Asian shipowners, including those from China and Singapore, may face estimated emissions liabilities of over €1 billion once the EU ETS is fully implemented.

Compliance Challenges

Non-EU shipowners may face additional challenges in terms of compliance, as they must align with EU regulations that may differ significantly from their domestic regulations. This can require substantial changes in operational practices and significant

investment in data management and verification systems.

Competitive Disadvantages

Non-EU shipowners might find themselves at a competitive disadvantage compared to EU shipowners who may have greater access to EU funding and incentives for transitioning to greener technologies. This could lead to increased operational costs for non-EU companies, potentially affecting their market position.

Summary

The extension of the EU Emissions Trading System to the maritime sector represents a major regulatory shift aimed at reducing greenhouse gas emissions and promoting sustainable practices within the industry. While this initiative supports the EU's broader climate goals, it poses significant challenges for shipowners.

As can be seen from the detailed calculations below, Greek shipowners face substantial financial and operational hurdles, including high EUA costs and the need for precise emissions data management. Other

- Non-EU shipowners face compliance challenges with EU regulations, necessitating operational changes and investments in data systems.
- They risk competitive disadvantage due to limited access to EU funding and incentives for greener technologies, potentially raising operational costs and impacting market position.

Additional costs due to EU ETS compliance are likely to result in higher freight rates

- Extension of EU ETS to maritime sector aims to reduce greenhouse gas emissions
- Supports EU's broader climate goals.
- Poses significant challenges for shipowners

EU shipowners share these challenges, though the impact may vary based on individual circumstances. Non-EU shipowners are also significantly affected, particularly when trading with the EU, as they must navigate complex compliance requirements and potentially higher operational costs.

Overall, the EU ETS and the FuelEU Maritime regulation are driving the maritime industry towards a more sustainable future, but achieving compliance will require considerable effort and investment from all stakeholders involved.

Impact of the EU Emissions Trading System (EU ETS) on Indian Ship Owners

The inclusion of the maritime sector in the EU Emissions Trading System (EU ETS) from 2025 represents a significant regulatory change with far-reaching implications for global shipping, including Indian ship owners. This extension is part of the EU's broader strategy to reduce greenhouse gas (GHG) emissions and transition to a low-carbon economy. Indian ship owners, operating in an interconnected global market, will be directly affected by these new regulations, especially

- Indian ship owners may face competitive disadvantages relative to EU counterparts due to higher compliance costs under the EU ETS
- This could affect their competitiveness in the global shipping market

when their vessels enter EU waters or call at EU ports.

Key Implications for Indian Ship Owners

1. Financial Liabilities

Indian ship owners are expected to incur substantial financial liabilities under the EU ETS when their vessels call at EU ports. These liabilities arise from the need to purchase EU Allowances (EUAs) to cover the emissions generated by their ships. The cost of compliance is significant, considering the current EUA price of around €70 per tonne of CO₂ emitted. This financial burden will vary depending on the number of voyages to and from EU ports and the carbon intensity of the ships.

2. Compliance and Administrative Burden

Compliance with the EU ETS will require Indian ship owners to accurately monitor, report, and verify their emissions. This necessitates robust data management systems to ensure accurate and timely reporting of emissions data. Indian ship owners will need to establish processes to integrate real-time emissions data from their vessels and

Compliance with the EU ETS will require Indian ship owners to accurately monitor, report, and verify their emissions

communicate it effectively to the verification bodies.

3. **Competitive Disadvantages**

Indian ship owners may face competitive disadvantages compared to their EU counterparts who might have better access to EU funding and incentives for adopting greener technologies. The additional costs of compliance, including the purchase of EUAs and investment in emissions reduction technologies, could impact the competitiveness of Indian shipping companies in the global market.

4. **Operational Adjustments**

To minimize the financial impact, Indian ship owners may need to adopt several operational adjustments:

- **Improved Fuel Efficiency:** Investing in technologies and practices that enhance fuel efficiency to reduce overall emissions.
- **Route Optimization:** Optimizing shipping routes to minimize time spent in EU waters, thereby reducing the exposure to EU ETS.
- **Use of Cleaner Fuels:** Transitioning to low-carbon and renewable fuels that have lower GHG emissions.

5. **Impact on Freight Rates**

The additional costs associated with EU ETS compliance are likely to be passed on to customers through higher freight rates. This could affect the cost of goods transported to

and from Europe, impacting trade competitiveness and potentially altering trade patterns.

Strategies for Mitigation

To manage the impacts of the EU ETS, Indian ship owners can consider the following strategies:

1. **Investment in Green Technologies**

Investing in green technologies such as energy-efficient engines, hull modifications, and renewable energy sources (e.g., wind-assisted propulsion, solar power) can reduce emissions and compliance costs over the long term.

2. **Partnerships and Alliances**

Forming partnerships with EU shipping companies or participating in voluntary pooling mechanisms allowed under the EU ETS can help manage compliance costs and share best practices for emissions reduction.

Quantified impact of the EU ETS on Greek ship owners: - OceanScore

- **Total fleet affected:** Approximately 2,135 vessels owned or operated by around 400 companies.
- **2024 costs:** Estimated at €335 million for EU Allowances (EUAs) - 2022 voyage data.
- **2025 costs:** €586 million (70% exposure).
- **2026 costs:** €837 million (100% exposure).
- **Average cost per vessel:** Nearly €400,000 once fully implemented.

Given the smaller fleet size and more limited resources for investing in green technologies, Indian shipowners might face higher per-vessel costs for compliance.

3. Leveraging Digital Tools

Utilizing digital tools and platforms for emissions monitoring and reporting one can streamline compliance processes and ensure accurate data management.

4. Lobbying and Advocacy

Engaging with international maritime organizations and regulators to advocate for transitional support measures and fair treatment of non-EU ship owners can help mitigate some of the competitive disadvantages faced by Indian ship owners.

Conclusion

The extension of the EU Emissions Trading System to the maritime sector poses significant challenges for Indian ship owners. The financial, operational, and competitive impacts are considerable, necessitating proactive strategies to manage compliance costs and maintain market competitiveness. By investing in green technologies, optimizing operations, and leveraging digital tools, Indian ship owners can navigate these challenges and contribute to the global effort to reduce greenhouse gas emissions in the maritime industry.

- Indian ship owners face significant financial liabilities under the EU ETS
- With EUA prices at approximately €70 per tonne of CO₂ emitted, the total cost depends on voyage frequency and ship carbon intensity.

Quantified Impact of the EU ETS on Ship Owners - OceanScore

1. Greek Ship Owners

- Total Fleet Affected: Approximately 2,135 vessels owned or operated by around 400 Greek shipping companies.
- 2024 Costs: Estimated €335 million for EU Allowances (EUAs) based on 2022 voyage data.
- 2025 Costs: Increase to €586 million (70% exposure).
- 2026 Costs: Increase to €837 million (100% exposure).
- Average Cost per Vessel: Nearly €400,000 once fully implemented.

2. Other EU Ship Owners

- General Coverage: All vessels with a gross tonnage of 5,000 and above.
- Emission Coverage: 100% of emissions from voyages between EU/EEA ports and 50% of emissions from voyages into or out of EU/EEA ports.
- Cost per Tonne of CO₂: Based on the current market price of €70 per tonne of CO₂.
- Financial Impact: Similar cost structure as Greek ship owners, though the total quantum will vary based on fleet size and operational patterns.

Financial Impact - The actual costs for ship owners will depend on the total number of voyages, emissions levels, and any changes in EUA prices.

3. Non-EU Ship Owners

- General Impact: Non-EU ship owners face emissions liabilities when their vessels call at EU ports.
- Example Costs for Asian Ship Owners: Estimated emissions liabilities of over €1 billion once the EU ETS is fully implemented.
- Emission Coverage: Similar to EU ship owners, with the same 100% and 50% coverage for emissions within and into/out of EU ports.
- Financial Impact: Directly proportional to the number of voyages and emissions levels.

4. Indian Ship Owners

- General Impact: Significant financial liabilities when calling at EU ports.
- Emission Coverage: Same as other non-EU ship owners (100% and 50% coverage rules).
- Financial Impact:
 - EUA Costs: Calculated similarly to other non-EU ship owners.
 - Total Annual Impact: Depends on the number of voyages and total emissions.

- To minimize the financial impact of EU ETS compliance, Indian ship owners can:
 - Invest in technologies for improved fuel efficiency
 - Optimize shipping routes to minimize time in EU

Summary Table of Financial Impact (based on €70 per tonne of CO2)

Category	Fleet Size/Trips	2024 Costs	2025 Costs (€M)	2026 Costs (€M)	Average Cost per Vessel/Trip (€)
Greek Ship Owners	2,135 vessels	335	586	837	4,00,000
Other EU Ship Owners	Variable	Similar structure as Greek ship owners, costs vary based on fleet size and operational patterns			

Note:

- The above quantifications are based on the current market price of EUAs (€70 per tonne of CO2).
- The actual costs for ship owners will depend on the total number of voyages, emissions levels, and any changes in EUA prices.
- The exact financial impact for each category will vary based on fleet size, operational patterns, and the effectiveness of emissions reduction strategies.

Financial Impact: The financial impact on Indian shipowners includes the costs of purchasing EUAs for voyages to and from EU ports. Given the smaller fleet size and more limited resources for investing in green technologies, Indian shipowners might face higher per-vessel costs for compliance. This creates a competitive disadvantage compared to larger, better-funded EU shipowners.

Competitive Disadvantages for Non-EU and Indian Shipowners

Non-EU and Indian shipowners face several competitive disadvantages under the EU ETS:

1. **Higher Compliance Costs:**

- o Non-EU and Indian shipowners must purchase EUAs for their emissions when operating in EU waters, leading to higher operational costs.
- o EU shipowners might benefit from subsidies and incentives from the EU to offset some of these costs, giving them a financial edge.

2. **Limited Access to Green Technology:**

- o EU shipowners have greater access to funding and support for investing in emissions reduction technologies.
- o Non-EU and Indian shipowners might struggle to secure similar levels of investment, leading to higher long-term costs and slower adoption of green technologies.

3. **Operational Constraints:**

- o The need to comply with EU regulations can impose additional operational constraints on non-EU and Indian shipowners, such as route changes or additional administrative burdens.
- o These constraints can reduce operational flexibility and efficiency, impacting profitability.

4. **Market Competitiveness:**

Higher operational costs and slower adoption of green technologies can make non-EU and Indian shipowners less competitive in the global market.

- o This disadvantage is particularly pronounced in markets where

Higher freight to and from Europe may:

- Impact Trade Competitiveness
- Influence trade patterns
- Prompt adjustments in supply chains
- Encourage investment in more sustainable transport solutions.
- These factors collectively could reshape trade patterns and competitiveness

customers are increasingly prioritizing environmental sustainability.

Quantifying the Disadvantages

To quantify these disadvantages, we consider the following factors:

1. **Cost of EUAs:**

- o The price of EUAs can fluctuate, but assuming an average price of €70 per EUA, the costs for compliance can be substantial.
- o For Greek shipowners, the cost of compliance in 2024 is estimated at €335 million, rising to €837 million by 2026.

2. **Investment in Green Technologies:**

- o The cost of retrofitting vessels or investing in new technologies can vary but generally requires significant capital. For example, installing scrubbers or converting to LNG can cost millions per vessel.
- o Non-EU and Indian shipowners might have less access to funding

for such investments, leading to higher per-vessel costs over time.

3. Operational Costs:

- o Changes in operational patterns to comply with EU regulations can increase fuel consumption and other operating expenses.
- o The need to navigate additional regulatory requirements can also impose administrative costs.

In conclusion, while the EU ETS aims to reduce GHG emissions in the maritime sector, it creates varying levels of financial impact and competitive disadvantages for different groups of shipowners. Greek and other EU shipowners are significantly impacted but benefit from greater support and access to green technologies. Non-EU and Indian shipowners face higher compliance costs, limited access to funding, and operational constraints, resulting in competitive disadvantages in the global market. Quantifying these impacts requires detailed fleet and operational data, but the outlined factors provide a comprehensive understanding of the challenges ahead.

EU MRV system:

EU MRV system monitors, verifies, and reports CO₂ emissions from maritime transport within the EEA.

- Applicability: To ships with a GT > 5,000 or more, irrespective of flag.
- Requirements: Shipowner to report data on fuel consumption, CO₂ emissions, and distance travelled.
- Purpose: Aims to enhance transparency and accountability

A comprehensive Strategy for Compliance with EU Maritime Emissions Regulations – A Short Summary

1. Understanding the Regulatory Landscape

1.1 EU MRV - The European Union Monitoring, Reporting, and Verification

- Requires monitoring and reporting of CO₂ emissions from ships
- Applies to vessels above 5,000 gross tonnage (GT) calling at EU ports
- Focuses on data collection, analysis, and verification

1.2 EU ETS - The European Union Emissions Trading System (EU ETS)

- Extended to maritime transport from January 2024
- Covers CO₂ emissions from large ships (5,000 GT and above) entering EU ports
- Requires buying and surrendering EU Allowances (EUAs) annually

1.3 FuelEU Maritime

- Promotes renewable, low-carbon fuels and clean energy technologies
- Sets targets for reducing greenhouse gas intensity of ship fuels (2% decrease by 2025, up to 80% reduction by 2050)
- Requires zero-emission technologies at berth in ports

2. Compliance Strategy

2.1 Establish Clear Responsibility

- Assign responsibility for compliance to the shipowner or a designated entity (e.g., ISM company or Document of Compliance holder)
- Ensure clear delegation and accountability within the organization

2.2 Implement Robust Monitoring and Reporting Systems

- Invest in advanced data collection and management systems
- Ensure accuracy in fuel consumption, CO₂ emissions, and distance travelled data
- Regularly validate and verify data with accredited verifiers

2.3 Optimize Fuel Consumption

- Implement energy efficiency technologies to reduce onboard fuel consumption
- Adopt route optimization techniques to minimize fuel usage
- Consider engine power limitation (EPL) or shaft power limitation (SHAPOLI)

2.4 Diversify Fuel Sources

- Gradually transition to renewable and low-carbon fuels
- Explore options such as biofuels, e-ammonia, and e-methanol
- Consider blending strategies to meet GHG intensity reduction targets

2.5 Invest in Clean Technologies

- Explore wind-assisted propulsion systems (WAPS) for additional GHG intensity

reduction

- Prepare for onshore power supply (OPS) requirements, especially for passenger and container vessels

2.6 Develop a Comprehensive EUA Management Strategy

- Monitor carbon market prices for EUAs
- Develop a strategy for purchasing and surrendering EUAs
- Consider long-term contracts or hedging strategies to manage price volatility

2.7 Utilize Flexibility Mechanisms

- Explore pooling options to balance compliance across fleets
- Consider banking surplus credits for future use or to mitigate penalties

2.8 Update Contractual Agreements

- Revise fuel procurement contracts to specify compliance with emissions regulations
- Modify charter party agreements to allocate responsibility for emissions compliance
- Update bunker supply contracts to ensure fuel quality and compliance

3. Preparation and Timeline

3.1 Short-term Actions (Next 6-12 months)

- Conduct a thorough assessment of current fleet emissions and fuel consumption
- Begin development of FuelEU Monitoring Plans

- Start evaluating and selecting accredited verifiers

3.2 Medium-term Actions (1-3 years)

- Submit FuelEU Monitoring Plans by August 31, 2024
- Implement necessary technological upgrades for efficient data collection and reporting
- Begin transitioning to lower-carbon fuels where feasible

3.3 Long-term Actions (3-5 years and beyond)

- Continuously optimize fleet operations for emissions reduction
- Invest in research and development of zero-emission technologies
- Regularly review and update compliance strategies in line with evolving regulations

4. Risk Management

4.1 Financial Risk Mitigation

- Conduct regular financial impact assessments of compliance measures
- Develop contingency plans for potential increases in EUA prices
- Consider creating a dedicated fund for emissions-related expenses

4.2 Operational Risk Management

- Regularly train staff on new regulations and compliance procedures

- Develop and maintain robust documentation processes

- Conduct regular internal audits to ensure ongoing compliance

4.3 Reputational Risk Management

- Communicate proactively with stakeholders about emissions reduction efforts

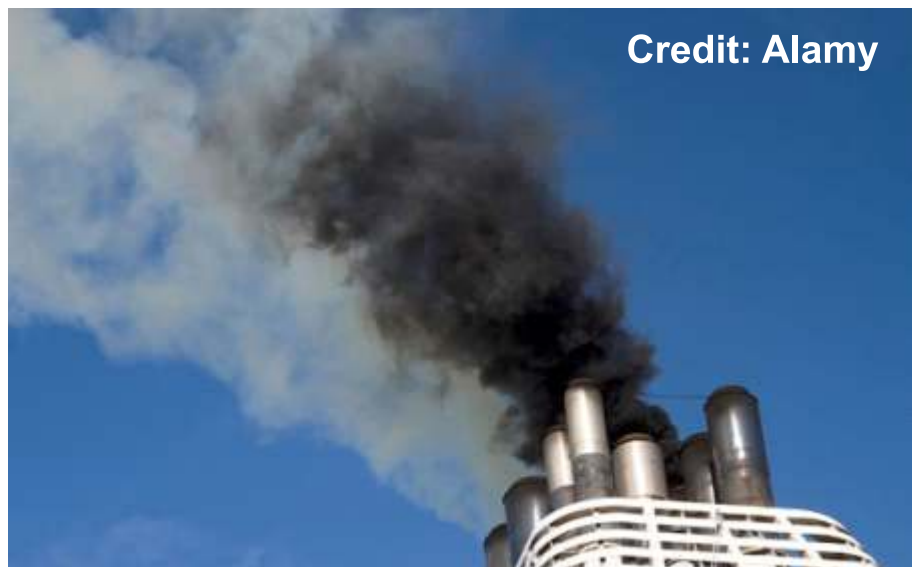
- Consider participating in industry initiatives for sustainable shipping

- Publish regular sustainability reports highlighting compliance and reduction efforts

5. Leveraging Opportunities

5.1 Competitive Advantage

- Position early compliance as a market differentiator
- Explore partnerships with eco-conscious shippers and charterers



Credit: Alamy

5.2 Innovation

- Invest in or partner with startups developing clean maritime technologies
- Participate in pilot programs for new emissions reduction technologies

5.3 Financial Incentives

- Stay informed about potential EU funding or incentives for early adopters of clean technologies
- Explore green financing options for fleet upgrades and retrofits

6. Conclusion Complying with EU MRV, EU ETS, and FuelEU Maritime regulations presents significant challenges for the maritime industry. However, with a comprehensive strategy that encompasses technological upgrades, operational optimizations, and proactive management of regulatory requirements, shipowners and operators can not only achieve compliance but also position themselves advantageously in an increasingly environmentally conscious market. The key to success lies in early preparation, continuous adaptation, and a commitment to sustainable shipping practices.

Comprehensive Strategy for Compliance with EU Maritime Emissions Regulations Understand

- **Regulatory Landscape**
 - EU MRV
 - EU ETS
 - FuelEU Maritime
- **Compliance Strategy**
 - Establish Clear Responsibility
 - Implement Robust Monitoring and Reporting Systems
 - Optimize Fuel Consumption
 - Diversify Fuel Sources
 - Invest in Clean Technologies
 - Develop a Comprehensive EUA Management Strategy
 - Utilize Flexibility Mechanisms
 - Update Contractual Agreements
- **Preparation and Timeline**
 - Short-term Actions (Next 6-12 months)
 - Medium-term Actions (1-3 years)
 - Long-term Actions (3-5 years and beyond)
- **Risk Management**
 - Financial Risk Mitigation
 - Operational Risk Management
 - Reputational Risk Management
- **Leveraging Opportunities**
 - Competitive Advantage
 - Innovation
 - Financial Incentives



Navigating Troubled Waters: The Centralization of Port Authority in India



By Capt. Ramji S Krishnan, Sloan Fellow, London Business School

Introduction

India's vast coastline has long been a cornerstone of its economic potential, with maritime trade accounting for 95% of the country's global trade volume. However, recent legislative proposals have stirred turbulent waters in the governance of Indian ports, particularly concerning the balance between central authority and state autonomy.

The Current Port-scape and Existing Framework

India's port system is bifurcated into major ports, under the exclusive jurisdiction of Parliament, and minor ports, governed by

both central and state legislatures. This division, rooted in the Indian Ports Act of 1908, has long defined the balance of power between the Centre and States in port administration.

Major Ports vs. Minor Ports

- Major Ports (e.g., Chennai, Mumbai, Kolkata): These fall under the exclusive jurisdiction of the Parliament.
- Minor Ports: Over 200 across India, these are governed by both the Parliament and state legislatures.

Indian Ports Act of 1908: Outlines operational aspects and delineates powers

The proposed bill, by seeking to centralize authority over non-major ports, appears to encroach upon the state's domain as defined by the State List.

between the Central and State governments

Winds of Change or is it a Cyclone!

The Major Ports Authorities Act of 2021 marked the beginning of a shift towards centralization, focusing on major ports. However, it's the proposed Indian Ports Bill of 2021 (IPB) that has truly catalyzed controversy. This draft bill seeks to rationalize minor port administration and proposes transferring significant powers from states to the Maritime State Development Council (MSDC), effectively centralizing control over non-major ports.

The MSDC: A New Power Centre - A New Captain at the Helm or will act as a Pilot?

The MSDC, proposed as a central body to oversee port development, is at the epicentre of this debate. States fear that the MSDC could become an instrument of central government overreach, potentially infringing on their constitutional rights to plan, develop, and regulate minor ports.

The MSDC's Role and Legal Framework Establishment of the Council (Section 3)

The MSDC is proposed to be established to oversee port development. Its composition and functions are critical for understanding its impact.



Composition of the Council (Section 4)

The composition determines the representation of states and central authorities. States' concerns about representation and decision-making are relevant here.

Powers and Functions of the Council (Section 10)

The MSDC's powers will directly impact state autonomy. Its role in planning, monitoring, and enforcing regulations is pivotal.

The draft bill proposes a two-tier dispute resolution mechanism. State Maritime Boards would have primary jurisdiction, with an Appellate Tribunal serving as the higher authority.

Inconsistency in Laws (Section 97)

1. **Addition to Existing Laws:**

- The Indian Ports Bill (IPB) introduces new provisions related to port administration.
- These provisions are additional to existing laws.

2. **Respecting States' Rights and Existing Frameworks:**

- While the IPB introduces new rules, it respects the rights of states and existing legal frameworks.
- This means that the IPB does not intend to override or disregard existing state laws.

3. **General Application of IPB:**

- Unless explicitly stated otherwise, the provisions of the IPB will apply even if they conflict with other existing laws related to ports or inland waterways.
- In other words, the IPB's rules generally take precedence over inconsistent provisions in other laws.

In sum, the IPB aims to enhance port administration while acknowledging the

importance of existing legal structures and states' rights.

Economic Implications and State Concerns

Coastal states argue vehemently that centralization could stifle local development and restrict international port investments. They contend that states are better positioned to understand local needs, economic priorities, and environmental considerations. The fear is that centralization could hinder the port-led economic growth that has been a lifeline for many coastal regions. States emphasize that they are better positioned to understand local needs, economic priorities, and environmental considerations. The balance between central oversight and state autonomy remains a critical issue.

Constitutional Framework and Legislative Authority – Navigating the Legal Waters

At the core of this debate is the constitutional division of powers between the Centre and States. The Seventh Schedule of the Indian Constitution delineates this division:

1. **State List (List II):** Minor ports fall under Entry 31, giving states primary authority over them.

The efficiency and impartiality of the appellate process are critical.

2. **Concurrent List (List III):** Shipping and navigation on inland waterways are under Entry 24, allowing both Centre and States to legislate.
3. **Union List (List I):** Major ports are under Entry 27, giving the Centre exclusive authority.

The proposed bill, by seeking to centralize authority over non-major ports, appears to encroach upon the state's domain as [defined by the State List](#).

Legal Implications and Conflict Resolution

In case of a conflict between central and state laws, Article 254 of the Constitution comes into play. Generally, central laws prevail over state laws in case of a direct conflict. However, the specific nature of port regulation and its placement in the State List could lead to a more nuanced judicial interpretation.

The Supreme Court's role becomes crucial here. While it has consistently held that central laws prevail in direct conflicts, it also considers whether both laws can coexist. The doctrine of cooperative federalism, emphasized in recent judgments, may influence SC's interpretation, stressing the need for harmonious functioning between the Centre and States.

Dispute Resolution Mechanism

under the Proposed Indian Ports Bill, 2021 - Choppy Seas Ahead?

The draft bill proposes a two-tier dispute resolution mechanism. State Maritime Boards would have primary jurisdiction, with an Appellate Tribunal serving as the higher authority.

Adjudication of Disputes (Chapter VI)

The State Maritime Board is vested with the jurisdiction to adjudicate disputes. These disputes can involve various parties, including non-major ports, port users, port officials, concessionaires, and port service providers.

Appellate Tribunal Role

The Adjudicatory Board constituted under Section 54 of the Major Port Authorities Act, 2021 performs the role of an Appellate Tribunal for settling disputes. This mechanism allows parties to challenge decisions made by the State Maritime Board.

Challenges in Dispute Resolution

The effectiveness of this mechanism depends on the competence and independence of State Maritime Boards. States may have varying levels of expertise and resources, affecting the consistency of

The proposed changes in the Indian Ports Bill seek to transfer some of the powers to the MSDC and the Union government.

decisions. The efficiency and impartiality of the appellate process are critical. Delays or inconsistencies in appeals could hinder timely resolution.

Wallenda Act: Balancing Central Oversight vs. State Autonomy

The crux of the matter lies in striking the right balance. Proponents of centralization argue for standardization and unified development of India's port sector. Critics fear a one-size-fits-all approach that may not suit India's diverse coastal landscape.

Indian Ports Bill, 2021

The draft Indian Ports Bill aims to centralize all non-major ports currently under state/Union Territory control. The proposed changes would breach the authority vested with states to plan, develop, regulate, and control these ports. Maritime states have objected to this appropriation of state authority by the Union government, viewing it as an infringement of state rights and a hindrance to port-led economic growth.

Major Ports Authority Act, 2021

The Major Ports Authority Act, 2021, which focuses on major ports, also faced resistance from coastal states. The Act allows for the establishment of port authorities for major ports, but the centralization of authority has raised concerns among states.

State Government Minor Ports

Minor ports are governed by state governments or State Maritime Boards. As per the existing Indian Ports Act, 1908, the powers to plan, develop, regulate, and control minor ports rest with the state governments. However, as stated earlier, the proposed changes in the Indian Ports Bill seek to transfer some of these powers to the MSDC and the Centre.

Legal Challenge to the MSDC

Indian Federalism and Cooperative Federalism

India follows a quasi-federal system with cooperative federalism. While the Indian Constitution grants certain rights to states, it also acknowledges the interdependence between the central and state governments. Cooperative federalism recognizes that some issues are best handled by the national government, while others are better addressed by regional governments.

The MSDC operates within this framework, but its decisions can be challenged if they exceed the scope of the constitutional lists. States can challenge MSDC decisions if they infringe upon their legislative rights.

The Way Forward – Moving from – A Philippe Petit Walk to Baby

Delays or inconsistencies in appeals could hinder timely resolution

Elephant's Walk!

As India seeks to enhance its maritime prowess, the centralization of port authority presents both opportunities and challenges. The success of this initiative will hinge on how well it can harmonize national objectives with state interests while respecting constitutional provisions.

A collaborative approach, respecting the principles of cooperative federalism, may be the key. This could involve:

1. Ensuring adequate state representation in the MSDC
2. Clearly delineating powers between central and state authorities
3. Providing flexibility for state-specific development plans within a national framework
4. Establishing robust mechanisms for centre-state consultation and coordination

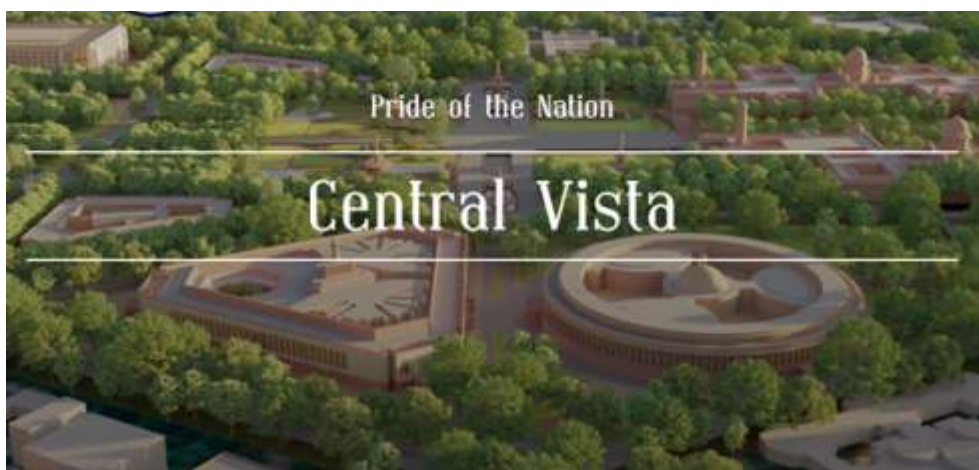
and constitutional principles. As the debate continues, finding a middle ground that promotes efficient governance while respecting state autonomy and constitutional provisions will be crucial.

The resolution of this centralization conundrum will play a significant role in determining whether India can fully leverage its coastal advantages in the global maritime trade landscape. It will also set a precedent for centre-state relations in other critical domains.

As this proposal navigates through legislative channels and potential legal challenges, all eyes will be on how India balances its national maritime ambitions with the diverse needs and rights of its coastal states, all within the framework of its constitutional federal structure. The outcome will not only shape India's port sector but also potentially redefine the contours of Indian federalism in the 21st century.

Conclusion

The proposed centralization of port authority in India is more than a mere administrative change; it's a test of India's federal structure, economic strategy,



MSDC's decisions can be challenged if they exceed the scope of the constitutional lists.

An Electrifying Surge: Welcoming Sustainability at Tuticorin Container Terminal with Our Latest Cranes and Reach



3 RMQC

3 Rail Mounted Quay Crane (RMQC)



9 eRTGs

9 electric Rubber Tyred Gantry Cranes (eRTGs)



2,570 tons

Reduction of CO₂ emissions compared to diesel usage

We are excited to announce a significant development at Tuticorin Container Terminal, owned by JM Baxi Ports & Logistics. The arrival of our electrical container handling equipment marks a pivotal step towards enhancing operational capacity and sustainability at the port.

Ready for service are three Rail Mounted Quay Cranes (RMQC), nine Electric Rubber Tyred Gantry Cranes (eRTGs) and one Electric Reach Stacker (eRS), which form part of our comprehensive equipment plan designed to optimize terminal operations.

Scheduled for completion by August 2024, the

RMQCS with a reach of 56 meters are equipped to handle a safe working load of 65 metric tons.

The deployment of electrical equipment at the terminal aims to drastically cut our carbon footprint.

By employing nine Electric Rubber Tyred Gantry Cranes (eRTGs) and one Electric Reach Stacker (eRS), we achieve an annual reduction of 2,570 tons of CO₂ emissions compared to diesel usage. The JM Baxi Group demonstrates its commitment to sustainability through the use of all-electric cranes and reach stackers, in line with our vision for environmentally friendly port operations.

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Maritime SheEO Receives “Women in Shipping and Maritime Logistics Award



Maritime SheEO Receives “Women in Shipping and Maritime Logistics Award” at International Procurement and Supply Chain Conference 2024

Mumbai, India – June 2, 2024 – Maritime SheEO is proud to announce its victory in the “Women in Shipping and Maritime Logistics” category at the International Procurement and Supply Chain Awards 2024 in Mumbai.

Maritime SheEO has been honoured for its exceptional contributions to promoting gender equality and fostering the next generation of women leaders in the shipping and maritime industry.

The International Procurement and Supply Chain Awards celebrate outstanding achievements and innovations in the field, and Maritime SheEO's win underscores its commitment to empowering women and enhancing diversity within the maritime sector.

The award was presented to Ms. Sanjam



Sahi Gupta, Founder of Maritime SheEO, by Sourav Ganguly, a prominent Indian cricket commentator and former cricketer.

Dr. Sathya Menon, CEO of Blue Ocean Group, commented on the nomination, stating, "Maritime SheEO's commitment in this category is truly commendable. Their efforts have significantly advanced gender equality and have set a benchmark for the industry."

Sanjam Sahi Gupta expressed her gratitude, saying, "This recognition celebrates our commitment to empowering women in maritime and promoting diversity and inclusivity. We are dedicated to creating opportunities and driving change in the industry, and this acknowledgment reinforces the importance of our mission."

This is Maritime SheEO's second award. The first award received by them was the Crew Welfare Award for Diversity & Inclusion by SAFETY4SEA in 2022.



MLC 65% EFFECTIVE SAYS SRI

Deirdre Fitzpatrick, Executive Director of SRI

New research from SRI, the international pan-industry body researching maritime and seafarers' law, concludes that the Maritime Labour Convention is not being strictly and evenly enforced on a global basis. The findings identify substantial achievements in the enforcement of the MLC but also identify significant gaps. The research has adopted a unique approach by evaluating the involvement of a wide range of stakeholders and role players in the Convention. It also presents a Table with a selection of indicators that aim to provide a reasonably comprehensive, balanced and broad-based assessment of the global effectiveness of the MLC.

Taking the findings and the Table as a whole and aggregating all regions of the world, it is very approximately estimated that implementation and enforcement of the MLC is achieving a success rate of around 65%.

"These findings challenge any complacency about the MLC working efficiently and uniformly around the world," says Deirdre Fitzpatrick, Executive Director of SRI. "The high level of ratifications and coverage of world tonnage could lead to the view that the MLC is widely effective around the world. But the research shows a different reality. The MLC has not yet achieved a single international level playing field and more efforts are needed to address the gaps in the

effectiveness of the Convention."

When the MLC was unanimously adopted by the 94th (Maritime) Session of the ILC, Geneva in February 2006, it was variously described as 'an extraordinary accomplishment', 'a truly historic event', 'epoch-making' and 'without precedent'. More than ten years after the MLC came into force, the industry is facing momentous change.

"The research found that the significance of the MLC as a living instrument must also be seen in the changing maritime environment and as intrinsically linked with other international conventions and the changes that are being seen with Maritime Autonomous Surface Ships; environmental, social and governance in the shipping industry; and climate change", adds Deirdre Fitzpatrick.

"Some of the barriers to a level playing field appear to be lack of resources and expertise to implement and enforce the Convention strictly and evenly by all States around the world. States ratify the Convention but there are cases where the States then do not implement the provisions of the MLC into their national laws and practices, or they do not report their compliance to the ILO. It is an ongoing task to build capacity and awareness leading to compliance for a more effective MLC around the world."

MCTC partners with Hapag-Lloyd to revolutionise seafarers' wellbeing



Christian Ioannou
CEO of MCTC

MCTC is proud to announce its partnership with one of the world's leading container shipping lines Hapag-Lloyd.

This collaboration marks a significant step forward in advancing the wellbeing of seafarers by revolutionising the meals served onboard commercial vessels through a holistic approach.

Recognising the critical role of nutrition in seafarer's wellbeing, Hapag-Lloyd is teaming up with MCTC to deliver high quality and nutritious meals. Through MCTC's catering management solutions and comprehensive training programmes, seafarers will benefit from enhanced dining experiences while improving their overall health.

MCTC is a global maritime catering and training business committed to transforming the dining experience for seafarers via high-quality, nutritious meals that nourish both the body and mind.

Hapag Lloyd shares MCTC's commitment to prioritising the wellbeing of seafarers. The organisation's human rights service, mental health support and entertainment onboard initiatives align perfectly with MCTC's mission to provide comprehensive support for seafarers.

By partnering with MCTC, Hapag Lloyd gains access to a range of services such as wellbeing, webinars, nutritionist – dietician ensuring that seafarers have the support they need to thrive both professionally and personally.

'We are honoured to collaborate with Hapag-Lloyd to enhance the wellbeing of seafarers worldwide' said Mr Christian Ioannou, CEO of MCTC. This partnership between Hapag-Lloyd and MCTC represents a shared commitment to improving the lives of seafarers around the world."

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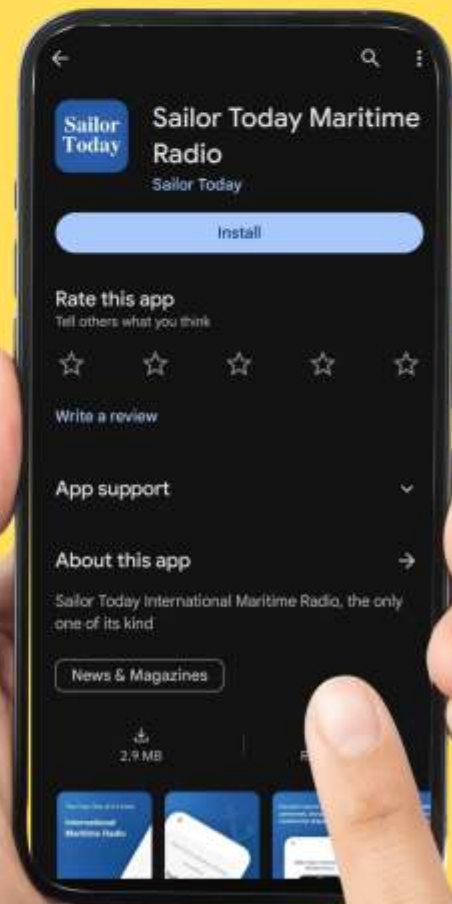
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