

## Why the NMB Agreement delayed ?

**T**he Shipowners of India forced the seamen to be in trouble again. As such, the Seamen's NMB agreement is now in deep water. The earlier agreement of Seamen Unions with the shipowners expired on 31 March 2010. As per rule, the new agreement would be made after placement of demands by the Seamen Unions. After the expiry of the old agreement, the INSA, the organization of the Shipowners decided not to sign in any new agreement. The other union NUSI agreed with the owners. But the biggest union of the seamen, FSUI raised strong protest to this principle. In a letter, the union mentioned that if the owners do not want any fresh agreement, the pay and other benefits as per the earlier agreement to continue. If fresh agreement is signed in 2012, the pay of the seamen cannot be decreased. In other way, due to price escalation the economic value of the increased pay in 2008 will automatically go down. Money value declined due to inflation. The price index is too high. As such, if fresh agreement is signed in 2012, Seamen will not get any benefit of pay fixed ignoring the price index for the next two years. As per article 140 of Merchant Shipping Act, 1958 considering the owners income seamen's pay cannot be decreased.

Due to pressure, the owners asked the unions to submit their charter of demands. FSUI prepared their charter of demands. The Mumbai based other union NUSI wanted assistance from FSUI for their preparation of charter so that both the unions jointly held discussions with the owners. FSUI agreed to give assistance in this regard and NUSI with the help of FSUI prepared their charter of demands. After that when the owners called both the two unions for discussion, NUSI demands that six members of their union and three members from FSUI would represent in the discussion. FSUI raised strong objection to it because from 2000 onwards the no of representatives in all discussions were equal. So, at the time of signing the new agreement, the same ratio to be maintained. Moreover, FSUI is now the biggest Seamen's Union. NUSI declared us NMB agreement and push the seamen in misery. To keep their interest in tact, the owners sidelined with NUSI.

Under such a condition, the NMB agreement of 2010-12 is in deep water. The joint action of NUSI and INSA against the interest of the seamen was proved several times earlier. Now it is opened and as such, seamen's should raise protest to this anti-seamen's work. FSUI therefore appeal to all seamen to organize demonstration in the ship. If needed, be prepare for the greater demonstration ahead. ❖

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## **Trouble in Haldia Port Created by Railway Ministry**

The problems of Haldia have been aggravated further by Indian Railways. This port is suffering from navigation problem over a considerable period of time. After the formation of 2<sup>nd</sup> UPA Government in center in May 2009, Mukul Roy, the minister of state for shipping, a member of TMC, an all of the UPA, assured that he would do his level best for the development of Haldia Port. Thereafter, the central assistance was stopped. The dredging of two channels are not being done properly. Six dredgers are necessary for regular dredging. It was assured that these dredgers would start working from the month of January 2010 and the no of dredgers would be increased in necessity. Eight dredgers were brought to work in Auckland and Jellingham chanel. It was found that four dredgers were so old that they could not work at all. Upto the month of May 2010, silt of 3.8 mts of Jellingham and 4 mts of Auckland channel were cleared. The No 8 dredgers was sent to Paradeep. Before that, the dredge-17, a dredger of improved quality had been sent to Mangalore.

For this reason, ships of 18 to 20,000 tons capacity cannot enter the Haldia Port. Still the export-import work in Haldia was going on smoothly. Being the entry point of eastern India and for its geographical reasons, the business people like Haldia Port. Large scale steel factories, irrespective of Government & non-government, prefers this port for their export-import work as it is nearer to the mins. This port was the first choice of the Shipping agents because of low transport cost. Suddenly by a notification dated 24 January 2011, the Railways increased the transport cost by Rs. 500/-per ton. It was made effective from 27 January 2011. Due to the sudden huge rise in transport cost, the business people connected with export-import work will now prefer Paradeep. Though the distance from Barbil mine to Paradeep Port is more, but the freight charge is less. As per the circular, the freight charges for the short distance would be more than the longer distance. The congress regime's revenue simplicity rule is being reinforced by this circular, thus hampering the industrialisation of Bengal.

For the problem created in Haldia Port, a large sector of Labourers would lose their earnings.

Within 7 days of issuing this circular, Smt Mamata Banerjee, Minister of Railways, inaugurated two projects of Railways shipping Ministries in Haldia. The intention of these two ministries became clear to the ordinary labourers i.e. destroy the Haldia Port anyhow. CITU protested against this circular and has called for immediate mass agitation. ❖

## **Com. Anil Ganguly passes away**

**Comrade Anil Ganguly, the ex-vice President of Forward Seamen's Union of India, passed away on 9 January 2011. He was suffering for a long time. His wife expired prior to him and he is survived by his two sons, one daughter, one son-in-law, one daughter-in-law and grand children. Comrade Ganguly joined the Forward Seamen's Union just after joining the sea services. Gradually this spirited and talented Comrade became the vice president of the union and held the post till the time of his retirement in 1992.**

**Forward Seamen's Union of India as well as Samudra Darpan express their deep condolences on his death and convey respectful homage to his bereaved family members.**

## Extension of KOPT in troubled waters

The union ministry of shipping has directed the authorities of KOPT to put on hold the tendering process for a 270 metre long multipurpose jetty of KOPT for the time being. Shri K Mhandas, Secretary, Union Shipping Ministry, gave this direction to the authorities of KOPT at a high level meeting at New Delhi on 4 March, 2011. The tendering process for the jetty was to be floated by KOPT in response to its notification extending the port limits.

The move of KOPT for extension of its limits led to widespread protests in Orissa as the extension of limits was expected to affect the future of seven upcoming minor ports in Orissa.

The Orissa government had written a letter to the Central Government on the issue. The KOPT revised port limits extended by more than 200 kilo metre South of Haldia into the Bay of Bengal covering an area of 28646 square kilo metre. The authorities of KOPT expressed confidence that the issue will be solved within two-three months and the tendering process would be started.

Shri M L Meena, Chairman of KOPT said that the Shipping Ministry has promised the Orissa Government that if their concerns are regarding the national interest, it will be considered and the project will not be finalized till these issues are addressed. The Government of Orissa alleged that they were not consulted by the authorities of KOPT before the issue of the notification and this unilateral action violated the federal structure of the country which may lead to avoidable bitterness between the governments of Orissa and West Bengal. ❖

## Law to sink pirates

It is informed that the Government is in favour of enacting legislation to tackle piracy in sea which will empower Indian forces facing danger outside the country's territory.

The committee of secretaries (COS) headed by cabinet secretary K M Chandrasekhar met recently to discuss the issue. One of the steps discussed in the meeting is a proposal to bring legislation to deal with sea pirates. This legislation will allow Indian forces basically Indian Navy to fight the pirates on the high seas and the captured pirates would be brought to India for trial. Currently on rescue operations, Indians forces limit themselves to freeing the sailors held hostage. The proposed legislation would give them power to use weapons and sink pirate ships.

India is a signatory to the UN Convention on Law of the sea, 1982. A national law exists governing the coastal regions within the sovereign territory of India. It is understood that there is no specific provisions in the existing law to deal with Sea piracy. As such, the government is open to the idea of bringing separate law in the face of hi-jackings of merchant ships. It would be decided whether a new law would be enacted or any change in the existing law to be made after inter-ministerial consultations. ❖

## 61 Somali Pirates held in Arabian Sea

A big group of Somali Pirates held. In around 9 pm on 12 March, a group of about 31 Somali Pirates was held by Indian Naval force. The spokesman of Indian Navy, Commander P V Satish informed that in the night of March 11, the naval ship INS KALPENI deployed on patrol duty in Arabian Sea, got the information of existence of Somali pirates there. The merchant vessel mv Vancur while going through the Arabian sea locate the pirates, ship and informed Indian Navy. Simultaneously, the commanders of Indian Navy searched the area in air. The pirate's ship Vega 5 was identified by them at that time. On getting the news from aircraft the INS Kalpeni attacked the pirate's ship at that time. The pirates then aborted the attack and tried to speed away with their vehicle Vega-5. Being surrounded by naval ship, the pirates started firing at the pirate vessel following which a fire broke out in Vega-5 vessel. The pirates then started jumping into the sea. Then Navy hit back Vega-5 and captured 74 people there. After interrogation it is found 61 of them are Somali pirates and rest 13 are fishermen of Mozambique. A Mozambique flagged fishing vessel was hijacked by these pirates. The operation was made around 600 nautical miles away of West Arabian Sea. About 90 rifles and few rocket propelled grenades were recovered from the pirates' possession. All the captured were brought to Mumbai. Investigation is going on. ❖

## **Top Executive of S.C.I in CBI Net**

The 2<sup>nd</sup> UPA Government is immersed in corruption, the ministers & beaurocrats being involved in various types of corrupt activities. A financial misappropriation case was also reported against TMC–MP Shri Mukul Roy, Minister of State for Shipping. Now a similar allegation has come up against a top official of the Shipping Corporation of India, a nationalized company, under the Shipping Ministry.

On receipt of the news of unaccounted property, the office and residence of Shri Abdesht Gupta, Dy General Manager of Shipping Corporation of India, was raided by CBI anti-corruption Department Official on 13 February 2011, intimated by sources in CBI. It is learnt that Shri Gupta is staying in a laxirious flat in Joka under South 24 parganas. Simultaneously, his flat in Mumbai was also searched where his son is staying. It is also reported that the Central School at Joka was also searched where a close relative of Shri Gupta is teaching. The said relative of Shri Gupta, is reported to have been interrogated by CBI officials. After interrogating Shri Gupta on various occasions, huge property as well as Bank books & other papers were seized by CBI officials for scrutiny and further actions.

Shipping Corporation of India (SCI) is always reluctant to pay wages to its employees and meeting their minimum demands. There is no work culture in the ship, only mental torture. There officers of SCI are unjustly expecting money by ignoring the benefits of the ship workers. ❖

## **Lok Sabha Rocked over detention of Indian Sailors by Somali pirates.**

Eleven Indian sailors were released by Somali pirates on 9 March, 2011. But there were other Indian sailors still held hostage on ships owned by foreign companies including 79 abroad on Egyptian Ship, mv Suez.

Smt. Nirupama Rao, foreign secretary, Govt of India, mentioned that Eleven Indian Sailors on ship RAK Africana were released by Somali pirates and had been picked up by Spanish naval ship in vicinity.

The issue of 79 Indian sailors held hostage by Somali pirates rocked the Lok Sabha on 9 March, 2011. Being dissatisfied with the Government's response to what steps being taken for their release, the BJP & its allies staged a walk out in Lok Sabha during zero hour. Smt. Sushama Swaraj, leader of the opposition, raised the matter and insisted on getting an immediate response from the Government for the release of the sailors and should not leave it to the shipowners.

The fate of other Indian hostages including 79 Indian Sailors was uncertain as the hostage-takers ultimatum for ransom to be paid was reportedly expired on 9 March.

The questions are being asked as to why New Delhi is not doing enough to secure safe release of the hostages. It is also asked as to why doesn't the Government agree to pay rason if it will help save lives. Alternatively why Government does nto consider the option of using force to rescue the hostages. ❖

## **Ministry of Shipping likely to form new regulator for ports in India**

The ports in India soon be able to fix their own market based tariffs for higher returns with the Shipping Ministry mulling with the Taif fAuthority for major ports and bringing in a new regulator for the sector.

Work is in progress to establish a port regulator for all ports for setting, monitoring and regulating service levels as well as technical performance standards. ❖

## **10 Indians with ship hijacked by Pirates**

A Maltese flagged vessel with 23 crew members was hijacked by Somali pirates, of them 10 were Indians. The incident occurred a few nautical miles away from the east coast of Oman.

The communication of the vessel was cut off and pirates boarding the ship from two Skiffs were captured by a maritime patrol aircraft. ❖

## **Oil tanker hijacked off Oman**

A US-bound oil tanker carrying Kuwaiti Crude off the coast of Oman was seized by armed pirates, the ship's Greek Manager said on 9 February, 2011 (Wednesday) in an area where seaborne gangs operate. The Irene 3L, a very large crude carrier was carrying about 2 million barrels of crude oil worth roughly about \$200 million market prices. In a statement, the Greece based Company Enesel said. "This morning the vessel was attacked by armed men." ❖

## **17 Indians with Ship hijacked by Pirates**

An Italian-flagged Shipping vessel 'MV Savina Caylyn' with 17 Indian and 5 Italian crew members was hijacked in the Indian Ocean while heading to Malaysia from Sudan. The spokesperson of Director General of Shipping said 'The Ship was hijacked 550 nautical miles from the Indian coast. This position is outside the Indian exclusive economic zone.' ❖

## **Labour Law amendment**

The law related to the regulation and abolition of contract labour is considered to be amended by the government. It was mentioned by Shri Mallikarjun Kharge, Labour Minister that a tripartite group meeting would be held to report on how to regulate the wages and service conditions. Considering the report of the committee, an amendment (in the Contract Labour Regulation and Amendment Act) if found necessary would be done.

During Question Hour in Parliament, Shri Kharge expressed confidence that the report of the tripartite group would be able to solve the issue like uneven wages to contract workers and employment of contract workers in jobs where regular workers are working. ❖

## **Gujrat witnesses highest number strikes in industrial sector**

New Delhi 25 Feb (PTI) Gujrat witnessed the highest number of strikes and other forms of labour unrest in recent times, based on issues like wage and allowance, bonus, personnel, indiscipline and financial stringency, the Economic survey for 2010-11 said. However, the total man-days lost due to labour unrest in India has declined by over 81 percent.

Gujrat Chief Minister Narendra Modi has been trying to project the state as investment friendly, claiming to have allacted investments of Rs. 20.83 lakh crore in the two day long "Vibrant Gujrat Summit" held in January.

Quoting the labour Bureau's provisional data, the survey showed a decrease in the number of strikes and lock outs from 349 in 2009 to 99 in 2010 and in the total number of man-days lost from 9169037 in 2009 to 1699826 and 2010. ❖

## Protest Rally by TUS for High market Prices

Protesting against the high food prices, unemployment and also demanding a social security fund for unorganized workers, about 1.5 lakh workers affiliated to various trade unions joined a march to parliament on Wednesday, 23<sup>rd</sup> February, 2011. In a rare display of unity, the congress-affiliated trade union, Indian National Trade Union Congress also joined the rally with other trade unions. The move of INTUC was remarkable as it marched against the policies of a government led by the party it is affiliated to. Their leaders maintained that they were protesting the increased hardships faced by the workers.

The vehicular traffic of Delhi roads were completely blocked as long lines of workers carrying flags and shouting slogans shaked through.

Shri Gurudas Dasgupta, General Secretary of AITUC mentioned that Shri G.Sanjeeva Reddy, the President of INTUC ignoring the pressure from the Government and his party, was with us and their credit due to him. He further mentioned. "We will intensify the movement if the Government does not relent."

The leaders of different trade unions met the Speaker of Lok Sabha, Smt Meira Kumar and submitted a memorandum reiterating several long standing demands which included curbing price rise and unemployment is restraining police from intervening in legitimate trade union activities, greater allocation to the National Security Fund and inclusion of casual and contract Labourers as beneficiaries and stricter implementation of labour laws.

Unaffiliated trade unions from banking, insurance, defence, electricity, port and docks, telecom and Post & Telegraph also joined the march. ❖

## Delay in erection of Ship Building Yard

A Ship Building factory was scheduled to be erected in Badu area of East Midnapore District. But the establishment of the factory has been delayed by the chaotic conditions created by the Trinamul Congress – Maoist nexus on completion of last Lok Sabha elections and all the developmental programmes initiated by Left Front Government in the State of West Bengal have been stalled by them. The ship building organisation Bengal shipyard has blamed the recent political disorders of the state for the same instead of alleging the TMC directly.

In the year 2007, Bengal Shipyard Co., a company set up by a joint venture between Kolkata's SAPJ Surendra group and Mumbai's Bharat Shipyard, proposed the state government to set up a ship building factory. The State Government arranged for 500 acres of land in Badu area of East Midnapore. At the time, the cost of the project was estimated to be Rs. 1500 crores.

Initially there were some problems regarding land acquisition, after the intervention but the matter was settled amicably of the State Government. The project was delayed due to the inflation in the global Ship Building market. Anyhow, Bengal Shipyard Co., came forward with the willingness to establish the factory early in the year 2010. But the joint action of Trinamul Congress and Maoists forced them to take up the principle of 'Go Slow'. Shri Vijay Kumar, Managing Director of Bengal Shipyard Co intimated that they are willing to construct the factory at an early date. He has opined that ship building in the Eastern Coastal region will be resourceful.

Shri Partha Burman Roy, Director of the Company intimated that they expect to start commercial production of the factory by the year 2013. He further intimated that built in their a small factory located in the Kolkata port area they have sold two small ships to a German organization. Big ships would be built up in Bengal Shipyard after construction. ❖

## Call of 23<sup>rd</sup> February

### Joint rally of labourers calling for change of law relating to killing of labourers by the Govt.

Delhi roads were closed down by the agitating labourers. The movement of vehicles and others were practically stopped by the agitated labourers who came from different parts of the country on 23<sup>rd</sup> February, 2011. The demands were stop escalation of price rise, unemployment, retrenchment of labourers and decrease of emoluments. The leaders of the labourers were asking the government for change of anti-labour laws. The main speaker was congress leader & president of INTUC Sanjeeva Reddi. The call for aggression parliament was given jointly by CITU, AITUC, INTUC, HMS, AIUTUC, TUCC, AICCTU, UTUC etc, unions.

While the labourers were shouting outside, the leftist M.P.s were busy to discuss the issue with the government on the floor of parliament. Com. Sitaram Yechuri, M.P. said that when we were discussing within the parliament footsteps of lakhs of labourers on the Delhi roads could be heard. They had not come to see Delhi but came to tell about their grievances keeping their families aside.

The government did an impossible work. All labourers were united. Thank given to the government for making all unions united.

In this context, the message given by Dr. B.R. Ambedkar while submitting the draft constitution to the Parliament on 25<sup>th</sup> November 1949 may be remembered. Dr Ambedkar told, "In our social and economic life, we shall, by reason of our social and economic structure, continue to deny the principle of one-man one value. How long shall we continue to live this life of contradictions? ..... we must remove this contradictions at the earliest possible moment, or else, those who suffer from inequality will blowup the structure of political democracy, which this assembly has so laboriously built up." If we cannot remember the warnings given by Dr. Ambedkar, few lakhs people assembly in Delhi would become assembly of few crores in future.

The seamen of India are suffering like other labourers. Though they are staying in water, they have to fight jointly with the labourers staying in the land. Indian labourers whether in land or water, they are to be united to keep their life and occupation. ❖

## Naval Ship rescued crew & vessel from pirates control

Defence spokesperson captain M Nambiar said that as a part of Operation Island watch for surveillance off the Lakshadweep Islands, the INS Suvarna on 27 March 2011, intercepted a pirate mother vessel called Morteza, an Iranian trawler hijacked by the pirates off the Lakshadweep. Nearly after three hours of operation by Indian navy, 16 crew members, 12 of whom were Iranians and rest Pakistanis were rescued and 16 Somali pirates were apprehended.

Captain Nambiar added that operation began when a maritime reconnaissance aircraft TU-142 on patrol located Morteza while responding to a distress call received at the Maritime Rescue Co-ordination center (MRCC) at 11 a.m from a merchant ship mv Maersk Kensington.

INS Suvarna was facilitated by the aircraft to intercept the pirate ship. Coast Guard ship ICGS Sangram also diverted for the operation. The pirates attempted to escape from the area seeing the aircraft and the Naval Vessel. The pirates opened fire on the naval ship following which Naval Guards also fired which resulted in

pirates vessel catching fire prompting the pirates and hostages to jump into the water. The naval ship rescued the hostages and launched a Life Raft for pirates. The operation lasted for 3 hours.

Indian Navy foiled the pirates attack on March 13 and apprehended a pirate's mother ship rescuing 13 crew members and caught 61 Somali Sea brigands about 600 nautical miles off the western coast in Arabian Sea. ❖

## **Mass rally organized by Merchant Navy Officers' Welfare Association**

The seafarers working on ships all around the world are facing threat to life from piracy. The transport of world's goods is hampered heavily due to increase of piracy and hijacking of ships by Somalian pirates in different areas of seas. The attraction of people at sea jobs is being diminished day by day. The shipping companies and their insurers have to pay for increasing anti-piracy measures, extra fuel and ransom. The extra cost being incurred thereby eventually passed on to the ordinary consumers. The chances of recovery of the world's economy jeopardized by this threat to world trade. Capture of Somali pirate ship near Lakshadweep reveals the seriousness of the matter.

To protest against the piracy and hijacking of seafarers by Somalian pirates, a mass protest rally was organized by the Merchant Navy Officers Welfare Association, India. A solidarity march was held on 25 February, 2011 at 5.30 hrs from Rajendra Maidan to High Court junction of Kochi city by the Association along with other Unions and Associations. The representatives of Forward Seamen's Union of India were also present in the rally under the leadership of Shri A B Das, president of the Union. A huge gathering of seamen's was organized on that day in the city of Kochi. ❖

## **Sea Brigands of Somali Sea Push up cover costs & Sales**

A gang of Somali high sea pirates sent a simple but sharp message, "Season's Greetings. We have taken over your ship. Send six million dollars." After traveled across three continents, the piece of paper is to reach the office of insurance firm in London which sold covers and will take care of a possible ransom demand.

Insurance policies are being sold on a transit basis and in some cases some shipowners buy back the covers. The premium has gone up 50% in the past ten months. The industry officials said that the rate could range from \$7,000 / 8,000, a transit to as high as \$40,000 for vessels with little security. Every month four to five covers are sold to Indian shipping lines.

A very handful of insurance companies in Haldia are selling the marine protection covers which captures a risk well beyond the petty theft and piracy.

The shipowners after getting the news of kidnapping calls special number to get professional help from crisis consultants. The crisis consultants are having people mostly based out of the U.K. and are having military and secret service background. In return, these people help the shipowners or charterers to negotiate. These consultants are not talking directly to the pirates because if the pirates come to know of any professional help, ask for more money and act tough.

The threat was sensed by Indian Shipping Lines after October, 2009 when more than 24 Indian sailors were taken hostage by Somali pirates in a Panamanian-flagged bulk carrier near Seychellers. Over the past decade, the incidents of piracy off the Somali coast have surged causing global bodies like International Maritime Organisation to voice concern. As per media reports, pirates impacted very severely in the delivery of food aid shipments to Africa. ❖