



भारत सरकार / GOVERNMENT OF INDIA  
पत्तन, पोत परिवहन और जलमार्ग मंत्रालय  
MINISTRY OF PORTS, SHIPPING AND WATERWAYS

नौवहन महानिदेशालय, मुंबई  
DIRECTORATE GENERAL OF SHIPPING, MUMBAI



### DGS Circular No 02 of 2023

<b>File No. 13-20011/3/2020-ENGG-DGS (C-3205)</b>	<b>Date: 31.01.2023</b>
<b>Sub: Corrigendum to DGS Circular No. 02 of 2019 – Compliance with the provisions of MARPOL Annex VI, Regulation 14</b>	
<ol style="list-style-type: none"><li>1. Recognizing that in October 2008, the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) adopted revisions to the international regulations for the prevention of air pollution from ships (MARPOL Annex VI).</li><li>2. Noting that the revised regulations included a requirement that, from 1 January 2020, the sulphur content of fuel oil used by ships operating outside designated emission control areas shall not exceed 0.50% by mass, known as “IMO 2020”.</li><li>3. Noting that ships can comply with above regulations related to a cap of maximum sulphur on fuel used on board ships by one of the following ways:<ul style="list-style-type: none"><li>• Use a compliant fuel oil with a sulphur content that does not exceed 0.50% or</li><li>• <b>use an equivalent</b> e.g. an Exhaust Gas Cleaning System (“scrubber”) If exceeding 0.50% or</li><li>• Use an alternative fuel e.g. LNG, methanol.</li></ul></li><li>4. Recognizing that in October 2008, the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) adopted revisions to the international regulations for the prevention of air pollution from ships (MARPOL Annex VI).</li><li>5. Noting that the revised regulations included a requirement that, from 1 January 2020, the sulphur content of fuel oil used by ships operating outside designated emission control areas shall not exceed 0.50% by mass, known as “IMO 2020”.</li></ol>	

6. Noting that ships can comply with above regulations related to a cap of maximum sulphur on fuel used on board ships by one of the following ways:
  - Use a compliant fuel oil with a sulphur content that does not exceed 0.50% or
  - **use an equivalent** e.g. an Exhaust Gas Cleaning System (“scrubber”) If exceeding 0.50% or
  - Use an alternative fuel e.g. LNG, methanol.
7. Noting that regulation 4 of MARPOL Annex VI allows the use of an alternative compliance method provided it is at least as effective in terms of emission reductions as that required by MARPOL Annex VI, including any of the standards set forth in regulation 14 taking into account guidelines developed by the Organization.
8. Noting above, IMO adopted guidelines specifying the requirements for the testing, survey certification and verification of Exhaust Gas Cleaning System (EGCS) under regulation 4 of MARPOL Annex VI to ensure that they provide effective equivalence to the requirements of regulations 14.1 and 14.4 of MARPOL Annex VI vide Resolution MEPC. 259 (68).
9. Recognizing all the above, the Directorate on 28 August 2019 issued Engineering Circular 02 of 2019 specifying the requirements for compliance to IMO 2020. The stated circular permits usage of Exhaust Gas Cleaning System (EGCS) as an alternative means of compliance subject to certified in accordance with Resolution MEPC 259 (68) as may be amended.
10. Noting **that some Indian ports** are not permitting ships to berth which are complying with IMO 2020 vide alternative means of compliance, that is, EGCS and are asking them to switch over to low sulphur fuel oil prior berthing, which is not in consonance with the permitted operational requirements under MARPOL 73/78, as amended.
11. Noting any such additional requirements by the local Port authorities, prohibiting IMO (MARPOL) compliant ships (certified for alternate means of compliance to IMO 2020) from entering an Indian port or restricting port entry permissions only after a changeover to low sulphur fuel oil, shall be construed as a unilateral measure from a members state against the provisions of an International Convention that it has ratified.
12. Also noting that IMO has issued MEPC.1/Circ.899 on 2022 Guidelines for risk and impact assessments of the discharge water from exhaust gas cleaning systems. These guidelines provide methodology for risk and impact assessments that Member States

(port states) should follow when considering local or regional regulations to protect the sensitive waters/environment from the discharge water from EGCS that complies with the Convention.

13. Recognizing the said guidelines issued by IMO requires member state mandating additional requirements for ships using alternate means of compliance to IMO 2020, in any of its ports, shall undertake the risk and impact assessment in accordance with MEPC.1/Circ. 899. And further advise the member states to notify the IMO, the list of such ports where entry/berthing of ships with alternate means of compliance to IMO 2020 is prohibited, together with the notification of local regulations on the discharges of discharge water from EGCS.

14. Now therefore, the Director General of Shipping, hereby notifies the following uniform procedure to be followed by all ports in India for the compliance of IMO 2020 Sulphur cap requirements on merchant ships calling their ports:-

- i. Any port or local authority proposing to prohibit IMO (MARPOL) compliant ships (certified for alternate means of compliance to IMO 2020) from entering their port or imposing any additional requirements, including, changeover to low sulphur fuel oil, shall submit their request in this regard to the Director General of Shipping, Govt. of India, along with the risk and impact assessment duly undertaken by the respective authority in accordance with IMO-MEPC.1/Circ. 899.
- ii. If approved, a list of such ports where entry/berthing of ships with alternate means of compliance to IMO 2020 is prohibited shall be published on DGS web site, under intimation to the IMO and a letter issued to the respective port authority for public display and for duly alerting the ships calling their ports, in advance.
- iii. No port in India shall prohibit or impose additional measures on ships certified for alternate means of compliance to IMO 2020, unless authorized by the competent authority as above.

15. It is also to be noted that the Directorate General of Shipping and its allied offices are conferred with powers to ensure compliance to IMO Conventions on all ships operating in the coast of India, under the ambit of Merchant Shipping Act and the Rules framed thereunder. It is therefore advised that any restriction placed on any ship by any port or local authorities in contravention of the above and thereby impede the smooth conduct

of legitimate ship operations, may be undertaken only after due consultation with the Director General of Shipping.

16. All Principal Officers and Surveyors In-Charge of Mercantile Marine Departments are hereby advised to circulate this circular to all ports in their jurisdiction and any non-compliance by any port to be reported to this Directorate immediately.

17. This is issued with the approval of the Competent Authority.

Sd/-

(Vikrant Rai)

Engineer & Ship Surveyor-cum-DDG (Tech)

To,

1. The Principal Officer Mercantile Marine Department (Mumbai/ Chennai/ Kolkatta/ Kochi/ Kandla).
2. All Surveyor-in-charge, Mercantile Marine Department
3. The Indian National Ship-owners Association (INSA)
4. The Indian Coastal Conference Shipping Association (ICCSA)
5. Indian Ports Association (IPA)
6. .Foreign Owners Representatives and Ship-manages Association. (FOSMA)
7. Maritime Association of Ship-owners Ship-managers and Agents (MASSA)
8. All Stakeholders/ Shipping Companies through DGS Website.
9. AD (OL) Hindi Cell with a request to translate this circular in Hindi and upload on DGS website.
10. The Computer Cell, DGS, GOI with a request to upload this circular on the official website

Copy for information to:

- Sr. PS to DG(S)
- Sr. PS to Addl. DG(S)
- Sr. PS to Chief Surveyor
- Sr. PS to Nautical Advisor (I/c)