

GOVERNMENT OF INDIA
MINISTRY OF PORTS, SHIPPING AND WATERWAYS

LOK SABHA
UNSTARRED QUESTION NO. 974
ANSWERED ON 25.07.2025

CAPSIZING OF MSC ELSA 3

974. ADV. ADOOR PRAKASH:
SHRI CHARANJIT SINGH CHANNI:
ADV DEAN KURIAKOSE:
SHRI BENNY BEHANAN:

Will the Minister of PORTS, SHIPPING AND WATERWAYS be pleased to state:

पत्तन, पोत परिवहन और जलमार्ग मंत्री

- a) whether the Government has conducted any inquiry into the systemic lapses revealed by the capsizing of the foreign flagged vessel MSC Elsa 3 near Kochi, if so, the findings thereof;
- b) whether India lacks tier I and tier III emergency response infrastructure for oil and chemical spills along its coastline, and if so, the reasons therefor;
- c) whether the Directorate General of Shipping (DGS) has exempted foreign flagged transshipment vessels from coastal trade licensing and age limits under DGS Order 2023, and if so, the details thereof and the rationale behind such exemptions;
- d) whether minimum emergency preparedness standards including ocean going tugs and containment systems have been mandated for major Indian ports, if so, the details thereof and if not, the reasons therefor; and
- e) whether the Government plans to accede to the IMO's Bunker Convention, HNS Convention, and Wreck Removal Convention, and if so, the timeline for the same?

ANSWER

MINISTER OF PORTS, SHIPPING AND WATERWAYS
(SHRI SARBANANDA SONOWAL)

(a) A statutory Preliminary Inquiry into the incident, under the Merchant Shipping Act, 1958, is presently being undertaken by the Mercantile Marine Department (MMD), Kochi, a field office of the Directorate General of Shipping, Ministry of Ports, Shipping and Waterways to ascertain the causal factors leading to the incident.

(b) The Indian Coast Guard, Ministry of Defence has developed a National Oil Spill Disaster Contingency Plan (NOS-DCP) for responding to oil spill accidents. The tier I response capabilities are aimed at tackling minor spills, for which contingency plans and requisite equipment are maintained by various ports and Oil Handling Agencies in India, which enable them for in-house response to any minor spill. Tier III response capabilities aimed at tackling major oil spills require mobilisation and pooling of resources from various National Oil Handling Agencies, Ports and International Sources.

(c) The Ministry of Ports, Shipping and Waterways has issued General Order no. 1 of 2018 directing that provision of licensing requirement shall not apply for engaging in coasting trade of India by Foreign flag ships engaged, in full or in part, for transportation of EXIM laden containers for transshipment; and Foreign flag ships engaged, in full or in part, for transportation of empty container. Foreign flagged vessels requiring licence under Section 406 and 407 of the MS Act 1958 and already engaged in charter on the day of DGS Order No. 6 of 2023 dated 24.02.2023, are allowed to operate upto 3 years from the date of that order or until charter period, whichever is earlier.

(d) The Ministry of Ports, Shipping and Waterways has positioned two Ocean Going Tugs for Emergency towing in Mumbai and Chennai through the Directorate General of Shipping. These tugs are chartered by Mumbai Port Authority and Chennai Port Authority. Accordingly, the Ministry has made provision for Emergency Towing Vessels (ETVs) on both the east and west coast.

(e) Merchant Shipping Bill, 2024 introduced in Lok Sabha incorporates provisions on International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunker Convention) and the Nairobi International Convention on the Removal of Wrecks, 2007.
