

MERCHANT SHIPPING (PREVENTION OF POLLUTION OF THE SEA BY OIL) RULES, 1974

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MERCHANT SHIPPING (PREVENTION OF POLLUTION OF THE SEA BY OIL) RULES, 1974

¹1. Published in Gazette of India, 1974 Ft. II, Sec. 3(i), p. 1149. In exercise of the powers conferred by Sees. 356-E, 356-] and 457 of the Merchant Shipping Act, 1958 (44 of 1958), and of all other powers hereunto enabling, the Central Government hereby makes the following rules, namely

1. Short title, commencement and application :-

(1) These rules may be called the Merchant Shipping (Prevention of Pollution of the Sea by Oil) Rules, 1974.

(2) They shall come into force on the 4th day of June, 1974.

(3) They shall apply to

(a) every Indian ship being

(i) a tanker of one hundred and fifty tons gross or more; and

(ii) any other ship of five hundred tons gross or more wherever it is; and

(b) every ship other than Indian ship being

(i) a tanker of one hundred and fifty tons gross or more; and

(ii) any other ship of five hundred tons gross or more, while it is at a port or place in India, or within the prohibited zone adjoining the territories of India.

2. Definitions :-

In these rules, unless the context otherwise requires

(i) "Act" means the Merchant Shipping Act, 1958 (44 of 1958);

(ii) "Convention" means the International Convention for the Prevention of Pollution of the Sea by Oil, 1954;

(iii) "Schedule" means a Schedule annexed to these rules.

3. Specifications for marine diesel oil :-

The specifications for marine diesel oil includes every type of marine diesel oil or distillates other than the distillates of which more than half the volume distils at a temperature not exceeding 340 degrees centigrade when tested by ASTM (American Society of Testing and Materials) standard method D. 86-66.

4. Prohibited Zones :-

(1) For the purposes of Part XI-A of the Act, these rules, all the sea areas within fifty miles from the nearest land shall be prohibited zones.

(2) In addition to the sea areas referred to in sub-rule (1), all sea areas specified in the First Schedule, in so far as they extend beyond fifty miles shall also be prohibited zones:

Provided that the sea areas referred to in paragraphs (b) (v), (b) (vi), (c), (d), (e), (f) (ii), (g) (i), (g) (it) and (g) (Hi) of the said schedule shall come into operation from the date on which the

Convention comes into force for the respective territory.

(3) The Central Government shall by notification in the Official Gazette, publish the names of the countries together with dates from which the convention comes into force for such countries.

(4) For the purposes of this rule, the expression "from the nearest land" shall mean from the relevant baseline from which the territorial sea of the territory in question is established in accordance with the provisions of the Geneva Convention on the Territorial Sea and the Contiguous Zone 1958.

(5) Prohibition of discharge of oil or oily mixture. (1) Subject to the provisions of Sec. 356-D of the Act, no ship to which these rules apply shall discharge any oil or oily mixture in the prohibited zone adjoining the territories of India specified in rule 4 and paragraphs (g) (i) and (g) (ii) of the First Schedule. (2) Subject to the provisions of Sec. 356-D of the Act, no Indian ship to which these rules apply shall discharge any oil or oily mixture anywhere within fifty miles from the nearest land or, as the case may be, within the extended prohibited zones referred to in sub-rule (2) of rule 4.

5. . :-

6. Ships equipment :-

Every Indian ship to which these rules apply shall be so fitted with such equipments as to prevent effectively any oil fuel from leaking or draining from machinery spaces into ship's bilges :

Provided that this rule shall not apply to any ship in which the contents of its bilges are subjected to an effective means of separating the oil therefrom before they are pumped into the sea.

7. General precautions for the prevention of spillage, leakage and accidental, discharges :-

(1) Any ship to which these rules apply shall, while loading, discharging or bunkering oil at port or place in India, take the following precautions, namely:

(a) Where no facilities exist for the proper draining of hoses, the ends shall be suitably blanked. When hose connections are being made or broken, drip trays shall be used to catch any spillage;

(b) All scupper holes, to which oil may have access in the event of

spillage, shall be tightly plugged for the duration of the operations;

(c) The ship shall be securely moored before commencement of the operations so as to avoid any undue strain in the pipe connections between the ship and shore or, as the case may be, between the ship and the barge or barges. Strict attention shall be paid to the requirement of this clause where there is a considerable rise and fall of tide ;

(d) The hoses and other equipment in use shall be regularly subjected to inspection so as to ensure early detection of any leakage or damage. During operations, hoses shall be properly connected and supported, particular care being taken to avoid the possibility of their being crushed between the ship and a lighter, dockside or quay or between the ship's bottom and seabed at submarine pipe berths. The hoses shall be of sufficient length to allow the normal movement of ships;

(e) Any oil accidentally spilt on deck shall be immediately baled up and disposed of into any cargo tank or into bunkers discharged ashore in accordance with the relevant regulations in force in the respective port;

(f) When the loading of a tanker or tank barge is completed, all tank hatch lids shall be firmly secured and all other openings leading to the tanks, other than those controlled by a relief valve, shall be rendered oil tight.

(2) Without prejudice to the generality of the provisions of sub-rule (1), the following precautions shall be taken during bunkering operations of any ship to which these rules apply, namely:

(a) The Master or any other Officer appointed by him in this behalf shall be in charge of all bunkering operations;

(b) Close co-operation shall be ensured between deck and engineer officers as well as with the shore staff or, as the case may be, the barge crew, throughout the bunkering operations;

(c) The officer-in-charge of bunkering operations shall ensure that all engaged in the operations are thoroughly familiar with the ship's fuelling arrangements, including the positions of overflow and air pipes, the overflow tank and the sounding pipes and depth indicators of all fuel storage tanks;

(d) Before commencing bunkering operations, all air vent pipes

shall be inspected so as to ensure that the displaced air and gases can escape therefrom freely;

(e) Before commencing bunkering operations the officer-in-charge of such operations shall take ullages or soundings to determine the quantity of oil on board and satisfy himself that bunker space available on board is sufficient to accommodate the expected delivery of bunker oil; and

(f) During bunkering operations

(i) where one of the fuel tanks is set aside as an overflow tank, it shall be the last tank to be filled;

(ii) frequent soundings shall be taken and the rate of delivery shall be slowed down during "topping off";

(iii) wherever possible, double bottom tanks shall be topped off from deep tanks; and

(iv) adequate advance warning shall be given to the shore staff or, as the case may be, barge staff of the need to reduce the delivery rate during the "topping off" and of the final shutting off.

(3) When transferring fuel within the ship from one tank to another, it shall be ensured that

(a) overboard discharge connections from the oil fuel transfer pumps are properly closed and secured to avoid accidental overboard discharge;

(b) vents of the air vent pipes are free from blockages;

(c) over flow pipes leading from settling tanks to fuel storage tanks are in order;

(d) sounding arrangements or oil level indicating gear on settling tanks does not allow the escape of oil in the event of accidental overfilling of the settling tanks; and

(e) frequent soundings are taken while the transfer operations are in progress.

(4) For operations connected with loading or discharging oil carried as cargo in deep tanks, the provisions of sub-rule (2) shall apply in a like manner as they apply to bunkering operations.

(5) During ballasting, all tanks shall be inspected so as to ensure

that only the tanks which are intended as ballast tanks are receiving water. For operations connected with ballasting, the provisions of sub-rule (2) shall apply in the like manner as they apply to bunkering operations.

(6) If any spillage of oil takes place in the dock waters or harbour waters despite precautions taken in accordance with the foregoing provisions of this rule, the owner, master or agent of the ship shall report the incident of such spillage to the appropriate harbour authorities without undue delay.

8. Engine room precautions :-

(1) Ship's oily bilgers, gutterways or other arrangements provided to confine oil fuel leakage from tank sides and mountings, oil fuel pumps, etc., shall be subjected to periodical inspection. Any accumulation of oil fuel in any of these shall be transferred to a bunker tank or a settling tank before risk of overflow to other ordinary bilges becomes imminent.

(2) Trays beneath oil pumps, heaters, burners, etc., shall be kept clean. Any leakage in oil pumps, heaters, burners, etc., shall be dealt with before it pollutes ordinary bilges in the engine room or, as the case may be, boiler room.

(3) All oil fuel pipes within the engine room or, as the case may be, boiler room, particularly those in which the oil is under pressure, shall be inspected regularly for ensuring their oil tightness.

9. Avoidance of leakage through structural defects :-

A careful examination of the ship's hull shall be carried out at regular intervals, ¹ [not exceeding two years between two such examinations] particularly in way of any fuel oil tanks, for the purpose of detecting leakage of oil.

1. Ins. by G.S.R. 1349, dated 6th September, 1976.

10. Precautions to be taken by tankers while loading, transferring, and unloading operations :-

(1) In the case of any tanker to which these rules apply, all loading, transferring and unloading operations, whether in respect of cargo or ballast, shall be supervised by the master of the ship or any other experienced officer appointed by him in this behalf. Throughout any such operations, close co-operation shall be maintained with responsible shore staff or, as the case may be,

barge crew.

(2) Before commencement of loading operations the tanker shall be inspected to ensure that

(a) all sea valves and deck and overboard discharge valves on the oil and ballast lines are tightly closed;

(b) all deck line valves which are not to be used are properly closed and, where practicable, blanked off; and

(c) all valves which are to be used are free and in good order.

(3) During loading operations of a tanker, the following precautions shall be taken, namely:

(a) loading shall always commence at a slow rate;

(b) after loading has commenced, tanks which are being loaded and water round the ship's side shall be inspected to ascertain that no oil is escaping;

(c) if loading is proceeding satisfactorily, the rate of loading may be gradually increased until the desired loading rate is obtained;

(d) after obtaining the desired rate of loading, a further inspection shall be made of the tank being loaded and water around ship's side for detecting any possible escape of oil;

(e) only such number of tanks may be loaded simultaneously as could be safely watched and controlled;

(f) the depth of oil in each cargo tank which is being loaded shall be constantly watched and the receiving rate shall be appropriately reduced towards the final stages of loading;

(g) to allow time for orderly control, the slowing down of receiving rate that may be necessary during the topping off process shall be anticipated and appropriate notice given to the shore staff ;

(h) after any tank valve been closed, the liquid level in the tank shall be checked to ensure that the valve is properly closed.

(4) Before commencement of unloading operations, the tanker shall be inspected to ensure that

(a) all cargo deck line valves, sea valves and any stern loading and discharge valves are tightly closed; where practicable all such valves shall be blanked off;

(b) valves in the pump room and on deck are set to the discharging position and checked to ensure that they are free and in good order.

(5) During unloading operations of a tanker the following precautions shall be taken, namely:

(a) cargo discharge valves shall not be opened and the cargo pumps shall not be started unless it is ascertained that hoses are connected and shore staff have indicated their readiness to receive cargo;

(b) where back pressure in the shore line is such as to give rise to a possibility of oil flowing from shore to the ship, the ship's valve at the hose connection shall not be opened until the pressure is equalised;

(c) the cargo pump shall be started slowly and the working pressure shall be built up gradually;

(d) during the process of unloading a constant watch shall be kept on the discharge pressure so as to ensure that shore receiving lines are clear and that an excessive pressure is not being built up in the cargo hoses;

(e) when the desired rate of discharge is reached a further inspection shall be carried out of

(i) the stern valve and other valves which are not in use;

(ii) cargo hose and hose connections; and

(iii) the water round the ship's sides so as to ascertain that no oil is escaping;

(f) at frequent intervals, the conditions in the pump room, the operating pressure in the cargo system and possible points of leakage shall be inspected; and

(g) the ship shall always be kept in readiness to stop discharging on a very short notice from shore authorities.

(6) Before commencing ballasting in respect of a tanker, the following measures shall be taken, namely:

(i) all cargo lines and particularly deck lines and rises shall be drained into a selected cargo tank;

(ii) manifolds, hose connections and stern discharge valves shall be closed;

(iii) blank flanges shall be fitted as soon as possible;

(iv) all valves between the pumps and the deck discharge lines shall be closed;

(v) when cargo pumps are to be used for ballasting purposes, it shall be ascertained that only such valves are kept open which are needed for this operation so as to minimise the risk of release of oil through sea suction valves;

(vi) before pumping commences, sea valves shall be opened very slowly so as to avoid any sudden rush of water which may cause turbulence resulting in the release overboard of any oil in the lines;

(vii) if ballasting is intended by gravity system, ballast shall first be pumped in for about ten minutes after the sea valves have been opened so as to wash out all bottom lines before relaying solely on gravity.

(7) During ballasting operations of a tanker, tanks shall be inspected to ensure that only such tanks as are intended to be used as ballast tanks are receiving ballast.

(8) If any spillage of oil takes place in the dock water or harbour water despite precautions taken in accordance with the foregoing provisions of this rule, the owner, master or agent of the ship shall report the incident of such spillage to the appropriate harbour authorities without undue delay.

11. Oil Records in respect of tankers :-

(1) The master of every Indian tanker to which these rules apply shall keep on board the tanker a record, in the form of a book, of the following matters, namely:

(a) any occasion on which oil or a mixture containing oil is discharged from the ship for the purposes of securing the safety of any ship, or of preventing damage to any ship or cargo, or of saving life;

(b) any occasion oil or a mixture containing oil is found to be escaping, or to have escaped, from the ship in consequence of damage to the ship or by reason of leakage;

(c) any of the following operations carried out on board or in connection with the ship, namely:

(i) any ballasting of, and discharge of ballast from, oil tanks being cargo tanks;

(ii) any cleaning of oil tanks being cargo tanks;

(iii) any settling in slop tanks and discharge of water therefrom; and

(iv) any disposal of oil residues from slop tanks or other sources.

(2) In respect of every occasion, specified in Cls. (a) and (b) of sub-rule (1) entries shall be made in the record book in the form and containing the particulars set out in the Second Schedule.

(3) In respect of every operation specified in Cl. (c) of sub-rule (1), entries shall be made in the record book in the form and containing the particulars set out in the Third Schedule.

12. Oil records in respect of ships other than tankers :-

(1) The master of every Indian ship other than a tanker to which these rules apply shall keep on board the ship a record, in the form of a book, of the following matters, namely:

(a) any occasion on which oil or a mixture containing oil is discharged from the ship for the purpose of securing the safety of any vessel, or of preventing damage to any vessel or cargo, or of saving life ;

(b) any occasion on which oil or a mixture containing oil is found to be escaping, or to have escaped, from the ship in consequence of damage to the ship, or by reason of leakage;

(c) any of the following operations carried out on board or in connection with the ship, namely:

(i) any ballasting of, and discharge of ballast from, oil tanks being bunker fuel tanks;

(ii) any clearing of, and discharge of washing water from, oil tanks being bunker fuel tanks;

(iii) any separation of oil from water, or from other substances, in any mixture containing oil; and

(iv) any disposal of oil residues from oil tanks being bunker fuel

tanks or from other sources.

(2) In respect of every occasion specified in Cls. (a) and (b) of sub-rule (1), entries shall be made in the record book in the form and containing the particulars set out in the Second Schedule.

(3) In respect of every operation specified in Cl. (c) and sub-rule (1), entries shall be made in the record book in the form and containing the particulars set out in the Fourth Schedule.

13. Retention, custody and disposal of oil records :-

The oil records maintained by any tanker pursuant to the provisions of rule 10, and those maintained by any ship other than a tanker pursuant to the provisions of rule 11, shall be retained on board the tanker or, as the case may be, the ship, other than a tanker, for a period of not less than two years from the date of last entry in such record book: Provided that such records may be transmitted by the master of the ship to the owners any time before the expiry of the said period of two years in which case, they shall be retained by the owners until expiry of that period.

14. Reports :-

The report to be made to the Director-General under the proviso to sub-section (3) of Sec. 356-C of the Act, shall be made in the form set out in the Fifth Schedule.

SCHEDULE 1

SCHEDULE

FIRST SCHEDULE

[See rule 4 (2)]

Prohibited Zones

The following sea areas, in so far as they extend more than 50 miles from the nearest land, shall also be prohibited zones :

(a) Pacific Ocean

The Canadian Western Zone

The Canadian Western Zone shall extend for a distance of 100 miles from

the nearest land along the west coast of Canada.

(b) North Atlantic Ocean, North Sea and Baltic Sea

(i) The North-west Atlantic Zone

The North-west Atlantic Zone shall comprise the sea areas within a line drawn from latitude 38 47' north longitude 73 43' west to latitude 39 58' north, longitude 68 34' west thence to latitude 42 05' north, longitude 64 37' west thence along the east coast of Canada at a distance of 100 miles from the nearest land.

(ii) The Icelandic Zone

The Icelandic Zone shall extend for a distance of 100 miles from the nearest land along the coast of Iceland.

(iii) The Norwegian, North Sea and Baltic Sea Zone The Norwegian, North Sea and Baltic Sea Zone shall extend for a distance of 100 miles from the nearest land along the coast of Norway, and shall include the whole of the North sea and of the Baltic Sea and its Gulfs.

(iv) The North-east Atlantic Zone

The North-east Atlantic Zone shall include the sea areas within a line drawn between the following positions:

Latitude	Longitude
62 North	2 east ;
64 north	00;
64 north	10 west ;
60 north	14 west ;
54 30' north	30 west ;
53 north	40 west ;
44 20' north	33 west ;
44 20' north	33 west ;
46 north	20 west, thence

towards Cape Finishers at the intersection of 50-mile limit.

(v) The Spanish Zone

The Spanish Zone shall comprise the areas of the Atlantic Ocean within a distance of 100 miles from the nearest land along the coast of Spain and shall come into operation on the date on which the present Convention shall have come into force in respect of Spain.

(vi) The Portuguese Zone

The Portuguese Zone shall comprise the area of the Atlantic Ocean within a distance of 100 miles from the nearest land along the coast of Portugal and shall come into operation on the date on which the present Convention shall have

come into force in respect of Portugal.

(c) Mediterranean and Adriatic Seas The Mediterranean and Adriatic Zone

Mediterranean and Adriatic Zone shall comprise the Sea areas within a distance of 100 miles from the nearest land along the coasts of each of the territories bordering the Mediterranean and Adriatic Seas and shall come into operation in respect of each territory.

(d) Black Sea and Sea of Azov The Black Sea and Sea of Azov Zone

The Black Sea and Sea of Azov Zone shall comprise the sea areas within a distance of 100 miles from the nearest land along the coasts of each of the territories bordering the Black Sea and Sea of Azov and shall come into operation in respect of each territory on the date of which the present Convention shall have come into force in respect of that territory, provided that the whole of the Black Sea and the Sea of Azov shall become a prohibited Zone on the date on which the present Convention shall have come into force in respect of Roumania and the Union of Soviet Socialist Republics.

(e) Red Sea The Red Sea Zone

The Red Sea Zone shall comprise the sea areas within a distance of 100 miles from the nearest land along the coasts of each of the territories bordering the Red Sea and shall come into operation in respect of each territory on the date of which the present Convention shall have come into force in respect of that territory.

(f) Persian Gulf

(i) The Kuwait Zone

The Kuwait Zone shall comprise the sea areas within a distance of 100 miles from the nearest land along the coasts of Kuwait.

(ii) The Saudi Arabian Zone.

The Saudi Arabian Zone shall comprise the sea area within a distance of 100 miles from the nearest land along the coasts of Saudi Arabia and shall come into operation on the date on which the present Convention shall have come into force in respect of Saudi Arabia.

(g) Arabian Sea, Bay of Bengal and Indian Ocean

(i) The Arabian Sea Zone

The Arabian Sea Zone shall comprise the sea areas within line drawn between the following positions :

Latitude	Longitude
23 33' north	68 20' east ;
23 33' north	68 20' east ;
22 north	68 east ;
20 north	70 east ;
18 55' north	72" east ;
15 40' north	72 42' east ;
8 30' north	75 48' east ;
7 10' north	76 50' east ;
7 10' north	78 14' east ;
9 06' north	79" 32' east ;

and shall come into operation on the date on which the present Convention shall have, come into force in respect of India.

(ii) The Bay of Bengal Coastal Zone

The Bay of Bengal Coastal Zone shall comprise the sea areas between the nearest land and a line drawn between the following positions :

Latitude	Longitude
10 15' north	80 50' east,
14 30' north	81 38' east,
20 20' north	88 10' east,
20 20' north	89 east,

and shall come into operation on the date on which the present Convention shall have come into force in respect of India.

(iii) The Malagasy Zone

The Malagasy Zone shall comprise the sea area within a distance of 100 miles from the nearest land along the coast of Madagascar West of the meridians of Cape d' Ambre in the north and of Cape Ste. Marie in the south and within a distance of 150 miles from the nearest land along the coast of Madagascar east of these meridians and shall come into operation when the present Convention shall have come into force in respect of Madagascar.

(h) Australia

The Australian Zone

The Australian Zone shall comprise the sea area within a distance of 150 miles from the nearest land along the coasts of Australia, except off the north and west coasts of the Australian mainland between the point opposite Thursday Island and the point on west coast at 20 south latitude.

SCHEDULE 2

SCHEDULE

SECOND SCHEDULE

All Ships

[See rules 11 (2) and 12 (2)]

Date of Entry

Accidental and other exceptional discharges or escape of oil

1. Date and time of occurrence
2. Place or position of ship at time of occurrence
3. Approximate quantity and type of oil
4. Circumstances of discharge or escape and general remarks

Signature of
Officer or Officers

in charge of the
operations
concerned.

Signature of
master

SCHEDULE 3

SCHEDULE

THIRD SCHEDULE

Tankers

[See rule 11 (3)]

Date of Entry

(a) Ballasting of and discharge of ballast from cargo tanks

1. Identity number (s) of tank (s) concerned

2. Type of oil previously contained in tank (s)

3. Date and place of ballasting

4. Date and time of discharge of ballast water

5. Place or position of ship at the time of discharge

6. Approximate amount of oil-contaminated water transferred to slop tank (s)

7. Identity number (s) of slop tank (s)

(b) Cleaning of cargo tanks

8. Identity number (s) of tank (s) to which washings transferred.

9. Type of oil previously contained in tanks

10. Identity number (s) of slop tank (s)

11. Dates and times of cleaning

(c) Settling in slop tank (s) and discharge of water

12. Identity number (s) of slop tank (s)

13. Period of setting (in hours)

14. Date and time of discharge of water

15. Place or position of ship

16. Approximate quantities of residue

17. Approximate quantities of water discharge

(d) Disposal of oily residues from slop tank (s) and other sources

18. Date and method of disposal

19. Place or position of ship at time of disposal

20. Sources and approximate quantities

Signature of Officer or Officers
in charge of the operations concerned.

Signature of Master.

FOURTH SCHEDULE

Ships other than tankers

[See rule 12 (3)]

(a) Ballasting of cleaning during voyage, of bunker fuel tanks

1. Identity number (s) of tank (s) concerned
2. Type of oil previously contained in tank (s)
3. Date and place of ballasting. Signature of Officer in charge of the operations and date of entry. Signature of Master and date.
4. Date and time of discharge of ballast or washing water
5. Place or position of ship at the time of disposal
6. Whether separator used ; if so, give period of use
7. Disposal of oily residue retained on board

Signature of
Officer

in charge of the
operations and
date of entry

Signature of
master and date

(b) Disposal of oily residues from bunker fuel tanks and other sources

8. Date and method of disposal
9. Place or position of ship at the time of disposal
10. Sources and approximate quantities

Signature of Officer in charge of the operations and date of entry

Signature of Master, and date

Signature of Officer or Officers in charge of the operations concerned

Signature of Master.

SCHEDULE 5

SCHEDULE

FIFTH SCHEDULE

[See Rule 14]

Report of oil or oily mixture from a ship of 20,000 tons gross tonnage or over

PARTICULARS

1. Name of ship -----

2. Gross tonnage -----

3. Name and address of owner -----

4. Name and address of owner's agent in the United Kingdom -----

5. Time and date of discharge -----

6. Ship's position at time of discharge -----

7. Type of oil or oily mixture discharged -----

8. Approximate quantity of oil or oily mixture discharged -----

9. Any special circumstances which made it impracticable or unreasonable to retain the oil or mixture in the ship -----

Signature of Master

Date