

**GOVERNMENT OF INDIA
MINISTRY OF SHIPPING
DIRECTORATE GENERAL OF SHIPPING
JAHAZ BHAVAN
W. H. MARG
MUMBAI – 400 001.**

F. No: SL-MIS-9(5)/2010

Dated: 20.05.13

DG Shipping Order No. 13 of 2013

Sub: Closure of registry of ships registered under the Merchant Shipping Act, 1958-reg.

1. Whereas, Part V of the Merchant Shipping Act, 1958, as amended [hereinafter referred to as the 'Act'] provides a regime for the registration of Indian ships;
2. Whereas, the obligation for the registration of Indian ships under the Act is limited to sea going ships, and there are other enactments/legal provisions, such as the Inland Vessels Act, 1917 or the Indian Ports Act, 1917 or the Indian Ports Act, 1908, in respect of registration of vessels, whose operation is restricted to the waters as prescribed in the respective said statutes;
3. Whereas the Act or the MS (Registration of Indian Ships) Rules, 1960, as amended, provide for the closure of such registry only in cases where the Indian ship is sold to a foreign owner, or broken up or is rendered a constructive loss, or ceases for any reason to be an Indian ship;
4. Whereas, certain Indian ship-owners who wish to operate their ships exclusively within the inland waters, or port limits, as the case may be, have been requesting the Directorate General of Shipping, Govt. of India [Directorate; for brevity]; for the closure of such registry under the act for the purpose of re-registering such ships under such

relevant enactment such as the Inland vessels Act, or the Indian Ports Act, or the Rule made there under, which are in force;

5. Whereas, the closure of registry of such a ship can be treated under the term 'ceasing for any reason to be an Indian ship' under section 39 of the act, AND

6. Now, therefore, the Director General of Shipping, Govt. of India, in exercise of the powers vested in him under the provisions of section 456 of the M.S. Act 1958 read together with Govt. of India, Ministry of Shipping Notification No. S.O.3144 [F. No.-30-ML (38)/60] dated 17/12/1960, orders that the registry of an Indian ship can be closed if the owner wishes to register the vessel under another statute which is in force, for the registration of ships in India, and that the procedures given below shall be followed for the closure of registry of Indian ships, subject to the conditions specified herein;

6.1. The registry of an Indian ship may also be closed, based on an application from the registered owner(s), expressing an intention to de-register the ship under the MS Act, 1958, for its subsequent registration under the Inland Vessels Act, 1917 or the Indian Ports Act, 1908, or any other relevant enactment which is currently in force.

6.2. The applicant shall give a formal & unequivocal undertaking that the ship, after closure of its registry under the MS Act, shall be operated only in waters which are commensurate with its extant Certificate of Registry.

6.3. The applicant shall indicate the address and details of the proposed Registrar/registration.

6.4. The vessel shall, at the time of such application, not have any outstanding mortgages, or pending wages to seafarers, or pending contributions to the Seamen Provident Fund organization/ Seaman's Welfare Fund Society [SWFS]

6.5. Other formalities for the closure of the registry of the vessel shall be the same as that are currently followed for the deletion of registry of ships registered under the Act.

6.6. The Registrar of ships [jurisdictional] under the MS Act, on the closure of such registry, shall make appropriate entries in the Register Book concerned in his office, and inform the DGS and the new Registrar of ships about the closure of such registry and the owner's intention to register the vessel under the new registry.

7. The Registrar of ships may issue a vessel registry deletion certificate, if the owner so requests in writing.

8. This order shall enter into force on the date of an issuance of this order and shall remain in force until further orders.

Sd/-

(Gautam Chatterjee)

Director General of Shipping

1. Copy for circulation to the;
 1. Registrars of Indian Ships.
 2. INSA & ICCSA, Mumbai.
 3. All the Mercantile Marine Departments.
 4. All Major Port Trusts.
 5. Indian Ports Association.
2. Copy forwarded for information to the following officers of the DGS, GOI;
 1. CS.
 2. NA.
 3. CSS.
 4. All Branches.
 5. Hindi Branch- for a Hindi translation.
 6. Computer Branch- for displaying on the DGS website.