4th March, 2009

**To**

**Mr.Sharma Mahennber**

**CEO**

**Guyana Energy Authority**

**Guyana**

Dear Sir

Re: impounding of Trinidad and Tobago vessel bearing registration number TT 033010

1. **We act for Mr.Nirmal Maharaj, of No# 9 Akal Trace, Santa Cruz, Trinidad**
2. **He instructs us that he is the owner of a Vessel, Nisshin Maru 120, with the Registration no. TT 033010. The Vessel was registered on January, 28th, 2009 in Trinidad and Tobago.**
3. **On or about 12th of February, 2009 Mr.Nirmal Maharaj gave a power of attorney to Mr. Sher Khan of Essequibo, Guyana to handle the transactions of the vessel.**
4. **On or about 13th of February, 2009 the vessel was on its maiden voyage bound to Guyana from Trinidad. The Customs clearance was completed in Trinidad and the Vessel was fueled of about 6,500 imperial Gallons. The reserve tank has some fuel in it and there was a minimal amount in the regular tank. The capacity of the fuel tank is about 16,000 imperial Gallons.**
5. **The vessel was purchased in November, 2008 and registered in January, 2009. My clients had planned to make several trips in that period, hence the reason, we had 6500 Gallons fueled which is well within the legal limits Drougher certificate.**
6. **Our client instructs us that on or about 24th of February, 2009 he received information that the customs department of Guyana had seized the vessel.**
7. **The information our client received regarding the vessel is as follows:-**
   1. **On or about 15th February, 2009 while on its way to Guyana, the vessel ran into some mechanical failures and was stranded on the High Seas.**
   2. **On 20th February, 2009 the captain of the vessel saw another vessel approaching and he raised the distress signal and asked for help.**
   3. **The Vessel obliged and helped them to tow up to some point in Essequibo River.**
   4. **Having reached Guyana and having been stranded longer than anticipated on the High Seas, the crew left the vessel to seek medical attention and purchase food supplies, while the captain also left to make contact with Mr. Sher Khan the person to whom the power of attorney was given.**
   5. **On the same day when Mr. Sher Khan approached the customs officials to show the necessary papers, he was informed that the vessel was already seized.**

**As the vessel had this mechanical failure and was towed to the point away from the port, the customs was not declared in time, before the customs officials seized it. It was never an intention on our client’s part not to declare the fuel aboard. The fuel was entirely for the use of the vessel and never an intention to sell it.**

**Even though the vessel had a capacity of 16,000 Gallons to hold, we fueled it only up to what we needed to make the necessary trips. The fuel was well within the limits of Drougher certificate.**

**It was rather an unfortunate event that occurred rather than any intention of our client not to declare the fuel. He would have declared it as soon as the opportunity was given.**

**Please be reminded but for the mechanical difficulties encountered on the vessel on the High Seas our Client would have made necessary customs declarations at the port of entry.**

**In the circumstances we ask that you favorably consider our clients request to release the vessel thus enabling to return to its home port. Please provide with the status report on this matter. The attorney’s in our firm would be willing to meet with you in Guyana if need be at your earliest convenience to discuss this matter with a view to bring expedited closure to same.**

**We await your early response.**

Yours in Service,

**Christopher Ross Gidla**

Attorney at law