

MINISTRY OF PORTS, SHIPPING AND WATERWAYS
NOTIFICATION

New Delhi, the ____ day of _____, 2026

G.S.R. _____ – In exercise of the powers conferred by section 160, sub-section (1) of section 172, sub-section (4) of section 172, section 174, section 195, section 210, section 244, section 255, section 260, section 290, section 307 and section 319 of the Merchant Shipping Act, 2025 (24 of 2025) and in supersession of the Merchant Shipping (Regulation of Entry of Ships into Ports, Anchorages and Offshore facilities) Rules, 2012, and any subsequent amendments, orders, or notices issued in relation thereto, the Central Government hereby makes the following rules:-

1. Short title and commencement. - (1) These rules may be called the Merchant Shipping (Regulation of Entry of Ships into Coastal Waters) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Scope and application. - (1) These Rules shall apply to all ships, irrespective of flag, operating or navigating in coastal waters, whether or not such ships subsequently enter any port, anchorage, offshore facility, or any other place within India.

(2) Provided that these rules shall not apply to warships such as naval ships, auxiliary naval ships and ships owned or operated by a State and used for the time being for non-commercial purposes or for public service purposes.

3. Definitions. - (1) In these rules, unless the context otherwise requires;

(a) “Act” means the Merchant Shipping Act, 2025 (24 of 2025);

(b) “Certificate of Insurance or Other Financial Security” means a certificate issued by the the Flag State Administration or any other entity authorised by it, attesting that insurance or other financial security, such as a guarantee of a bank or similar institution, is in force in accordance with the applicable provisions of the convention to cover liabilities under Part IX and Part XII of the Act and/or any other applicable convention under the Act, as amended, enabling direct claims for compensation against the insurer;

(c) “coastal waters” has the meaning assigned to it under Section 3(12) of the Act;

(d) “Competent Authority” means the Director-General of Maritime Administration appointed under sub-section (1) of section 7 of the Act for the purpose of implementing and enforcing the provisions of these rules.

(e) “International Group of Protection and Indemnity Clubs” means the association of independent, not-for-profit mutual Protection and Indemnity insurer comprising the Principal Clubs, Affiliated Associations and reinsured subsidiaries, published on the official website of the International Group of Protection and Indemnity Clubs, as amended from time to time;

(f) “maritime claims” includes all claims covered in Part IX and Part XII of the Act and/or any other applicable convention under the Act, as amended from time to time;

- (g) “Marine Pollution Response Operators” means a service provider who is approved under the Merchant Shipping (Wreck & Salvage) Rules, 2026, to respond to the marine pollution or spill incidents;
- (h) “tonnage” means the gross tonnage which is calculated in accordance with the Merchant Shipping (Tonnage Measurement of Ships) Rules, 2026;
- (i) “Protection and Indemnity insurance” means insurance, with or without deductibles, providing third-party cover for the shipowner’s or operator’s or charterer’s liabilities in respect of maritime claims arising from ship operations;
- (j) “insurer” means an insurance company, mutual association, or financial security provider that underwrites Protection and Indemnity insurance and is either a member club of the International Group of Protection and Indemnity Clubs or any other insurer or financial security provider approved by the Central Government, for the purposes of these rules;
- (k) “operator” means the owner of the ship or any other organisation or any person authorised in his behalf for the operation of the ship;
- (l) “ship” means a ship within the meaning assigned to it under sub-section (59) of section 3 of the Act;
- (m) “shipping agent” means any person or commercial enterprise arranging and causing the transportation of cargo or passengers, providing information, preparing for and carrying out the sale or purchase or lease contracts for and on behalf of the ship owners, masters, operators or charterers of the ships by the agreements they enter into, carrying out all the services and fulfilling the liabilities for such persons and parties duly acting for profit;
- (n) “Salvage, Marine Firefighting, Hazardous, Noxious Substances and Oil Spill Response Contract” means a written contract with a salvor, approved under the Merchant Shipping (Wreck & Salvage) Rules, 2026.

(2) The words and expressions used but not defined in these rules, and defined in the Act, shall have the same meanings respectively, assigned to them in the Act.

4. Insurance requirements for ships entering or operating in coastal waters. - (1) Subject to the provisions of section 172, section 188, section 204, section 229, and section 244 of the Act, every ship to which these rules apply, insofar as the applicable convention requirements have been incorporated under the Act, shall possess an adequate insurance, in the form of a Certificate of Insurance or Other Financial Security, covering liabilities in respect of maritime claims as prescribed under the Act.

(2) The Certificate of Insurance or Other Financial Security referred to in subrule (1) shall be obtained only from—

- (a) an insurer that is a member of the International Group of Protection & Indemnity Clubs;
- and/or

(b) an insurer that is not a member of the International Group of Protection & Indemnity Clubs but fulfils the criteria laid down under Rule 10 and subsequently approved by the Committee under Rule 11, as notified on the official website of the Director-General.

5. Requirements for foreign ships entering or operating in coastal waters. - (1) Every ship of any size whatsoever, other than an Indian ship, entering into or sailing out of any Indian port, terminal, anchorage, or seeking port facilities or Indian offshore facilities within coastal waters, shall—

(a) maintain valid insurance and classification certificates as required under these rules;

(b) maintain a valid contract with a Salvage and Marine Firefighting service provider, duly authorised by the Competent Authority under the Merchant Shipping (Wreck & Salvage) Rules, 2026;

(c) maintain a valid contract with a recognised Oil Spill Response Organisation, duly authorised by the Competent Authority under the Merchant Shipping (Wreck & Salvage) Rules, 2026; and

(d) The operator/owner of the ship shall submit the details of such agreements to the concerned Port Authority, along with the documents prescribed under Rule 9 of these rules, at least forty-eight hours before the ship's entry into coastal waters.

(2) Before granting entry or port clearance to any vessel, the Port Authority shall verify the validity of the Protection and Indemnity insurance and any associated contractual instruments required under these Rules. For this purpose, the Port Authority shall, in particular, verify compliance with the following requirements:

(a) Every insurer shall ensure that the validity status of the insurance coverage is clearly displayed on its official website in a manner that permits real-time verification by the Port Authority.

Provided that the Port Authority shall rely upon the information published on the official website of the respective insurer.

(b) The Certificate of Insurance or Other Financial Security insurance cover shall remain effective for a minimum period of three months from the date of the vessel's entry into an Indian port, or from the annual renewal date, whichever is applicable.

Provided that where the insurer issues an annual policy, the requirement for a minimum three-month validity period shall not apply.

(c) Where the minimum period of validity prescribed in sub rule (2) is not met, the insurer's website shall expressly display the validity status together with appropriate remarks indicating any limitation, qualification, or deviation from the prescribed period of cover.

(3) Where the contractual arrangements required under this rule are found to be invalid, expired, or non-compliant, the ship shall not be permitted to enter or operate within coastal waters, including any port, terminal, or offshore facility, until satisfactory compliance is established.

(4) In the event of a marine casualty or incident posing a threat to navigation or to the marine environment—

(a) both the ship's hull and machinery insurance provider and the Protection and Indemnity insurer shall be deemed jointly and severally responsible for ensuring the immediate engagement of the required services;

(b) no dispute between hull and machinery insurance provider and the Protection and Indemnity insurer regarding the apportionment of costs shall impede or delay the commencement of response measures;

(c) where the Central Government deems the response inadequate or delayed, it may initiate such action as necessary at the owner's cost, recoverable under the applicable insurance, convention, or law in force; and

(d) the Protection and Indemnity insurer shall take the lead in coordinating and facilitating the activation of emergency response measures, without prejudice to the joint and several responsibilities of the insurers under clauses (a) and (b).

(5) The requirements under this rule are without prejudice to any additional measures prescribed by any other executive order or requirement of the Port Authority, Indian Coast Guard, Indian Navy and/or the Competent Authority relating to emergency preparedness, environmental protection, or maritime safety.

(6) Age norms prescribed for India ships shall be applicable to foreign-flagged ships operating or navigating in coastal waters, irrespective of whether such ships subsequently enter any port, anchorage, offshore facility, or any other place within India.

6. Classification requirements for foreign ships. - (1) Every foreign ship, which falls within the ambit of subrule (2) of this Rule, entering or operating within the coastal waters shall be classed with a classification society which is—

(a) a member of the International Association of Classification Societies; or

(b) a recognised organisation duly authorised by the Competent Authority.

(2) The provisions of sub-rule (1) shall apply to the following categories of ships—

(i) oil product tankers or chemical tankers more than ten years old; or

(ii) general cargo ships, bulk carriers, offshore support ships, passenger ships, or any other type of cargo ship more than ten years old; or

(iii) liquefied natural gas or liquefied petroleum gas tankers more than fifteen years old; or

(iv) any other ship, more than ten years old, not specified in clauses (i), (ii) and (iii) of sub-rule (2) of this Rule.

(3) For the purposes of subrule (1) and (2), the age of the ship shall be calculated from the date of delivery as recorded in the safety construction certificate.

7. Declaration by the operator through a shipping agent. - (1) The operator of every vessel shall, through its shipping agent or through electronic means, submit to the competent authority a signed declaration duly authenticating the following—

(a) that the appointment of the shipping agent is valid and effective from the time the vessel enters Indian coastal waters and shall remain so until the vessel departs from such waters; and

(b) that all certificates, documents, and information submitted under these rules are true and correct to the best of the operator's knowledge and belief.

(2) The declaration referred to in sub-rule (1) shall be made in such form and manner as specified in the First Schedule.

(3) Notwithstanding anything contained in these Rules, the shipping agent making an application for the entry of a ship into any port, anchorage, offshore facility or any other place within India shall ensure compliance with all requirements specified under these Rules.

8. Scope and extent of insurance coverage. - (1) The insurance referred to in Rule 4 shall provide cover against liabilities arising from all maritime claims, including those subject to the provisions of the Merchant Shipping (Limitation of Liability for Maritime Claims) Rules, 2026, as amended.

(2) The amount of insurance for each ship, per incident, shall not be less than the maximum amount of limitation of liability prescribed under the applicable liability regime, including but not limited to, the Merchant Shipping (Limitation of Liability for Maritime Claims) Rules, 2026; Merchant Shipping (Civil Liability for Oil Pollution Damage) Rules, 2026; Merchant Shipping (Civil Liability for Bunker Oil Pollution Damage) Rules, 2026 and Merchant Shipping (Wreck and Salvage) Rules, 2026, as amended.

(3) The copies of documents referred to in these Rules, including certificates evidencing the existence and validity of such insurance, shall be maintained by the concerned port authorities in physical or in electronic format or by any other manner as specified by the Competent Authority.

9. Verification and carriage of insurance and classification documents. — (1) Every ship to which these rules apply shall at all times carry on board—

(a) the Certificate of Entry and Certificate of Insurance and Other Financial Security, specifying the Protection and Indemnity insurance relating to maritime claims under these Rules, in original or in a certified true copy; and

(b) the Certificate of Class, in original or in a certified true copy.

Provided that where the existing Protection and Indemnity insurance of a ship has been cancelled, suspended, or has otherwise become null and void for any reason whatsoever, the operator

shall forthwith obtain a new or renewed policy of insurance and submit a copy thereof to the nearest Port Authority for verification.

(2) The Port Authority shall verify the validity and authenticity of the insurance and the Certificate of Class prior to granting port entry, clearance, or facilities, and ensure that such documents are kept on board during the ship's stay in port.

(3) The Indian Coast Guard and the Indian Navy and/or any other authority as specified by the Competent Authority may, at any time, inspect and verify the insurance certificates, as prescribed under these Rules, the Certificate of Class and the details of the classification society of the ship under Rule 6, if deemed necessary.

(4) Where any ship is found not to be in possession of any documents prescribed under these Rules, the inspecting authority shall immediately report the matter to the Competent Authority for such action as may be deemed appropriate under the provisions of section 290 of the Act.

10. Authorization of an insurer. — (1) Without prejudice to any other provision of these Rules, the insurance issued by an insurer that is a member of the International Group of Protection and Indemnity Clubs is hereby deemed recognised for the purposes of providing proof of insurance or other financial security as prescribed under sub-rule (1) of Rule 4.

(2) An insurer, that is not a member of the International Group of Protection & Indemnity Club, seeking authorization for grant of approval and/or renewal as Designated Insurer (Category I) or Accepted Insurer (Category II), shall submit an application to the Competent Authority in the form prescribed in Second Schedule, along with all documents as specified in these Rules.

(3) The Central Government shall constitute a committee to grant authorization to an applicant under sub-rule (1), only if, after evaluation by the committee, the applicant is found to satisfy all the criteria set out in Second Schedule of these Rules

(4) The Competent Authority may, in the course of evaluation, require such additional information, undertakings or guarantees as may be necessary to ensure that the application meets the standards required under these Rules.

(5) Authorization, once granted, may be subject to such conditions, limitations or periodic reviews as the Central Government deems necessary.

(6) The Competent Authority shall maintain and publish on the official website a list of approved Non-IG insurers authorized under these Rules along with the period for which the Non-IG insurers are approved.

(7) Any authorization granted under these Rules shall remain valid until it is revoked, suspended or otherwise terminated by the Central Government.

(8) The Central Government may revoke or suspend such authorization granted under this Rule, if the insurer ceases to meet the standards as specified in the Second Schedule or otherwise fails to comply with these Rules.

11. Constitution and Powers of the Committee constituted by the Central Government.

— (1) The Central Government shall constitute a committee to grant authorization to an application made under Rule 10, the committee shall comprise of following members —

- (a) Director-General – Chairman
- (b) Nautical Advisor, Director-General – Member
- (c) Chief Surveyor, Director-General – Member
- (d) Chief Ship Surveyor, Director-General – Member
- (e) Nautical Surveyor, Director-General — Member Secretary
- (f) Representative from Ministry of Ports, Shipping and Waterways – Member
- (g) Representative from Insurance Regulatory and Development Authority of India – Member
- (h) Representative from General Insurance Corporation of India – Member
- (i) Representative from Mumbai Port Authority – Member
- (j) Representative from Jawaharlal Nehru Port Authority – Member
- (k) Any other member co-opted by the Chairman – Member

(2) The Committee shall assess the applicants on the following criteria with respect to granting of authorization under Rule 10, including but not limited to —

- (a) Evaluate applications from the insurers that are not a member of the International Group of Protection & Indemnity Clubs for approval;
- (b) Verify financial and regulatory credentials;
- (c) Check the demonstrated experience in underwriting marine liabilities, including Protection and Indemnity, wreck removal, pollution, pollution-related liabilities and other maritime liability risks;
- (d) Assess capacity to provide insurance coverage conforming to the minimum limits of liability prescribed under Rule 7;
- (e) Assess ability to issue and maintain adequate insurance coverage as applicable under these Rules;
- (f) Assess adequacy of claims-handling procedures and financial security commitments;
- (g) Periodically review and update the approved list of insurers that are not a member of the International Group of Protection & Indemnity Clubs;
- (h) Assess compliance with any other requirement specified in Second Schedule.

(3) Meetings of the Committee shall be convened by the Chairman or his nominee, and the quorum shall consist of at least half of the members including the Chairman or his nominee.

(4) The Committee shall forward the recommendations thereof to the Central Government, who shall have the final authority to approve the recommendations of the Committee.

(5) The fee payable in respect of applications submitted under sub-rule (2) shall be as prescribed in the Second Schedule.

12. Residual Powers. – (1) The Competent Authority may issue detailed guidelines, standard operating procedures, and contingency protocols consistent with these Rules to ensure effective implementation of this Part.

(2) Where any doubt arises in the interpretation or implementation of these rules, the decision of the Competent Authority shall be final.

(3) Without prejudice to the provisions of these Rules, the Competent Authority may, for reasons to be recorded in writing and subject to such conditions as it may deem necessary, grant an exemption from any requirement of these Rules in respect of the entry or operation of a ship, where such exemption is justified in the interest of safety, environmental protection, public interest, or operational necessity.

13. Penalty. – Notwithstanding anything contained in the Act, whoever contravenes any of the provisions of these rules shall be punishable with fine in accordance with the provisions of sub-section (2) of section 320 of the Act.

[F. No. _____]

Sign

Printed by _____

FIRST SCHEDULE

(See Rule 7)

DECLARATION BY SHIP OWNER OR OPERATOR THROUGH SHIPPING AGENT

1. Vessel Particulars

- 1.1. Name of Ship: _____
- 1.2. IMO Number / Official Number / Call Sign: _____
- 1.3. Flag of Registry: _____
- 1.4. Port of Registry: _____

2. Operator / Owner / Charterer / Company Details

- 2.1. Name: _____
- 2.2. Registered Address: _____
- 2.3. Contact Details (Tel / Fax / E-mail): _____

3. Shipping Agent Details

- 3.1. Name of Shipping Agent: _____
- 3.2. Address of Shipping Agent: _____

4. Declaration

- (a) The appointment of the Shipping Agent named above is valid and effective from entry into Indian coastal waters until departure thereof.
- (b) The ship holds valid insurance or financial security complying with these Rules.
- (c) The ship holds a valid Certificate of Class as required.
- (d) All certificates, documents, and information submitted are true and correct to the best of my knowledge and belief.
- (e) I am duly authorised to make this declaration on behalf of the Operator.

5. Signature of Declarant

- 5.1. Name: _____
- 5.2. Designation: _____
- 5.3. Company / Organisation: _____
- 5.4. Place: _____
- 5.5. Date: _____
- 5.6. Signature: _____
- 5.7. Company Stamp / Seal (if any): _____

6. For Official Use

- 6.1. Date of Receipt: _____
- 6.2. Documents Verified: Insurance ☐ Class Certificate ☐ Others ☐
- 6.3. Entry/Port Clearance Granted (Yes / No): _____
- 6.4. Remarks (if any): _____
- 6.5. Signature & Stamp of Competent Authority: _____

SECOND SCHEDULE

(See Rule 10)

MINISTRY OF PORTS, SHIPPING AND WATERWAYS, GOVERNMENT OF INDIA

DIRECTORATE GENERAL OF MARITIME ADMINISTRATION, MUMBAI

CHECK LIST FOR EVALUATING APPLICATIONS FOR APPROVAL AND/OR RENEWAL OF INSURERS UNDER RULE 10 OF THE MERCHANT SHIPPING (REGULATION OF ENTRY OF SHIPS INTO COASTAL WATERS) RULES, 2026

PART A – GENERAL PARTICULARS

1. Name of Applicant (Insurance Company) :

2. Country and Place of Incorporation :

3. Date of Incorporation :

(Certificate of Incorporation to be enclosed)

4. Category of Authorisation Requested : ☐ Designated Insurer (Category I)
☐ Accepted Insurer (Category II)

5. Prescribed Application Fee :
[Rs. 10,00,000 payable through bharatkosh.gov.in]

Bharatkosh Receipt Number :

PART B – REGULATORY, FINANCIAL AND TECHNICAL ELIGIBILITY

Sr. No.	Evaluation Criteria	Category I	Category II	Compliance Status	Remarks (Substantiating Documents to be submitted)
1	Registration with insurance regulatory authority	Mandatory	Mandatory		Regulator of country of incorporation. Proof required.

2	Authorisation to underwrite Protection and Indemnity risks	Mandatory	Mandatory		Licence scope to include maritime third-party liabilities
3	Membership of recognised marine insurance association	Preferable	Preferable		
4	Experience in underwriting marine liabilities	Mandatory Minimum ten years general insurance including five years marine	Mandatory Minimum five years general insurance including three years marine		
5	Type of insurer	Mandatory Government owned or holding company	Mandatory Government owned or holding company		
6	Paid-up capital	Mandatory Minimum USD 100 million	Mandatory Minimum USD 50 million		
7	Free reserves	Mandatory [Minimum USD 300 million]	Mandatory [Minimum USD 150 million]		
8	Audited financial statements	Mandatory [Last three completed financial years]	Mandatory [Last three completed financial years]		
9	Credit rating of applicant	Mandatory Minimum BBB+ (S&P) or equivalent	Mandatory Minimum BBB+ (S&P) or equivalent		
10	Credit rating of reinsurer	Mandatory Minimum BBB+	Mandatory		

		(S&P) or equivalent	Minimum BBB+ (S&P) or equivalent		
11	Disclosure of reinsurance programme	Mandatory	Mandatory		Retention, layers, lead reinsurer, governing law

PART C – OPERATIONAL AND CLAIMS HANDLING CAPABILITY

Sr. No.	Evaluation Criteria	Category I	Category II	Compliance Status	Remarks
12	Policy wording covering maritime claims under Parts IX and XII of the Act	Mandatory	Mandatory		
13	Explicit coverage for wreck removal, pollution, salvage and emergency response	Mandatory	Mandatory		
14	Acknowledgement of India's right to prescribe unlimited liability for wreck removal	Mandatory	Mandatory		
15	Ability to issue Certificate of Insurance or Other Financial Security enabling direct action	Mandatory	Mandatory		
16	Availability of financial security instruments	Mandatory [LOU or LOI or Bank Guarantee acceptable to ports]	Mandatory Bank Guarantee acceptable to ports		

17	24 × 7 availability of local correspondents or lawyers in India	Mandatory	Mandatory		
18	Dedicated India nodal officer or India desk	Mandatory	Mandatory		Can be nominated from the correspondent
19	Claims handling and settlement capability	Mandatory	Mandatory		Average settlement timelines and escalation mechanism
20	Disclosure of outstanding claims or litigation in India	Mandatory	Mandatory		Statements for preceding three financial years

PART D – RESPONSE READINESS AND STATUTORY ALIGNMENT

Sr. No.	Evaluation Criteria	Category I	Category II	Compliance Status	Remarks
21	Contract with approved Marine Pollution Response Operator in India	Mandatory	Mandatory		
22	Salvage, marine firefighting, HNS and oil spill response contracts	Mandatory	Mandatory		
24	Undertaking for real-time data sharing with Port Authorities and DGS	Mandatory	Mandatory		
25	Affidavit of compliance with Indian laws	Mandatory	Mandatory		Merchant Shipping Act, 2025 and rules made thereunder

26	Declaration of past regulatory sanctions or enforcement actions	Mandatory	Mandatory		Nil declaration, if applicable
27	Undertaking for annual compliance confirmation	Mandatory	Mandatory		
28	Acceptance of right of inspection and audit by Central Government	Mandatory	Mandatory		
29	Obligation to report material changes	Mandatory	Mandatory		Financial, rating, ownership, regulatory status
30	Acknowledgement of grounds for suspension or withdrawal under Rule 10	Mandatory	Mandatory		

[NOTE: For the purpose of claims disclosure, no claim shall be treated as outstanding where legal liability of the insured shipowner has not been finally determined or where enforcement of a judgment or arbitral award is not pending.]
