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Maritime sector has always been influencing the global economy. Shipping facilitates the bulk transportation of raw material, oil and gas products, food and manufactured goods across international borders. Shipping is truly global in nature and it can easily be said that without shipping, the intercontinental trade of commodities would come to a standstill.

Recognizing the importance of research in various aspects of maritime and logistic sector, IIRE through its Journal of Maritime Research and Development (IJMRD) encourages research work and provides a platform for publication of articles, manuscripts, technical notes, papers, etc. on a wide range of relevant topics listed below:

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- Port Management, Port Pricing and Privatization
- Economic and Environmental Impact of Shipping and Ports
- Other Current Topics of Interest in Shipping
A CRITICAL REVIEW OF THE INDIAN PORTS AND SHIPPING SECTOR

Jagmeet Makkar

Abstract
The United Kingdom’s registered trading fleet was the 18th largest in the world (by deadweight) in 2018, just below the Indian registered fleet. However, London was second on the International Shipping Centre Development Index for a few years before it fell to third place in 2018 and 2019, just after Hong Kong. It may seem that for a country or a port to be a significant International Maritime Centre, it is not necessary to have a large volume of tonnage under its registry. This may be true, provided there is a strong period of maritime history, such as starting from Lloyd’s Coffee House of 1686! The seed is still the tonnage for the development of maritime cluster. While the hardware (tonnage and port infrastructure) is said to make up just 20%, maritime services and the general environment contribute 80% towards the development, sustainability and growth of a successful international maritime centre. The ownership or control of the hardware is generally fragmented and presents its own challenges. The major contributor (80%), fortunately, offers an opportunity for action-oriented collaboration and focus on economic transformation, which in turn leads to sustainable development, knowledge and imagination hotspots and employment opportunities across the industry. This paper focuses on growth of controlled tonnage and other areas that need to be addressed in order to achieve a sustainable and significant position on the world’s stage for India.

Key words: Indian, shipping, port, maritime, Port infrastructure, Hinterland Logistics, Maritime services, Cargoes, International maritime registry, Indian Coast, International Maritime Centre, Shipbuilding, Repairs, Strategic, Research & Development, Maritime Skills, Training, Ship Management Centre, Commercial Constraints, Coastal Shipping, Cabotage, Incentives, Sagar Mala, Bharat Mala, Unnati

1. EXECUTIVE SUMMARY:

Progress has been made in the Indian Shipping, Port Infrastructure and the Ancillary Services since independence, more so in the last 5 years. This brief paper looks at what more needs to be done, rather than discussing in detail the initiatives and incentives provided to the industry and industry players. Shipping is a global industry. Assuming that our intention is not inwards looking whereby, we perceive Indian Shipping for India bound and outbound captive cargoes only, a lot needs to be done to provide a level playing field for the Indian Shipping to compete in the international arena. We see city states like Singapore and Hong Kong doing well as major international maritime centers, there is no reason why we cannot have such international maritime centers along our extensive coastline. In additional to contributing to national strategic needs, this will also lead to creation of effective maritime clusters creating employment, innovation, knowledge enhancement, encouraging Green Shipping & Ports and help India become a world leader in port and maritime investment and services. While time is of essence for the implementation of Sagar Mala project, the development of hinterland logistics infrastructure is a condition precedent for any meaningful outcome. Risk management is another key area requiring a serious thought, whereby pollution, wreck removal and third-
party liability exposure may be internationalised without having to resort to uneconomically enhancing the local insurance capacity. With the progressive approach and political will of the present government, it should be possible to move in that direction, making full use of the disruptive changes caused by rapidly evolving information technology through private participation (wholly or in partnership with the PSUs).

2. LEVEL PLAYING FIELD:

Shipping has not been a profitable industry since the last 10 years even for those who operate in a cost friendly environment. Indian Shipping, with its cost heavy structure and high “daily break even” is seriously struggling.

Shipping Industry requires a level playing field to compete and grow. Question is “whether the Indian Owners are able to compete at the world stage?” Regrettably, the answer is “no”. In that case “what are the key factors and what can be done about these factors?”

Some of the challenges that the Shipowners face in India are tax structure/regime (some of these are minimal alternative tax, dividend distribution tax, withholding tax liability on interest paid to foreign lenders and on charter hire charges paid to foreign owners.

Question may be asked “why should we make an exception to the Shipping Industry in this regard?” As mentioned, shipping is international and there are alternatives to the stakeholders who will gradually, if already not, move away to more friendly business environment and regimes and the resulting harm to the growth of our economy, employment, creation of knowledge, innovation and maritime expertise could be very serious. The indirect benefits of a healthy maritime industry are tremendous and will far outweigh the loss of tax revenue on a decreasing private ship owning. One of the ways this can be addressed is by establishing independent international registries in the maritime clusters, as mentioned earlier, that provide similar or better incentives to the shipowners under their flag. Other areas that will go a long way are reduced cost of capital from local lenders, competitive insurance premiums and less salary taxes on the seafarers serving Indian Shipping Industry. Shipping is as good as the people who serve and manage it. Losing the cream of seafarers to the foreign flag definitely does not help the cause of quality Indian Shipping.
3. INDIAN COAST & GROWTH OF INDIAN INTERNATIONAL MARITIME CENTERS:

Key factor contributing to the growth of these maritime centers is political will and government policy. Singapore is an example of focused government policy to attract the best from the overseas by providing incentives which are not just limited to tax holidays or reduction in tax. Investment and encouragement to grow the ancillary services such as legal, financial, information technology, training, arbitration, mediation, ship management, agency, infrastructure, etc. to support the main stream shipping and port industry has positioned Singapore as one of the best, if not the best, international maritime centers. There is no reason why this cannot be replicated along the maritime clusters, with preferably their own international registries, along our magnificent coast. The counter argument that we generally hear is that “Singapore and Hong Kong” are city states with ease of implementation of policies, for whatever reasons, which cannot be replicated in Indian maritime cities. This may be true to some extent but not a disheartening deterrent. In any case, there are several good lessons to learn from them and implement this learning in our context while striving hard, with a strong and focused policy. One of the ways could be collaboration with, for example, Singapore to develop one of the less congested port or near port cities with modern infrastructure, even if the present level of maritime services is not significant. Such collaboration could also be in the area of innovation required to comply with IMO environmental regulations (IMO 2020 and IMO GHG 2050), seeking to enhance operational efficiency and competitiveness, among others. Identifying and developing potential international maritime centers and/or maritime clusters will encourage public-private partnerships and take on the role of a key enabler in attracting new technology, fostering strategic alliances and boosting investments.

Establishment of an independent Indian International Ship Registry (IISR) in such a port or near port city, with similar or better benefits offered by other international registries with help grow the registered tonnage which may be beneficially owned by Indians and non-Indians. This way, the transition need not depend upon changing of existing rules which could be cumbersome and a compromise effort but reliant on an entirely new set of rules for the international registry. The indirect benefit of such an initiative will be a great contributor to regional and national economy, employment and knowledge creation. Some of the industries that will grow, providing substantial employment potential, may be ship management, operations, agency, finance, insurance, legal & alternate dispute resolution, hospitality,
transportation, supplies of necessities, service industry, etc. The employment down the supply chain will continue to grow over time and is expected to be sustainable. There are examples of such models (also called Second Registries) such as Isle of Man, Norwegian International Ship Register (NIS) and a few more. Compared to most other nations, India has the advantages of growing economy and international interests that seek to be part of this growth. Tonnage registered under say Indian International Ship Registry (IISR) may be allowed to trade on the Indian Coast like the national flag, which could be an added attraction.

4. PORT INFRASTRUCTURE:

The initiatives taken by the present government are commendable. However, there are areas which need to be addressed as top priority to make these initiatives effective as foreseen under the plan. We need to eliminate the bottlenecks between the port berths and the cargo destination point. Some of these bottlenecks that need to be looked into are the warehousing, rail sidings, rakes, roads and other infrastructure jigsaw pieces. A chain is as strong as the strength of its weakest link. Millions of dollars invested in ports to install the state of the art equipment will only be justified if the entire multi-modal logistic chain works efficiently. Miles long lines of stagnant trucks and road tankers and lack of rail rakes do not help the cause. The effect on environment through Green House Gas emissions and noise pollution will have to be minimised, sooner than later. Thus, expeditious modernisation of infrastructure leading to an efficient intermodal system is crucial to the success of a port and its investor. The hinterland logistics development, across the country, should be looked as a national project with less dependence/reliance for decision making on individual authorities at the local or state level.

Risk management perspective is crucial for efficient and profitability of the ports. It is very important to determine whether there is a structured risk management framework to identify and manage risks, seeking alignment between the port objectives and the risk management plan.

Increased research is required for Greening of Ports based on the range of tools available to port authorities such as pricing, monitoring and measuring, market access control and environmental standard regulation and the functional activities in ports, namely shipping traffic, cargo handling and storage operations, intermodal connection, industrial activities, and port expansion.
Risk Management and Greening of the Ports are some of the area that require a critical audit of prevailing processes and developing an action plan across the entire spectrum.

5. **SHIPBUILDING & SHIP REPAIR:**

The pillars of the Shipbuilding industry are cost-effective and skilled manpower base, availability of suitable grades of steels, machinery and equipment, design and technology know-how, research and development to be ahead of market needs and new regulations. Time delivery, reliability of the product and after sales service are important.

Shipbuilding industry is already very crowded, and the existing shipyards worldwide are struggling due to building overcapacity. Only those who have consolidated, have focused product lines with lowest cost for good quality ships are able to survive. The importance of Shipbuilding in India should be more strategic and defense oriented. Investing into shipbuilding, simply to increase India’s global shipbuilding share may not be, at this stage, recommended. A better use of resources would be to develop and build upon the ship repair facilities, retrofitting for regulations compliance, maritime clusters and controlling the mind of shipping through investment in research and development.

6. **RESEARCH & DEVELOPMENT:**

With the cargo volumes expected to double by 2050 at a conservative growth rate of 2-2.5% annually against a backdrop of carbon dioxide emissions reduction by 50%, shipping industry is facing a big challenge ahead. The change from sailing ships to steam and then to diesel ships, the revolution was based on making the best of the low hanging fruit *i.e.* the fossil fuels, be it coal or oil, and now, we must find alternatives and that too soon, considering the average age of the ships being in the range of 25-30 years. Non-fossil fuel propulsion may take significant research, investment, prototype and trials before success. From Indian perspective, development of safer small modular reactors using thorium could be groundbreaking. India is said to have world’s largest reserves of thorium in the range of 963,000 tons.

To some extent, it is evident that the research in the space of ship design, propulsion and safety, *etc.* is driven by regulatory environment, which itself is reactive by nature. However, research in trade, commercial and financing of ships needs to be generally driven by the industry. Even
if the Universities encourage post graduate and doctorate research projects, I strongly believe that input from the industry of its experience and expectations will go a long way to make such research outcomes useful, which will then help improve the efficiency, competitiveness and returns of our industry.

Purpose of effective and useful research is to identify and analyse the trends and their impact on future of shipping. The objectives must be forward looking and drive innovation. Hence, the importance of maritime research for competitiveness and sustainability cannot be understated. India needs a new focus bringing together policy makers, industry and academia to achieve this purpose. To this effect working together of IIT Madras, IMU and a few leading Scandinavian and Singaporean universities may be looked at. Development of a R&D fund on the lines of MINT (Maritime Information & Technology Fund) Singapore may be considered. Other bodies that can guide us are Light House (Swedish Maritime Competency Centre), ECMAR (Maritime Council for Maritime Applied Research and Development), etc.

7. PORT & MARITIME TRAINING:

There is an old saying "Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime". Port and Maritime Education & Training does exactly that. Furthermore, Shipping is a highly competitive global industry where we have seen the source of shipboard manpower continuously shift to low cost base. From Europe to Asia and within Asia, India plays an important part for supply of the maritime officers and ratings. With India’s pivotal role in the movement of cargoes, there is a growing need for qualified staff, both afloat and ashore. An aspect that is of great importance to develop skilled manpower is learning and development. As Henry Ford (Founder, Ford Motor Company) very famously said: “The only thing worse than training your employees and having them leave is not training them and having them stay.” These are words to live by, especially in such a rapidly changing world. Our senior leaders expect us to understand the organisational strategy and impact from environmental and economical regulations. Our managers expect us to show continuous improvement in performance and take on greater responsibility. Our direct reports expect us to be an effective manager, with a strong focus on their development. Our clients - whether external or internal - expect us to know and understand their business in order to serve them better. All things considered - not only is continual development of soft skills such as leadership and communication absolutely vital, but continued enhancement and broader perspective in
professional skills, which at first, we might consider ‘irrelevant’ as they are not explicitly within our ‘job description’ is very important as well.

With the rapidly changing business and regulatory environment, it is essential that managers and the staff across the maritime and port industry are regularly trained. There is no substitute to relevant and practical quality training.

Supporting the maritime training is looked at very seriously in countries such as Hong Kong and Singapore where government has established maritime training and cluster funds (Hong Kong: Maritime & Aviation Training Fund; Singapore: Maritime Cluster Fund) to provide grants to individuals who enroll and successfully complete the approved courses. Key to success of these initiatives is speedy approval of courses and the disbursement of grant to individuals with minimum administrative hurdles. There is no reason why this cannot be easily implemented in India.

8. COASTAL SHIPPING:

It is a pity that Coastal shipping only accounts for 6-7 percent of total domestic freight on a tonne-kilometer basis as compared to Japan and the EU which is roughly five to six times higher, and the same is about seven times higher in China. At present, about 60% of the cargo is transported through the roads, 31% by rail, and 6-7% by coastal shipping while the International benchmarks are 25-30% road; 50-55% railways, 20-25% share of waterways. We have some way to go which is mainly dependent upon the hinterland logistics development. It is recommended that all ports are developed and managed directly under the Central Government. This is to ensure a common vision, use of common federal services (referred to later in this paper) and similar standards with regards to risk management, disaster control & management and operations.

8.1. Hinterland Logistics Challenges:

In addition to growth of the country and increasing population, the increasing pressure on the rail and road is also due to the fact that major consumption centers are land-locked and the cargo generating centers are far from the ports. Research shows that the integrated logistics cost in case of coastal shipping is economically viable only if the producers/consumers of the
shipped goods are within a distance of around 100 Km from the loading/unloading point at the port side. This last mile connectivity often proves to be a challenge in India driving up the overall cost of transportation via coastal shipping.

The poor connectivity and infrastructure between coastal areas and hinterland and poor road network and rail connectivity across ports in India are areas that need to be tackled most expeditiously and in a structured manner. The only effective and efficient way is to have a common development program under one authority, thus avoiding a fragmented approach.

8.2. Commercial Constraints:

High tariff structure at private ports

Statutory: Duty structure is not trade friendly with impact on bunker price, spare parts, stores for ship owners, etc.; Bunker prices are 20% more expensive than international prices due to duty structure; Complex Taxation (Freight Tax, Income Tax for seafarers, Tax on hire, etc.)

Cabotage law prevents foreign ships to participate freely; Delay in getting government clearance for foreign ships to participate in coastal shipping.

Operational: Multiple handling; Road/Rail are direct point to point whereas Ocean Going must deal with Ocean, Port, Road/Rail leading to delay/additional costs; Congestion; Bunkering facilities do not exist in many ports. It is recommended that parallel steps are taken to minimise, if not entirely possible to eliminate, the statutory and commercial constraints while at the same time meeting with the hinterland logistics challenges.

*There are several initiatives and incentives taken by the Government since 2014, that should not be undermined, and these are steps in the right direction.*

8.3. Initiatives by the Government:

100 % FDI for port & harbour construction & maintenance; Ports sector in India has received a cumulative FDI of US$ 1.64 billion between April 2000 and December 2018; Govt. of India
has approved grants to the state Govt worth Rs. 2,300 crores (about $355 million) for
developing berths for coastal shipping.

Project UNNATI: improvement in the operations of major ports.

116 initiatives were identified out of which 91 initiatives have been implemented as of end
2018.

8.4. Sagar Mala and Bharat Mala Incentives:

The government has taken several measures to improve operational efficiency through
mechanisation, deepening the draft and speedy evacuations. In March 2018, a revised Model
Concession Agreement (MCA) was approved to make port projects more investor-friendly and
make investment climate in the sector more attractive.

Special Freight Train Operator [SFTO] Policy of Indian Railways allows private sector
participation in railway operations to enhance efficiency and connectivity between port and
Hinterland.

8.5. Sagar Mala Initiatives: Increase port-rail and port-road connectivity:

About 114 road and 23 rail connectivity projects (worth INR 25k Crores) have been identified;
111 national waterways projects have been taken up for development; 15 multi-modal logistics
parks have been arranged; 14 Coastal Eco Zones (CEZ) have been identified.

The zones would be converted into manufacturing hubs, supported by port modernisation
projects, and could span 300–500 km of the coastline; 29 potential port-connected industrial
clusters have been identified; Paradip & Haldia have been identified to be developed as 2 smart
industrial port cities; 6 new major ports to be developed India’s present port capacity is 1,500
MTPA, objective is to ramp up to 3,000 MTPA by 2025.

Objectives are to attract investment in harbour crafts, ferries, Ro-Ro, multipurpose vessels and
also create huge employment opportunities; increase the share of Indian ship owners from
current level of 10%; opportunities for setting up ship repair facilities, bunkering facilities, dredging, dry docking, etc.

8.6. Incentives by the Government:

10 year tax holiday to enterprises that develop, maintain and operate ports, inland waterways and inland ports; A cash incentive of 50 paise per tonne per nautical mile to manufacturers for moving cargo on the Kerala Coast; Container shippers will get incentives in the form of ₹1,000 per TEU in terminal handling charges and reduction in vessel related charges at ports by another 20 per cent for new coastal cargo; Different scale of rates for coastal vessels on berth hire, pilotage & port dues (about 60% discount) @ govt. Ports; 80% discount offered on vessel and cargo related charges on Ro-Ro vessels for transportation of vehicles;

8.7. Cabotage relaxation:

In May 2018, Govt allowed foreign flagged ships to carry containers for transshipment Commodities like fertilizer and Agri products have also got relaxation on Cabotage. Introduction of RSV vessels (River sea vessel). Specialised coastal vessels with reduced operating cost. Abolition of TAMP

9. FEDERAL SERVICES APPROACH IN PORTS:

If every port in India (especially the non-private) manages all its functions, there is a strong possibility of inefficient utilisation of resources, dilution of standards and increased overall risk. With today’s advanced technology, there is no reason why many of the functions cannot be centralised and best practices applied across the ports.

Some of these could be risk evaluation, identification, transfer versus retention and management of risk; common disaster response and management systems; standard procedures which should be regularly audited and bench marked against each other; sharing of feedback across the ports to avoid similar errors; planned maintenance system and cost efficient inventory control of spares; learning and development, etc.
One way to look at the entire structure may be like a multinational with some decentralised functions while retaining centralised federal services that are applied across the organisation.

10. **RECOMMENDATIONS FOR FURTHER REFORMS AND DEVELOPMENT:**

- **Level Playing Field:** Mainstream Indian Shipping requires level playing field in order to compete globally. Reforms required in tax structure, cost of lending, cost of insurance premiums, ease of paperwork/approvals.

- **Indian International Ship Registry (IISR) & International Maritime Centers (IMC):** Development of World Class International Maritime Centers along the Indian Coast. Two of them may also be developed as Second Registers (e.g. Indian International Ship Registry) that attracts Indian and non-Indian shipowners to register ships. This will lead to development and growth of maritime clusters.

- **Encouraging & Supporting Green Shipping & Ports:** Provide incentives to Ships employing Greener technologies including priority berthing. ESG (Environment, Social and Governance) are becoming an increasing fact of life for the Global Shipping Sector. We not only must do this but should also see to be taking proactive steps.

- **Port Infrastructure development and management:** In order to have an effective growth agenda and its implementation, it is recommended that this is done under the Central Government.

- **Ports Operations and Risk Management:** A common risk assessment, evaluation and management approach, keeping existing insurance capacity and need for international markets in perspective.

- **Shipbuilding & Ship Repair:** Shipbuilding focus only strategic and defense while investment essential for ship repair and retrofitting shipyards. To employ resources where needed.

- **Research & Development:** R&D fund and coming together of policy makers, industry and academia is essential.

- **Education & Training, Learning & Development:** Initial training followed by continuous professional development. Support from Government on similar lines as the leading international maritime centers are providing.
Coastal Shipping Constraints: It is recommended that parallel steps are taken to minimise, if not entirely possible to eliminate, the statutory and commercial constraints while at the same time meeting with the hinterland logistics challenges.

Coastal Shipping & IISR: There is expected to be a sea of change if International Registries model is adopted. Indian and Foreign Shipowners registering ships in India with freedom to operate on Indian coast could be the way forward.

Federal Services Approach for Ports: This will lead to increased efficiency, better risk management and standardisation.

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ABOUT THE AUTHOR:

Jagmeet Makkar

Jagmeet has a unique combination of academic prowess, teaching and more than three decades of hands-on experience in Commercial and Technical Shipping from grass roots to very management roles. His last corporate position (till June 2015) was as Co-Head of Chartering and Global Head of Shipping Assets with Noble Group, an erstwhile Fortune 500 Company. His strong desire for latest research and education
techniques encouraged him to enroll for and come out as first class first with distinction as the oldest ever post graduate from the Cass Business School, City, University of London, with a master’s degree in Energy, Trade and Finance.

Jagmeet’s vast and diversified knowledge and experience is evident from his professional fellow and memberships. He is a fellow of the Royal Institute of Naval Architects (UK), Institute of Marine Engineers (India), Hong Kong Institute of Arbitrators and Institute of Chartered Shipbrokers (UK). He is also a member of the Chartered Institute of Arbitrators (UK), Singapore Chamber of Maritime Arbitration, Hong Kong Maritime Arbitration Group, Association of Maritime International Commercial Interests and Expertise (India) and a supporting member of LMAA (London Maritime Arbitrators Association). He serves as a member of the Education and Training Committee (Global) of the Institute of Chartered Shipbrokers (ICS).

Jagmeet is available to contribute to the growth of Indian Shipping and Port Industry.

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- Mr. Sanjeev S Vakil, CEO, HIMT has been bestowed 13th National level VIBHUSHAN AWARD (Treasure of Shipping Award) for exemplary contribution to the Maritime Industry in the field of “Maritime Leadership” at Marex Kashti Awards 2019 at New Delhi on Oct’19.
- Seafarers choice Awards for the Best Maritime Institute for Value Added Courses (South & East India) 2016 & 2018 by Gulfing etc.
- Shipping Minister presents an Award for Excellence in Maritime Education & Training at the World Shipping Forum 2013.
- Winner of Seatrade Award 2010, Dubai - Presented by former Secretary General of IMO.
- Sanjeev S. Vakil, CEO, is World’s first Marine Engineer to be conferred with the prestigious Fellowship by The Nautical Institute, UK.
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