



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

75
आज़ादी का
अमृत महोत्सव

FILE No. 20-19016/2/2022-TRG - DGS

Date: 24.06.2022

ORDER

1. Whereas, India is a party to the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978, as amended [STCW Convention, 1978] which is a Convention of International Maritime Organization (IMO), a specialized agency of United Nations Organization [UNO]. The main purpose of the Convention is to promote safety of life and property at sea and the protection of the marine environment by establishing common International standards of training, certification and watch-keeping for seafarers. This Convention read with its Code [STCW Code] deals with the requirement of qualifications, the nature of the training and standards to be maintained & followed for the Maritime field & profession in the Shipping Industry. India being a party to the Convention is obliged to give effect to the provisions of this Convention so as to maintain the quality of maritime education & training in the country, so that India can produce competent seafarers for employment on Indian ships and foreign ships.

2. Whereas, as per Section B-I/6 of Part B of STCW Convention *Guidance regarding training and assessment*
Use of distance learning and e-learning

6. Parties may allow the training of seafarers by distance learning and e-learning in accordance with the standards of training and assessment set out in section A-I/6 and the guidance given below.

Guidance for training by distance learning and e-learning

7 Each Party should ensure that any distance learning and e-learning programme:

“1 is provided by an entity that is approved by the party;

2

10 The e-learning system should be secured from tampering and attempts to hack into the system.”

Guidance for assessing a trainee’s progress and achievements by training by distance learning and e-learning.

11 Each party should ensure that approved assessment procedures are provided for any distance learning and e-learning programme, including:

“4 the conditions where the examination can take place and the procedures for invigilation to be conducted;

5 secure procedures for the examination system so that it will prevent cheating.”

3. Whereas, the Directorate had issued Guidelines for implementation of Centralized attendance system at maritime training Institute vide DGS Training Circular 14 of 2020 dated 13.04.2020. The Centralized Attendance system (CAS) is an online face recognition software customized for recording attendance of Principal, Faculty, Instructors and candidates at Maritime Training Institutes.

4. Whereas, the Directorate had also issued Guidelines for Online Exit exam for DGS approved modular courses vide DGS Training Circular 17 of 2020 dated 24.04.2020.

5. Whereas, as per the Para 13 of DGS Training Circular 17 of 2020 dated 24.04.2020 *“The facility for the exit exam and the records of exit examination shall be categorically inspected during any inspection after 15.05.2020. Inspection of facility for exit exam and records of exit exam shall also be part of all inspections”*.

6. Whereas, the Directorate vide DGS Order 20 of 2020 dated 04.08.2020 permitted certain short duration courses to be conducted via three tier training methodology comprising of Virtual Classes/ Live Video Sessions, E-Learning and Exit Examination to ensure continued validity of mandatory short duration courses required by seafarer prior joining ship and complying with the STCW Convention.

7. Whereas, the Directorate vide DGS Order 40 of 2020 dated 17.12.2020 informed that facility for three tier learning mechanism has been developed for a total of 80 courses, and these courses could be completed only using the three tier mechanism.

8. Whereas, keeping in view improvement in COVID situation the Directorate issued DGS Order No. 11 and 12 of 2022 for re-opening of MTIs under controlled condition. As per point vii of para 8 of the DGS Order 11 of 2022, *“it is expected that the MTIs are having dedicated computer labs and required infrastructure as per the issued Guidelines. The MTIs have to arrange an examination hall, having sufficient number of computers/laptops with IP cameras. Computers/Laptops cameras are to be so arranged that multiple face detentions should be avoided during the exam. Examination Room/Computer Lab should be well illuminated, having one or two CCTV cameras for continuous recording. **It is to further clarify that all the candidates have to appear for online Exit Exam from MTI premises on the last date of theory. In case, if a candidate fails in his online Exit Exam, then for the next attempt he has to again appear from the same concerned MTI only**”*.

9. Whereas, as per point 8 (viii) of para DGS Order 11 of 2022, *“at present the exit exam is configured to allow only one machine connected to a dedicated single IP address. The MTIs may need multiple machines accessing exit exam facility through the same IP address. MTIs are therefore requested to fill in the information in Annexure 1 and mail to training-dgs@nic.in; info@dgsexams.in immediately. On verifying the same all such machine of MTI mapped with IP addresses will be enabled for multiple users”*.

10. Whereas, the International Marine Academy (MTI No. 204018) located at 19, Papa Industrial Estate, Opp. Hotel Residency, near western express highway Metro Railway station, Suren Road, Off WE Highway, Andheri(E), Mumbai 400093 is owned by a Trust "V NK EDUCATION TRUST" and the Trustees of the Trust are Mrs. Vinodini Kripalani and Mr. Bekal K. Kripalani. The Directorate had accorded approval to the Maritime Training Institute (MTI) for conducting "Basic STCW Safety Training", "Crowd Management, Passenger Safety and Safety Training" and "Security Training for Seafarer with Designated Security Duties" courses.

11. Whereas, the technical team of Exit exam on 26.04.2022 conducted e-proctoring of the system and found few cases of malpractice in the online Exit Exam system. It was found that International Marine Academy found to be involved in the malpractice / misconduct of online Exit Exam system. The Directorate issued a Show Cause Notice Vide File No. 20-19016/2/2022-TRG-DGS dated 02.05.2022. The institute was asked to reply within fifteen days from the issuance of the SCN.

12. Whereas, International Marine Academy has replied to SCN on 12.05.2022 and the Directorate examined the same. The parawise response to the Show Cause Notice and the observations of this office on the response of the MTI is given below:

13. As per SCN – *"Whereas, as per above said DGS Order your institute has sent an email on 31.03.2022 to the Training Branch of the Directorate sharing UUID No. of 26 computers and IP Address of MTI and the same has been mapped with exit exam system".*

Reply by MTI -- Before the pandemic started as per the DGS Guidelines we had ordered laptop and computers for the exit exam as well as for Centralized attendance system which were all windows 7. But then the system got updated, and now the exams do not work on the laptops we purchased. We have already ordered few more laptops, computers for the examination. Till the time we didn't receive the laptops and computers attendance of the candidate were taken in hard copies on daily bases.

After the recent order by DGS, which allowed for offline courses and examination in the institute. We ordered few more laptops and pc's for time being, so that candidate can give their examination. The respective IP address and other details were sent to the training department.

Comments of the Directorate – As per point viii of para 8 of DGS Order 11 of 2022, *“at present the exit exam is configured to allow only one machine connected to a dedicated single IP address. The MTIs may need multiple machines accessing exit exam facility through the same IP address. MTIs are therefore requested to fill in the information in Annexure 1 and mail to training-dgs@nic.in; info@dgsexams.in immediately. On verifying the same all such machine of MTI mapped with IP addresses will be enabled for multiple users”*.

The MTI in compliance to the above said DGS Order was expected to meet the entire technical requirement for online Exit Exam before commencement of the course. In this instant case MTI commenced the course without ensuring the technical requirement for online exit exam.

14. As per SCN – *“Whereas, the technical team of Exit exam on 26.04.2022 conducted e-proctoring of the system and found few cases of malpractice in the online Exit Exam system. During investigation it was found that your MTI Machine No. (UUID) 4C4C4544-0057-5310-8056-B1C04F354253 and IP Address 45.79.123.186 was misused during the conduct of online Exit Exam. It has been verified that the said machine from your MTI was used for conduct of Exit Exam for the candidates from other institutes. This is considered being a breach of the system and major non-compliance of the DGS Guidelines. On further investigation it was found that the suspicious image of candidates captured during online Exit Exam by face recognition application (appearing from your MTI) were verified and found that the batch details for the course of the candidates has been uploaded by other MTI. Prima facie it appears a case of manipulation of system by the MTI. It has been observed through facial recognition application/pictures captured during Exit Exam that in place of actual background of the Institute some pre-recorded*

videos/images of the candidate has been used during the online exit examination”.

Reply by MTI --The institute had no idea how to conduct the exit examination, a person was appointed for this technical work. Who would maintain the systems and help in case of any technical help needed.

During our absence, this malpractice was done, which we were unaware till this incident was enlightened by the show cause notice received by DG Shipping. Our institute has no part with this malpractice neither with the candidates mentioned in the list. These candidates never came to us for the examination. Sorry for any inconvenience caused because of us. We assure you that this thing won't happen again.

Comments of the Directorate – The MTI in its reply has admitted that misconduct / manipulation has been done by their technical staff in the conduct of online Exit Exam. The MTI has accepted the allegation as stated in SCN. The explanation of MTI that Management (Principal etc.) was not involved or aware of the fact till they received SCN from the Directorate, the same is not acceptable as it is the overall responsibility of the Principal and Management to look after the critical aspect of the Training i.e. Examinations.

15. The Directorate has issued letter 20-19016/2/2022-TRG-DGS dated 02.06.2022 to International Marine Academy whereby granted permission and allowed conduct of online Exit Exam at International Marine Academy on 3rd, 6th and 7th June 2022 under supervision of the Surveyors /Officer of the DG Shipping. The Exit Exam conducted only for candidates those who were enrolled with International Marine Academy but could not appear for Exit Exam. The Exit Exam was conducted on 3rd, 6th and 7th June 2022 under the supervision of the Surveyors /Officer of the DG Shipping.

16. The Director General of Shipping has offered a personal hearing to International Marine Academy on 15.06.2022 at 1600

hrs. Mr. Vikhil and Mr. Kriplani attended personal hearing. The matter of misconduct of Exit Exam has been explained to them. The representatives from MTI accepted that the misconduct of online Exit Exam was done from their approved MTI i.e. International Marine Academy, Mumbai.

17. From the facts of the case it is clear that the Maritime Training Institute International Marine Academy, Mumbai had got the UUID of the said computer configured for gaining access to the Exit Examination System. The system was used to conduct examination of students who were not enrolled in International Marine Academy, Mumbai. Instead of physical presence of the students still photographs and videos of the students was used for hoodwinking the system. Many of the students who used agents for this fraud by International Marine Academy, Mumbai have confessed to the same.

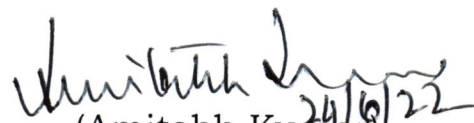
18. On the examination of the entire case the undersigned is satisfied that the Institute "International Marine Academy (MTI No. 204018)" has been involved in the malpractice in the online exit Exam system. Now, therefore the undersigned, in exercise of the powers of supervision of maritime training as provided in Rule 75 of the Merchant Shipping (Standards of Training certification and Watch Keeping for Seafarers) Rule, 2014 notified under Section 78, 87, 88, 98, 456, 457 and 458 of Merchant Shipping Act, 1958, as amended, and in terms of para 5.5 of DGS Order No. 5 of 2016 for the proceeding reasons spelt out, **hereby Suspend with immediate effect all the approval granted to International Marine Academy (MTI No. 204018) located at 19, Papa Industrial Estate, Opp. Hotel Residency, near western express highway Metro Railway station, Suren Road, Off WE Highway, Andheri (E), Mumbai 400093 for a period of one year from the date of issuance of this order.**

No.	Name of Course
1.	Basic STCW Safety Training
2.	Crowd Management, Passenger Safety and Safety Training
3.	Security Training for Seafarer with Designated Security Duties

19. The International Marine Academy (MTI No. 204018) was graded C-1 in CIP, hence after completion of suspension period has to undergo a comprehensive inspection of MMD, Mumbai thereafter on the recommendation of MMD the revival of suspension may be considered.

20. The Trustees of the Trust "VKN EDUCATION TRUST" and the Trustees of the Trust are Mrs. Vinodini Kripalani and Mr. Bekal K. Kripalani are also debarred from any DGS related activities for a period of one year.

21. The MTI is directed to preserve all records pertaining to the attendance of faculty, candidates and CAS, registers, video recordings and all such requirement as per relevant DG Order, Circulars and Guidelines and present it to the DG authority as and when called for further investigation and verification.


(Amitabh Kumar) 24/6/22

Director General of Shipping &
Additional Secretary to the Government of India

To
International Marine Academy
19, Papa Industrial Estate, Opp. Hotel Residency,
near western express highway Metro Railway station,
Suren Road, Off WE Highway,
Andheri(E),
Mumbai 400093

Copy forwarded to :
The Principal Officer, Mercantile Marine Department, Mumbai.