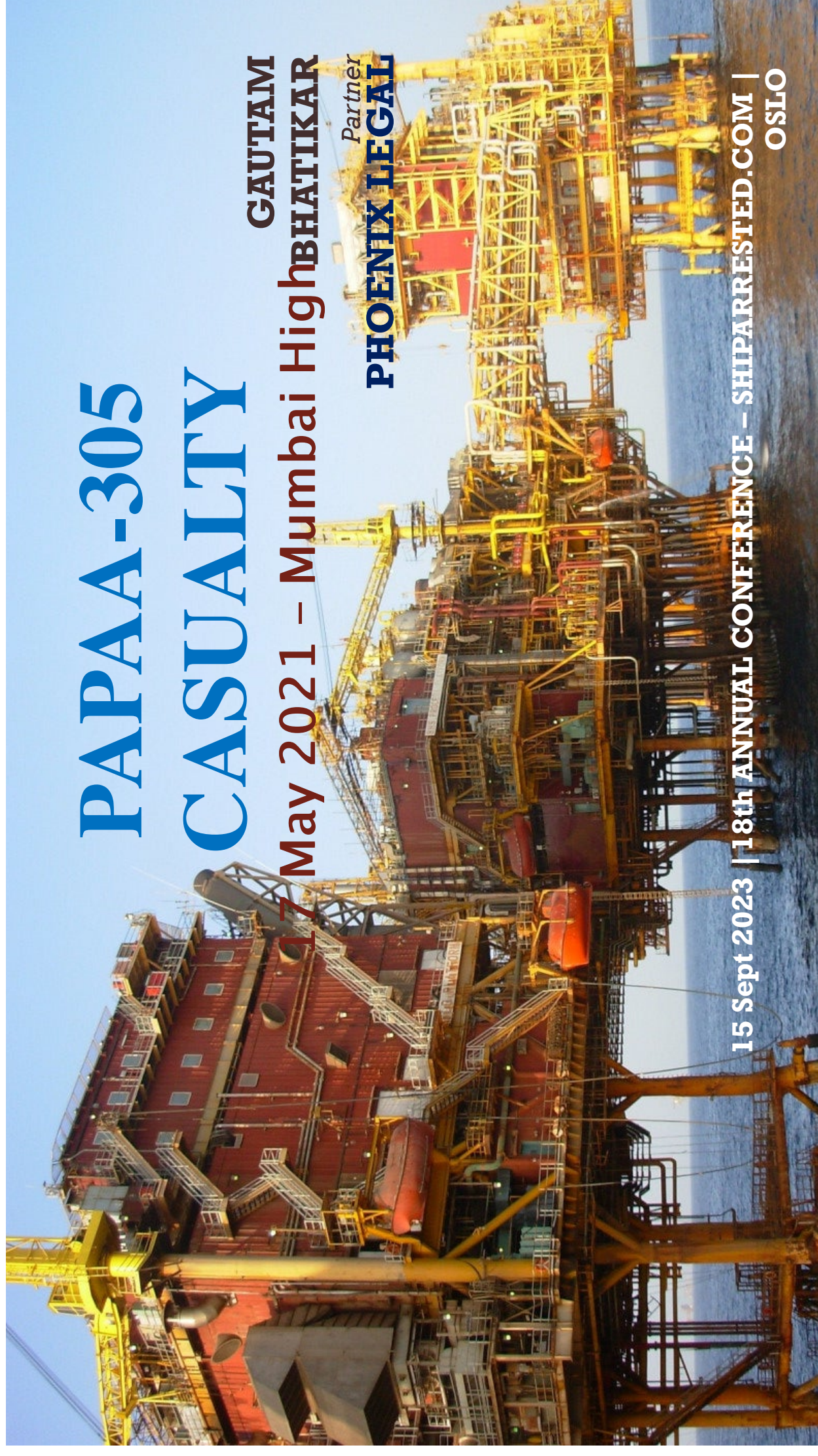


PAPAA-305 CASUALTY

**GAUTAM
BHATIKAR**
17 May 2021 - Mumbai High
Partner
PHOENIX LEGAL

15 Sept 2023 | 18th ANNUAL CONFERENCE – SHIPARRESTED.COM |
OSLO



THE CONTEXT

- Mumbai High Oil Fields offshore oilfield 176 km (109 miles) off the west coast of Mumbai, Gulf of Cambay
- ONGC
- The contract holder is NOPEC, Norway and TGS (Trinome Energy Services).
- AFCONS sub-contracted chartered,
- Papra-305 (Durrmast-Seychelles) Shipping & Pappa Shipping, in Mumbai
- Tug - NOVE (Durrmast-Seychelles) Papra-305, Barge GAL Constructor, Tug AFCONS
- 98 fixed and floating installations

AFCONS, HALANI

Udaya

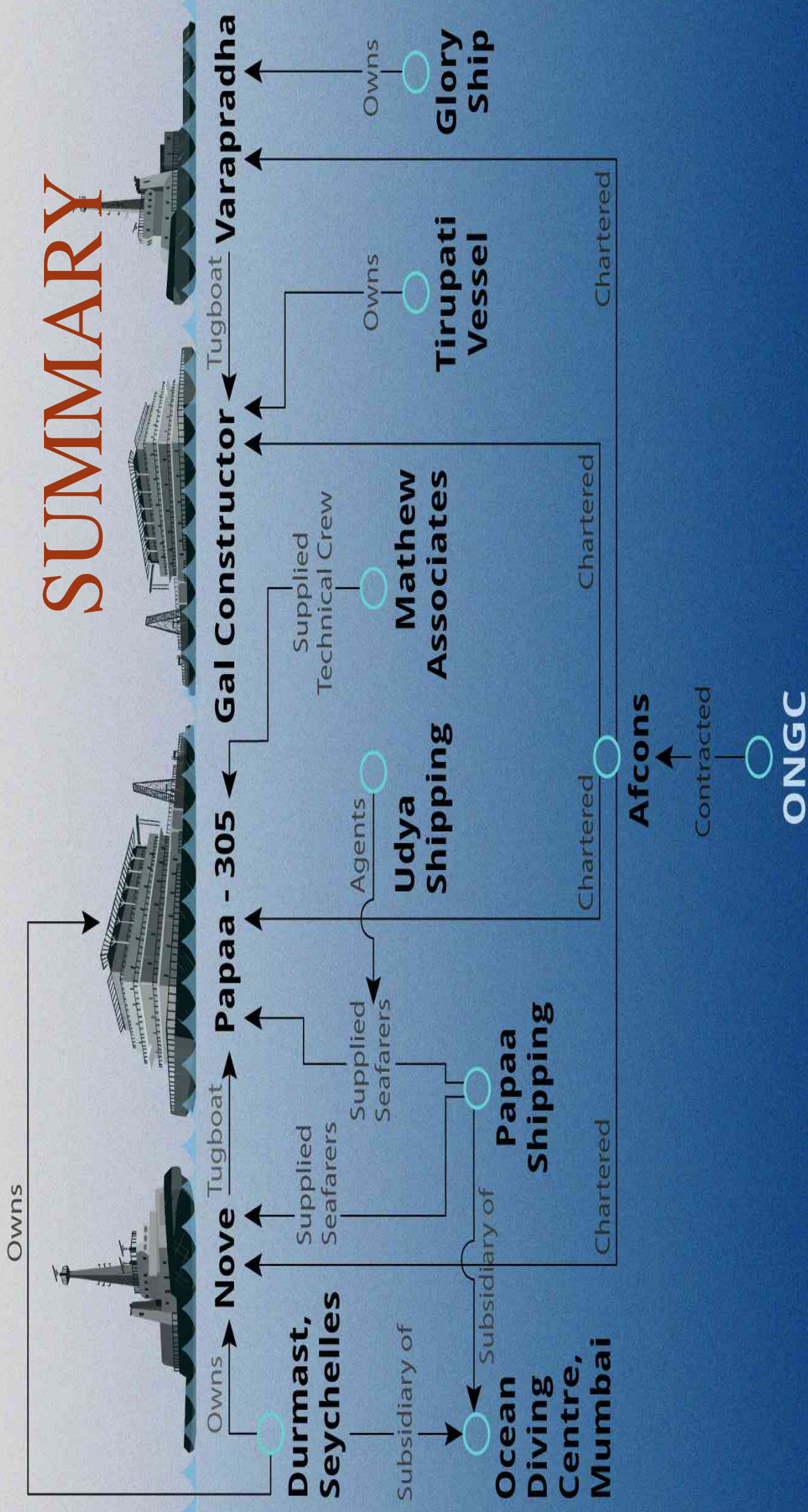
PROJECT



LOCATION



SUMMARY



1



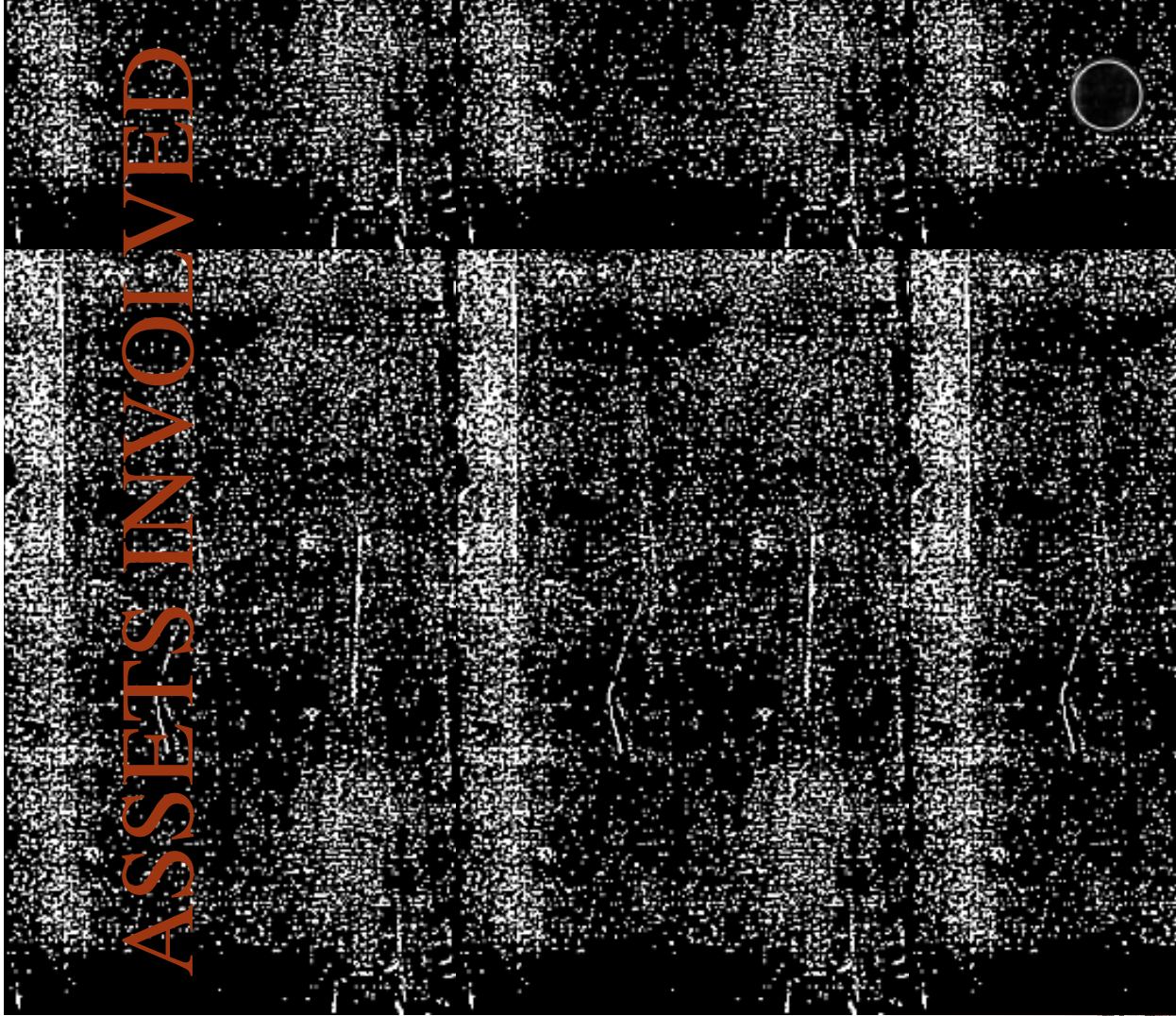
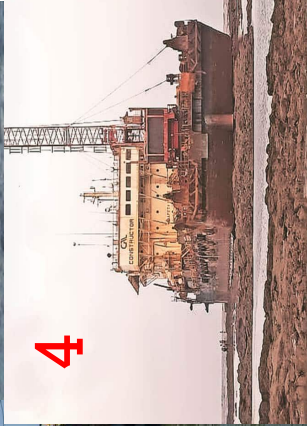
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3



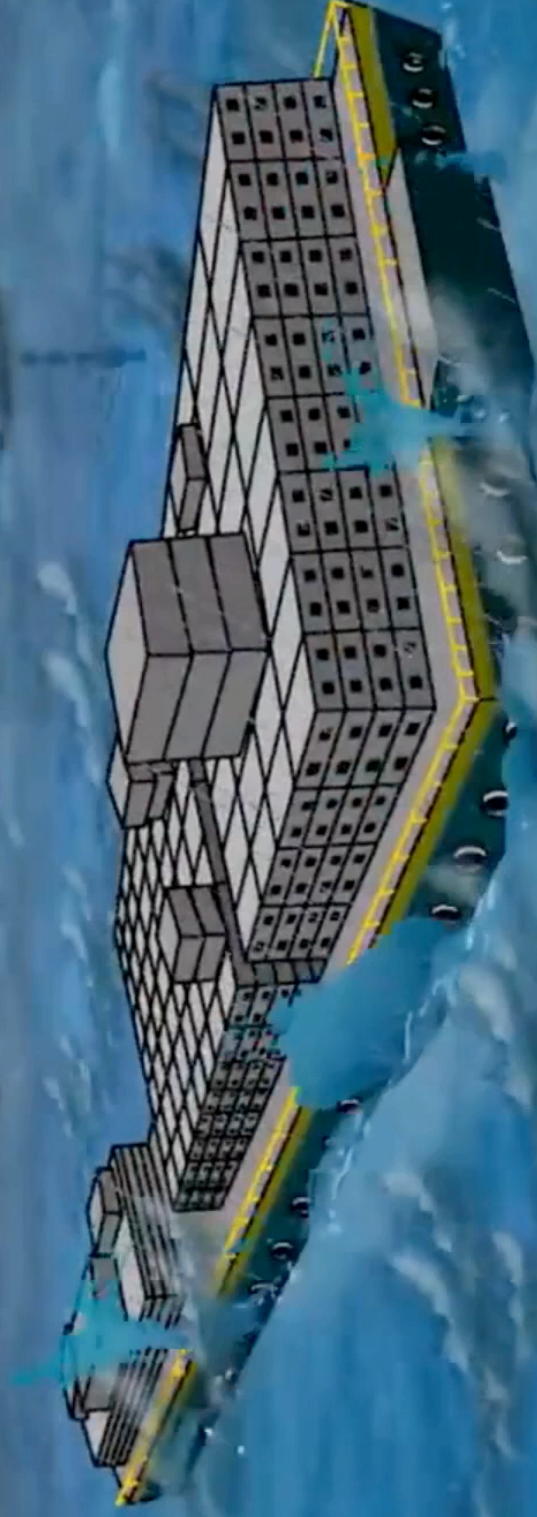
4



ASSETS INVOLVED



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EVENTS

FROM 12 - 18 MAY 2021

DATE	TIME	EVENT
12 MAY 2021	Through the day	Papaa-305 started receiving warnings regarding a developing cyclone which later came to be named as Tauktae (‘Cyclone’).
		This Cyclone was forecasted to pass near the coastline of Mumbai sometime on May 17, 2021.
		Most of the vessels in the field had moved to safe locations after the India Meteorological Department (IMD) first issued warnings about the Cyclone.
13 MAY 2021	Through the day	Papaa-305 decided - it would not be returning to the Mumbai harbor but would instead remain stationed at the high seas.
		The Master sought permission from ONGC for the Barge to be anchored and accordingly the Barge was anchored approximately 170 meters away from ONGC Platform on the



EVENTS

FROM 12 - 18 MAY 2021

DATE	TIME	EVENT
13 - 16 May 2021		These three days, Cyclone Imphunna moved northwards along India's western coast, prompting the Indian Metrological Department (IMD) to upgrade it's forecast from a "SEVERE CYCLONIC STORM" to a "VERY SEVERE ONE".
		Adjoining State authorities responded to the IMD's "RED ALERTS" by suspending flights, evacuating coastal residents, pausing all fishing activities and placing military and disaster response forces on standby.



EVENTS

FROM 12 - 18 MAY 2021

DATE	TIME	EVENT
17 May 2021	02:00 Hrs :	Two of Papaa-305's eight anchors snapped. "Around that time, the Master called Nove (Tug) for help, but the reports suggest that Nove was 12 nautical miles away.
	15:30 Hrs :	Naval Ship INS Kochi was also directed to proceed towards Papaa-305 location. INS Kochi reached Papaa-305 location at even being along-side Papaa-305 but could not undertake any immediate rescue measures.
	10:00 Hrs :	Papaa 305 started drifting and went crashing into the Oil Platform.
	10:30 Hrs :	P-305 started Sinking
	19:00 Hrs. :	INS Kolkata joined INS Kochi in Search & Rescue operations
	21:00 Hrs. :	57 persons were rescued



EVENTS

FROM 12 MAY 2021 TO 18 MAY 2021

DATE	TIME	EVENT
18 May 2021		187 persons were rescued.
	21:55 Hrs. :	188 persons including 2 persons of AH Tug VARAPRADA were rescued by Indian Navy, Coast Guard and ONGC.



This tragedy became the Deadliest accident in INDIAN MARITIME HISTORY

- 86 personnel succumbed to death;
- Several marine-assets drifted into the sea and ran aground causing losses;
- Over hundred injured and hospitalized including Chief Engineer of Papaa 305;
- Master of Papaa 305 lost his life
- **Barge - Papaa 305** capsized and sank in the Arabian Sea with 75 fatalities;
- **Barge- GAL Constructor**, drifted and ran aground - North of Mumbai.
- **AHT Varaprada**, sank in the Arabian Sea off Mumbai with 11 fatalities.
- Some survivors spent **over 8 hours in the choppy sea** before rescue;
- Others battled the waves for between 12 and 14 hours in pitch darkness of 17 May.



OUR ROLE IN THE CASE:

INSTRUCTIONS AT 19:15 Hrs. on 17 May 2021

Owners / Managers
judicial bodies.

enquiries and investigations, judicial and quasi-

permissions
proceedings.

regulatory requirements, certificates &
provide information the Regulators, Investigators and in

crew and the families of the crew on the claims and timely pay-outs.
the crew, personnel and others
statements.

over 500

INCIDENT REPORT evaluate proximate cause

the families of crew members, H&M insurers

Outings, Vespene Media, political outburst, Public Interest Litigations (PILs),

Navigating through COVID - (this was the 2nd month of lock-down)





STATEMENTS OF PERSONNEL

Controversy and Blame Game

- *"The tragedy was entirely man-made and entirely preventable."*

- *"Following cyber alerts and ensuring safety was the responsibility of Papaa-305 Captain and the Consortium of companies contracted."*

- *"Captain of Papaa-305 and its owner Darmast Enterprises were in charge of making decisions about the barge's safety."*

- *"The blame for failing to prevent the tragedy goes beyond just the captains and extends all the way up to the ONGC and Aftons."*

- *Source: (Gautam)*

- *"ONGC is the master of everything at Mumbai High," "They (ONGC) can pass any order, and drive any vessel out of their field. Aftons works under ONGC."*

STATEMENTS OF PERSONNEL

Controversy and Blame Game

“Asfoms not only failed to heed cyclone warnings but also chose to prioritize work targets over the safety of hundreds of workers and seafarers.”

“Accommodation barge *Earl Construction* was also stationed at South Field, around 160 km from Mumbai’s coast, with 137 people on board. The barge, along with its A14 tugboat *VAR/APR 4024*, could have been safe inside Mumbai’s Princess Dock by the night of May 16, had it not been for delays and questionable decisions made by Asfoms officials.”

“I informed the Asfoms representative at South Field about the need to move his vessel to the Mumbai port on May 13 itself.”

“We convinced barge captain there to leave the oil field and move towards the shore in defence of Asfoms’ wishes. Had it stayed at South Field, the barge could have collided with any of the five oil drilling platforms on site and suffered the fate of *Papua-305*.”



CONCLUSION:

- Master of Papaa 305 made the decision due to **initial weather forecast (12 May) to remain at location;**
- Cyclone Tauktae **changed track and intensity suddenly on 16 May** leaving no time for the Master to conduct anchor handling and leave the field.
- **Everyone on GAL Constructor survived** as the **Captain decided to leave the Oil field well in time.** The barge however ran aground at **North of Mumbai.**
- Charterers directed **Tug NOVE** to carry out other operations while the Barge was in need of the Tug, **demonstrated lapse on part of Charterers** to discharge its responsibility of a **prudent Charterer.**
- On investigation it was found that **several vessels were over 20 years old and not maintained. Due to death Captain of Papaa 305,** thoughts the Master's decision making - **remains a Mystery.**
- Master's decision to remain on location **was influenced by Afcons or ONGC - also remains a Mystery.**
- Some statements indicated that **decisions** were taken by the Master **in consultation with representatives of Afcons** who were on board Papaa-305. *(These representatives unfortunately also did not survive.)*
- **To save on premium** - Few assets deployed had cover through **Non - IG Club or B Grade** and were in serious trouble as the one of these **Clubs backed out – led to arrests of Owners and Managers.**



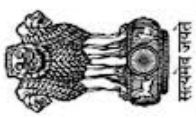
NEW REGULATIONS:

Directorate General of Shipping:

1. SOP's For Cyclones 2021 – Disaster Management at Sea
2. DGS Order No. 09 of 2022 - Regarding Coastal Vessels (CV) and River Sea Vessels (RSV) during adverse weather conditions / cyclonic weather conditions.
3. SOP's to handle Marine Casualty 2021;

Directorate General of Hydrocarbon:

4. Standing Committee on petroleum & natural gas (2021-22) – Made Observation and Recommendation to all concerned; including DGS and ONGC.
5. Other Regulations are underway.



Ministry of Shipping
Government of India



STANDING COMMITTEE ON P&NG (2021-22)

- **Ministry & ONGC** to check vessel for lifting and before deployment and ensure accountability.
- Review Standard Operating Manuals, control mechanism and inspect, certify responsibly.
- Review guidelines for offshore crane equipment to replace old cranes promptly to ensure safety, if any.
- **Ministry & ONGC** to prepare a list of cranes and a record of their condition. The list should be CCTV recording of life-saving appliance servicing and records shall be duly maintained.
- Ministry to conduct a thorough investigation into the responsibility of ONGC officials at various levels and take strict action against those found negligent of duty.
- ONGC's decision to hire a private company for weather forecasting services as a poor one and recommends the Ministry investigate the reasons behind this decision.
- Form a Working Group with industry professionals, legal experts, and academics to suggest necessary changes for the petroleum sector to review gaps in regulations, if any.
- Ministry of Petroleum and Natural Gas to coordinate and provide necessary inputs to ensure that the Ministry of Shipping can implement the necessary legislations and rules for Offshore vessels.
- Creation of a statutory regulator to oversee safety in onshore and offshore oil fields, and to enforce safety-related rules and regulations - Petroleum Sector.



THANK YOU!



Credits:

GoBisbo Broadcasting Network (for animation)
Siddhant Bhatikar (for slide design).

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