

STANDARD OPERATING PROCEDURE (SOP)

OF

**MoU ON PASSENGER AND CRUISE SERVICES
ON THE COASTAL AND PROTOCOL ROUTE**

BETWEEN

THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

AND

THE GOVERNMENT OF THE REPUBLIC OF INDIA

Standard Operating Procedure (SOP) on MoU on Passenger and Cruise services on the Coastal and Protocol route between Bangladesh and India

1. Introduction:

In pursuance of Article 12 of the Memorandum of Understanding (MoU) on Passenger and Cruise services on the Coastal and Protocol route between the Government of the People's Republic of Bangladesh and the Government of the Republic of India in the year 2017, with a view to making mutually beneficial arrangements for the use of their waterways for trade and commerce between the two countries in accordance with the laws of both countries, both parties agreed to adopt this SOP.

2. Scope:

This Standard Operating Procedure (SOP) is designed to promote and facilitate the day to day passenger and cruise services and operations of the vessels plying between the two countries in accordance with the MoU and to minimize any unnecessary hindrance in service and operation for the optimum benefit to the peoples of the two countries.

The purpose of SOP is to enhance the bilateral movement of passenger, tourist and cruise as well as credibility, accuracy, efficiency and transparency therein. The procedures mentioned in this SOP will remove unexpected problem that may occur during movement of passenger and cruise vessels. In case, there is any deviation during the operation, the same may be referred to the designated Joint Standing Committee on Protocol on Inland Water Transit & Trade (PIWT&T) or Joint Shipping Committee (JSC) on Coastal Shipping of two countries for resolution.

3. Applicability:

- (i) The SOP is applicable to all related public authorities, shipping companies, enterprises and vessels involved in plying between two countries, under the MoU on Passenger and Cruise Services on the Coastal and Protocol route.
- (ii) The SOP shall apply to vessels engaged on passenger and cruise service, which are registered under Inland Vessels Act 1917 and Merchant Shipping Act 1958, as amended from time to time in case of Indian vessels and the Inland Shipping Ordinance, 1976 and Merchant Shipping Ordinance, 1983 as amended from time to time, in case of Bangladesh vessels.



4. Definition:

For the purpose of this SOP unless the context otherwise requires:

- (i) The term "Competent Authorities" means in case of Coastal Route the Department of Shipping, Ministry of Shipping in Bangladesh and the Directorate General (DG) of Shipping in India and in case of Inland Waterways, Bangladesh Inland Water Transport Authority (BIWTA) in Bangladesh and Inland Waterways Authority of India (IWAI) in India.
- (ii) The term "Coastal Route" will refer to the routes between:
 - 1. Chennai-Krishnapatnam-Kakinada-Visakhapatnam-Paradip-Haldia-Kolkata-Mongla-Payra- Chattogram.
 - 2. Chattogram-Payra-Mongla-Kolkata-Haldia-Paradip-Visakhapatnam-Kakinada-Krishnapatnam-Chennai.
 - 3. Chennai-Krishnapatnam-Kakinada-Visakhapatnam-Paradip-Haldia-Kolkata-Mongla-Khulna.
 - 4. Khulna-Mongla-Kolkata-Haldia-Paradip-Visakhapatnam-Kakinada-Krishnapatnam-Chennai.
 - 5. Chennai- Krishnapatnam- Kakinada- Visakhapatnam- Paradip-Haldia- Kolkata-Payra.
 - 6. Payra-Kolkata-Haldia-Paradip-Visakhapatnam-Kakinada-Krishnapatnam-Chennai.
 - 7. Chennai- Krishnapatnam- Kakinada- Visakhapatnam- Paradip-Haldia-Kolkata- Pangaon- Narayanganj- Ashuganj.
 - 8. Ashuganj- Narayanganj- Pangaon- Kolkata- Haldia- Paradip-Visakhapatnam- Kakinada- Krishnapatnam- Chennai.
- (iii) The term "PIWT&T Route" will refer to the routes between:
 - 1. Kolkata- Haldia- Raimongal- Chalna- Khulna- Mongla-Kawkhali-Barisal- Hizla- Chandpur- Narayanganj- Aricha-Sirajganj-Bahadurabad- Chilmari- Dhubri- Pandu- Shilghat.
 - 2. Shilghat-Pandu-Dhubri-Chilmari- Bahadurabad- Sirajganj- Aricha-Narayanganj-Chandpur-Hizla-Barisal-Kawkhali- Mongla- Khulna-Chalna- Raimongal- Haldia- Kolkata.
 - 3. Kolkata-Haldia-Raimongal-Mongla-Kawkhali-Barisal-Hizla-Chandpur-Narayanganj-Bhairab Bazar-Ashuganj-Ajmiriganj-Markuli-Sherpur-Fenchuganj-Zakiganj-Karimganj.
 - 4. Karimganj- Zakiganj- Fenchuganj- Sherpur- Markuli- Ajmiriganj-Ashuganj- Bhairab Bazar- Narayanganj- Chandpur- Hizla- Barisal-Kawkhal- Mongla- Raimongal- Haldia- Kolkata
 - 5. Rajshahi-Godagari-Dhulian.



6. Dhulian-Godagari-Rajshahi.
7. Karimganj- Zakiganj- Fenchuganj- Sherpur- Markuli- Ajmiriganj- Ashuganj- Bhairab Bazar- Narayanganj- Chandpur- Aricha- Sirajganj- Bahadurabad – Chilmari- Dhubri- Pandu- Shilghat.
8. Shilghat-Pandu-Dhubri-Chilmari- Bahadurabad- Sirajganj- Aricha- Chandpur- Narayanganj- Bhairab Bazar- Ashuganj- Ajmiriganj- Markuli- Sherpur- Fenchuganj- Zakiganj- Karimganj.

Or such other routes as may be prescribed by the Competent Authorities from time to time. A vessel may commence a voyage from any port of one Contracting Party and terminate at any port of another Contracting Party using a full route or part thereof.

(iv) The term "Vessels" means the watercrafts which are registered in accordance with the national laws of both Contracting Parties and sailing under its flag. This will cover vessels which carry only passengers and tourists and their accompanied baggage.

(v) The term "Passenger Ship" means a ship carrying more than twelve passengers or tourists.

(vi) The term "Agreement" means the Agreement on Coastal Shipping signed between Bangladesh and India.

(vii) The term "PIWT&T" means the Protocol on Inland Water Transit and Trade between Bangladesh and India.

5. Conservancy and Pilotage:

(i) Each country will maintain the river routes falling within its territory in a navigable condition and provide all the essential pilotage and conservancy services, including hydrographic surveys and supply of charts, if prepared and available for commercial navigational use to inland water transport and coastal operators and aids to night navigation where facilities for such navigation already exist.

(ii) Acknowledging that there may be routes or parts of routes in one country, primarily being used for navigation purpose, the country maintaining such routes will provide aids to night navigation on such routes, provided the country using such routes pays, by MoU, for the installation and maintenance of such aids. The amount to be paid and the manner of its payment shall be mutually agreed upon by the Parties.



6. Port dues and other charges:

(i) Port dues may be levied by the Competent/Port Authorities in either country on the vessels belonging to the other country and engaged in inter country trade, which will be treated as domestic vessel engaged in coastal shipping and not as Foreign Going (FG) vessel.

(ii) The Competent Authorities in either country may also levy on the vessels of the other country charges for conservancy, pilotage and other specific services at par with those charged from the local vessels. The charges will be determined with reference to GRT/NRT passenger and tourist carrying capacity of the vessels, as applicable to similar type of domestic vessel engaged in inland and coastal shipping.

(iii) The routes between Port Chattogram of the Karnaphuli river and Bay of Bengal Ports of India and the route between Port Mongla of the Pussur river and Bay of Bengal Ports of India and Port Payra of the Payra river and Bay of Bengal Ports of India are recognized by both sides as routes being maintained primarily for the use of MoU on Passenger and Cruise services on the Coastal and Protocol route.

(iv) Each party shall maintain required draft and navigational aids for the above mentioned services on these routes.

7. Port facilities:

Each country will permit the vessels of the other country to utilize all available jetties and other handling facilities at the designated Port of Call in either country on the same terms and conditions as are applicable to local vessels for embarkation and disembarkation of passengers and tourists.

8. List of arriving passengers of passenger vessels:

The master of every passenger ship arriving at any port or place in Bangladesh or in India at which it is intended to disembark passengers, shall, before any such passenger is landed, deliver to the Port Officer and proper officer of Customs appointed there a statement in hard copy in triplicate or soft copy in the prescribed form signed by him specifying the total number, indicating the number of each sex, of all the passengers on board and the number of other passengers and the number of crew and such other particulars as may be prescribed by Joint Shipping Committee. The certifying officer shall thereupon, after first having satisfied himself that the entries are correct, countersign and



return to the master two of the copies and keep one copy with him. A copy of the passenger list will be sent to the focal point of the other Party at least 24 (twenty four) hours before the expected date of arrival for their necessary action.

9. List of departing passengers and tourists of passenger vessels:

(i) The master of every passenger ship departing or proceeding on a voyage from any port or place in Bangladesh or in India, shall sign a statement in hard copy in triplicate or soft copy in the prescribed form specifying the total number, indicating the number of each sex, of all passengers embarked and the number of crew, and such other particulars as may be prescribed, and shall deliver both copies to the Port Officer and proper officer of Customs, who shall thereupon, after first having satisfied himself that the entries are correct, countersign and return to the master two of the copies and keep one copy with him.

(ii) If, at any time after the passenger list has been signed and delivered as aforesaid, any additional passenger is taken on board, the master shall add to his copy of the list, and also enter on an additional list signed by him, the prescribed particulars of every such additional passenger.

(iii) The master's amended copy of the list shall be signed by the Certifying Officer at the time at which he delivers the additional list to that officer.

10. Deaths on Board:

(i) The Master of every vessel will record in the log book every case of death happening on board, including the date and supposed cause of death of any crew, any soul on board, including passengers and shall, when the vessel arrives at her destination, will notify the Competent Authority at the earliest.

(ii) Upon receiving the information, the Competent Authority will notify all concerned agencies, such as local police station, border customs and local consular office (if any), without delay, with the aim to send back the mortal remains to the country of the deceased.

(iii) The Competent Authority will also inform about the death and the measures taken to its counterpart at the earliest.



11. Medical Officers, nurses and attendants:

(i) Every passenger ship which has on board more than one hundred persons, which number shall include passengers, cabin passengers and crew, shall have on board a Medical Officer possessing such qualifications as may be prescribed by the Joint Shipping Committee. If the number of such persons exceeds one thousand, two such Medical Officers shall be carried and if the number exceeds two thousand, three such Medical Officers shall be carried. In addition to the aforementioned Medical Officers there shall also be carried such nurses and attendants to be qualified and approved as prescribed by the Competent Authorities.

(ii) The services of all such Medical Officers, nurses and attendants shall be provided without charge to crew and all passengers on board.

(iii) Every such Medical Officer shall keep diaries and submit reports or other returns to the Competent Authority as may be prescribed.

12. Supply of bunkers:

The vessels of either country plying between the two countries and also between places in the same country through the other country will be permitted to purchase fuel required by them for the purpose of their operations on payment of the convertible currency. Vessels of one country may be bunkered at the following points of other country:

<u>Bangladesh</u>	<u>India</u>
i. Chattogram	Chennai
ii. Mongla	Krisnapatnam
iii. Khulna	Visakhapatnam
iv. Payra	Kakinada
v. Narayanganj	Paradip
vi. Pangaon	Haldia
vii. Ashuganj	Kolkata
viii. Sheikbaria	Budge-Budge
ix. Barisal	Karimganj
x. Sirajganj	Namkhana
xi. Chilmari	Pandu
xii. Chandpur	Dhubri



or at any other points as determined mutually from time to time by the Competent Authorities of both the countries.

13. Purchase of essential stores:

The vessels operating in either country will be allowed to purchase in convertible currency the stores which they may require for their operation during the voyage in the other country at places of bunkering. In order to do so, conversion facilities will be provided at the bunkering points.

14. Purchase of provisions by the fleet personnel during voyage/cruise:

Fresh food, goods and other provisions essential for fleet personnel will be allowed to be purchased in either country to meet the requirements of voyage. The purchase will be made in convertible currency at the points of bunkering. In order to do so, currency conversion facilities will be provided at the bunkering points. In exceptional circumstances only, purchases may be made at places other than the bunkering points. The appropriate authorities of either country may prescribe the manner in which such purchases may be made, should it be deemed necessary.

15. Repair facilities:

Vessels of either country calling for urgent repairs en route will be allowed to have repairs done at the Private or Government owned or any reputed marine workshop in either country with the prior permission of the respective Department of Shipping/DG Shipping. The expenditure incurred on such repairs will be reported by the operators to the concerned foreign exchange authorities for their clearance.

16. Removal of Wreck:

The owner of the vessel will be responsible to remove the wreck (if any) in consultation with Department of Shipping/DG Shipping through their agent or through the vessel's insurer in accordance with existing national law of the Contracting Parties.

17. Settlement of Disputes:

If any dispute arises between the Parties relating to the operation or payment of freight or dues of ships or interpretation or application of this SOP, the Parties shall endeavor to settle by mutual understanding, if not reached in a consensus then



through arbitration, or through "the Court of the country", where the dispute has arisen.

18. Assistance to be provided by either country to the vessels of the other in distress:

Each country will provide all the necessary facilities to the vessels of the other, which may be grounded or otherwise in distress during their voyage in its waterways. Expenditure incurred in salvage operations, if required on such occasions, shall be cleared in accordance with the arrangements to be made by the owner or his appointed agent in consultation with Competent Authorities.

19. Submission of voyage forecast for voyage permission to use waterways:

The vessels of one country before using the waterways of the other country will obtain the permission of the other country for an entry.

20. Validity of entry permission:

Such permission will be granted with a validity of 01 (one) "round voyage" subject to renewal. However, the voyage forecasts, in the prescribed form, for the vessels of one country will be submitted to "the Competent Authority" of other country at least 72 (seventy two) hours before the expected date of entry.

21. Port of Call:

One country will provide the facilities of "Ports of Call" to the vessels of the other country engaged in inter country trade and number of such Ports of Call will be equal in both countries. Both the Parties agreed that the following would be treated as 'Ports of Call' in their respective country.

<u>Bangladesh</u>	<u>India</u>
Chattogram	Chennai
Mongla	Dhubri
Khulna	Silghat
Payra	Pandu
Narayanganj	Paradip
Pangaon	Haldia
Ashuganj	Kolkata
Sirajganj	Karimganj

Or any other port of call as decided by the Joint Shipping Committee or Competent Authorities.



22. Recognition of survey certificates and other documents:

(i) With regards to movement of vessel in Coastal routes, vessels under the SOP are to comply River Sea Vessel (RSV) – IV or equivalent standards. Vessels classified as per RSV – III equivalent standards may operate between Bangladesh Ports and Kolkata/Haldia (India) Port. However, such operations would be subject to permission and certification by Government of the People's Republic of Bangladesh with respect to requisite insurance and fair weather period of operation.

With regard to movement of vessel in the Protocol route under PIWT&T, the vessel registered under Inland Vessels Act, 1917 as amended from time to time in case of Indian Vessels and the Inland Shipping Ordinance, 1976 as amended from time to time in case of Bangladesh Vessels.

(ii) The survey certificates, statutory documents any Dispensation or Exemption issued in accordance with RSV Notification or equivalent standards by the Department of Shipping/DG Shipping for the vessels under their flag / registry will be recognized and accepted as valid by the other. These certificates or documents shall be produced by the Master of the vessels concerned at the points of entry and other places, as may be required, during the voyage.

(iii) Applicability of Port State Control (PSC) will not extend to vessels operating under the Bangladesh-India Agreement on Coastal Shipping and PIWT&T. However, an inspection schedule may be prescribed and agreed by both parties on proper control mechanism for inspection of vessels as per RSV or equivalent standards, under intimation to the respective authorities of the two countries.

23. Flying of Flags:

The vessels of each country will carry its national flag and the national flag of the country through which it is plying besides its house flag.

24. Use of radio-telephone by river craft:

Vessels will be equipped with radio-telephone and other radio equipment as per RSV Notification or equivalent and for facilities of speedy commercial



communications, especially in emergencies, in conformity with the current radio regulations of the country through which the vessels are in operation or en route.

25. Documentation required for entry of passengers and tourists of the two countries:

A passenger and tourist travelling on the Indo-Bangladesh Coastal and Protocol routes shall have valid passport and visa for travel. They will be allowed to embark and disembark at the identified coastal and inland ports in India and Bangladesh after completion of immigration and custom formalities.

26. Crew shore leave:

The Master and crew of passenger/tourist vessels shall have valid certificate of employment and permits with a photograph of the concerned individual duly authenticated by authorities of the respective countries. Such crew members who possess a valid passport (without visa) will also be allowed to embark and disembark at the identified coastal and inland ports in India and Bangladesh for 72 hours in a port of call and bunkering station after completion of immigration and custom formalities. The officers supervising or controlling the fleet of the operators in either country shall carry passport endorsed with the multiple entry visa.

27. Change of crew and dispensation:

(i) The passenger vessels operating under this MoU plying between the waters of two countries will be allowed to change crew in case of necessity, which they may require for their operation during the voyage in the other country at places of bunkering or in a port of call. In order to do so, required permission to change the crew will be taken, prior to change, from the Competent Authority, specifying the need for change of crew.

(ii) Change of crew dispensation should be given only in special cases with permission from the Competent Authority of both the countries, specifying the need for change of crew.

28. Insurance of Vessel, Passenger and Tourist:

The vessels plying through or between the two countries on the designated route shall carry certificate of insurance with limited liability, or as agreed by both parties, for vessel, passenger and tourist.



29. Permission to fleet personnel and traveling officers to go by air, rail or road in special circumstances:

Fleet personnel and other officers attending the vessels at ports, in either country will be allowed to travel by rail, road or air, whenever they are required to attend the vessels. Ships Master and crew will be allowed to travel by rail, road or air for joining the vessel and after completion of duties or when they have to leave by reasons of sickness or other urgent contingencies. Such movements will be simultaneously reported to the appropriate authorities of either country and shall be allowed to travel to their home country.

30. Evolving uniform documentation for vessels:

The document issued in accordance with the regulations in one country, in respect of the cargo carried by vessels going to the other country will be accepted by the other. Efforts will be made to evolve uniform documentation in both the countries in hard copies in duplicate or soft copies as early as possible.

A Manifest in hard copies in duplicate or soft copies indicating passengers and tourist and their baggage details in addition to the Manifest Book shall be submitted to the Customs Officer at the point of entry. One copy of the Manifest will be retained by him and the other, duly endorsed will be sent in sealed cover through the Master of the vessel to the Customs Officers at the exit points for the designated routes.

31. Submission of Documents for permission to ply under MoU on Passenger and Cruise services on the Coastal and Protocol route:

The following documents shall be submitted to the Competent Authorities for permission to ply and enter into the port of call under MoU:

1. Certificate of Registry;
2. Certificate of Class (MSO Vessel)/Safety Equipment Certificate (MSO Vessel)/ Annual Survey Certificate (ISO Vessel) issued by the approved recognize organization of the contracting government;
3. Tonnage Certificate;
4. Load Line Certificate;
5. Insurance Certificate;
6. Safe Manning Certificate (Document);
7. Crew List;



8. IOPP Exemption Certificate;
9. Competency Certificates of Crew;
10. Evacuation Plan;
11. Safety Plan;
12. Stability Booklet;
13. Certificate of Survey;
14. Any other documents as prescribed by the Joint Shipping Committee/Joint Standing Committee.

32. Reporting of vessel at arrival:

Every ship plying under the MoU will report to the nearest sea port/inland port at the time of arrival with necessary documents for port entry permission.

33. Customs checks and documentation:

Both the countries agree to reduce customs documentation and other requirements to the essential minimum for the purpose of easier movement and to have custom stations at or near the points of entry and exit in each country.

34. Freight remittance facilities:

The fare/freight earned by the vessels on account of transportation of passengers and cruise operation of either country from the traffic, originating in the other and carried by them, will be allowed to be remitted to the owners of the vessels in accordance with the arrangements for remittance, and any surplus collection between the two countries that may be accumulated from time to time.

35. Arrangements for settlement, clearance and remittance:

Subject to their respective foreign exchange regulations, the Competent Authorities under Ministry of Shipping of Bangladesh and India, shall through mutual consultations, establish a comprehensive system for quick settlement, clearance and remittance of all sums, claims, or dues on account of goods supplied, services rendered or facilities accorded to the vessels of one country in or by the other.



36. Opening of branch offices and appointment of agents:

The operators of vessels in one country will be allowed to open their branch offices or appoint agents in the other country to carryout ship related activities. However, such branch offices will be notified to the Competent Authorities under Ministry of Shipping of country concerned and in accordance with national laws of the Contracting Parties.

37. Meeting of Joint Shipping and Standing Committee:

(i) Meeting of Joint Shipping and Standing Committee may be held twice a year, or when necessary, or any time requested in writing by any of the Contracting Party, to review the situation with regard to the execution of the MoU on Passenger and Cruise services on the Coastal and Protocol route, or any other matter relating to operation of ship under the scope of the MoU.

(ii) The Joint Shipping Committee should deliberate on the issue of maximum luggage a passenger may carry in terms of weight/volume and furnish their recommendations to the Competent Authority of both the countries for acceptance.

38. Focal Point for the Execution of SOP:

Ministry of Shipping or Competent Authorities in India and Bangladesh will act as the Focal Point to authenticate/declare a ship fit to ply under MoU on Passenger and Cruise services on the Coastal and Protocol route and authentication of Seafarer ID card, Shipping *Agency Owner*, Cruise Operators and Manager ID card for vessels plying under this MoU or for any other matter tendered by the Government.

39. Addition of new Routes and more Ports of Call:

Additional routes and new Port of Call may be added through an Addendum to this SOP by mutual consultation between the two countries.

40. Amendment to the SOP:

Amendment, alteration, addition, repeal of any provision of this SOP may be done by both the Governments by mutual consultations and through exchange of letters.

If for operational reason it is required to make amendments or supplements to this SOP, or one Contracting Party intends to make amendments or supplements to this SOP, it shall notify the other Contracting Party in writing and the



Contracting Parties shall meet within 03 (three) months after such notification. The amendments or supplements agreed upon by the Contracting Parties through consultation shall enter into force after their mutual reconfirmation.

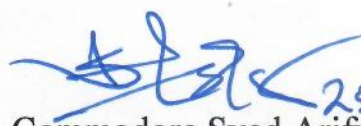
41. Validity and entry into force of the SOP:

1. This SOP shall enter into force immediately after signing of this SOP under MoU on Passenger and Cruise services on the Coastal and Protocol route between Bangladesh and India.

2. This SOP will remain valid till the validity of "The MoU". It may be reviewed once a year by the Joint Shipping Committee. It shall be automatically renewed for next consecutive 05 (five) years. However, the SOP may be terminated by either Contracting Party by notice in writing to the other "Contracting Party", and the termination shall be effective 06 (six) months after the date on which the notice is served by the other Contracting Party.

Done at New Delhi, India on 25th October, 2018 in two originals in the English Language, both being equally authentic.

For and on behalf of the
Government
of the People's Republic of Bangladesh



25/10/18

Commodore Syed Ariful Islam, (TAS),
ndc, psc, BN
Director General, Department of
Shipping
Ministry of Shipping
Government of the People's
Republic of Bangladesh

For and on behalf of the
Government
of the Republic of India



25.10.18

Rajat Sachar
Senior Economic Adviser
Ministry of Shipping
Government of the Republic of
India