G.S.R. 1218 In exercise of the powers conferred by section 404 and sub-section (2) of section 458 of the Merchant Shipping Act, 1958 (44 of 1958) and of all other powers hereunto enabling the Central Government hereby makes the following rules, namely:

PART I

PRELIMINARY

1. Short title and commencement (1) These rules may be called the Merchant Shipping (Wrecks and Salvage) Rules, 1974.

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

2. Definitions (l) In these rules, unless the context otherwise requires

(a) Act means the Merchant Shipping Act, 1958 (44 of 1958);

(b) jurisdiction in relation to a receiver of wreck means the local limits specified in the notification issued under sub-section (1) of section 391 of the Act;

(c) Mercantile Marine Department District means the areas of jurisdiction of the respective principal officers specified the First Schedule to these rules;

(d) near the coasts of India means at any port or place in India or within the territorial waters of India;
Owner includes the master of a vessel where the wreck comprises of a vessel;

principal officer means an officer appointed by virtue of sub-section (2) of section 8 of the Act;

port means a port as defined in the Indian Ports Act, 1908 (15 of 1908);

receiver means the receiver of wrecks appointed under sub-section (1) of section 391 of Act;

Schedule means a Schedule annexed to these rules;

valuer means any person appointed by the receiver under these rules to assess the value of any vessel, or any equipment of such vessel, or any other article of cargo or stores of such vessel.

Words and expressions used in these rules but not defined in sub-rule (1) shall have the respective meaning assigned to them in the Act.

PART II
WRECKS

3. Communication of intelligence of wreck Where a receiver receives intelligence of any vessel having been wrecked or stranded or of being in distress, he shall, immediately on receipt of such intelligence communicate it to the principal officer.

4. Procedure to be observed on finding a wreck (1) Any person who finds and takes possession of a wreck within the limits of jurisdiction of a receiver or brings any such wreck within such limits shall as soon as practicable, make a report in writing to the receiver in the form specified in the Second Schedule.

(2) The receiver shall forward a copy of every such report to the principal officer.

5. Procedure for taking possession Of sunken or abandoned wreck (1) When a receiver receives intelligence that a wreck, being a vessel, is sunk or stranded near the coasts of India and is abandoned by its owner he shall, as soon as practicable, proceed to the place where such wreck

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(2) The receiver shall forward a copy of every such report to the principal officer.
vessel lies, drop a lead line over such vessel and make a declaration that he has taken possession of the wreck in exercise of his powers under the Act.

(2) Where a receiver receives intelligence that a wreck, not being a vessel is found near the coasts of India, he shall, as soon as practicable proceed to the place where such wreck is lying and take possession of the wreck physically. Where it is not practicable to take physical possession of the wreck he shall make a declaration ensure that he has taken possession of the wreck in exercise of his powers under the Act.

6 Action to be taken on taking possession of a wreck

(l) The receiver in taking possession of a wreck shall

(a) if the wreck consists of a vessel other than an Indian office vessel, send a written intimation giving particulars of the I as, I wrecked vessel to the nearest consular officer of the country in which the vessel is registered, under intimation to the principal officer,

(b) if the wreck consists of an Indian vessel, send a written intimation to the owners of the vessel under intimation to the principal officer;

(c) if the wreck consists of any parts, articles, or equipments of a vessel other than an Indian vessel, send a written intimation giving particulars of such parts, articles or equipments of the vessel to the nearest consular officer of the country in which the vessel is registered under intimation to the principal officer;

(d) if the wreck consists of any parts, articles or equipments of an Indian vessel, send a written intimation giving particulars of such parts, articles or equipments of the vessel to the owners of the vessel, under intimation to the principal officer;

(e) if the wreck consists of any cargo cast overboard from a vessel other than an Indian vessel, send a written intimation giving particulars of such cargo to the nearest consular officer of the country in which the ship is registered under intimation to the nearest customs officer and the principal officer;

(f) if the wreck consists of any cargo cast overboard from an Indian vessel engaged in trading otherwise than in the coasting trade of India, send a written intimation giving particulars of such cargo to the owner of the vessel, under intimation to the nearest customs officer and the principal officer;
(g) if the wreck consists of any cargo cast overboard from an Indian ship engaged in the coasting trade of India, send a written intimation giving full particulars of such cargo to the owner of the vessel, under intimation to the principal officer; and

(h) if the wreck consists of any vessel owned and operated by a Government Department or any article of cargo or equipment of such vessel, send a written intimation giving full particulars of such vessel or, as the case may be, its articles of cargo or equipment to: the appropriate authorities of the Department concerned, under intimation to the principal officer:

Provided that where in any case referred to in clauses (c), (d) (e), (f) or (g) the identity of the vessel from which the wreck has ensued has not been established, the receiver shall send intimation to the principal officer.

(2) Where any wreck, being a vessel, sunken or stranded causes or is likely to cause an obstruction or danger to navigation in a fairway leading to any port or place in India, the receiver shall send a report of such obstruction or danger to navigation to the principal officer in the form set out in the Third Schedule. Such report shall, as far as practicable define the size and nature of the obstruction - and its location on the appropriate hydrographic chart.

7. Publication of notification by receiver (1) Every notification to be published by a receiver under section 397 of the Act shall be in the form set out in the Fourth Schedule. Every such notification shall be issued within forty eight hours of taking possession of the wreck and be displayed on the notice board in the office of the receiver for not less than fourteen days. A copy of every such notification shall be sent to the principal officer.

(2) Where the estimated value of any wreck exceeds five hundred rupees, the receiver may, in addition to the notification referred not to in sub-rule (1), publicise the wreck by an advertisement in three or a consecutive issues of at least two news papers which have a wide circulation in the Mercantile Marine Department District concerned.

8. Report to underwriter Where a wreck consists of a vessel or of any article or equipment belonging to a vessel, the receiver shall forward a copy each of the notification issued by him under section 397 of the Act and advertisement, if any issued under the sub-rule win (2) of rule 7, to the appropriate underwriters, if known.

9. Claims to wreck All claims to t wreck or sale proceeds thereof shall be made to the receiver in Part-I of the Fifth Schedule.
10. **Claims in doubtful cases** Where, in respect of any claim in made for the delivery of a wreck or, as the case may be, for the in sale proceeds thereof, the receiver has any doubt as to the title to the claimant, he may require such claimant to fill up Part II of the Fifth Schedule and may further require him to produce such other evidence of title to the claim as he may consider sufficient for entertaining the claim. In any such case the receiver may make inquiries from registrar of ships, shipper, consignee and other person as he may deem necessary for satisfying himself as to title of the claimant.

11. **Claims by agents or assigns** No claim made by an agent or, as the case may be, an assignee of the owner of the wreck may be entertained unless the claimant satisfies the receiver, by production of such documents as he may consider sufficient for such satisfaction, that the agent or assignee has been duly authorized in this behalf by the owner.

12. **Claim of a representative of deceased owner** No claim in respect of any article of wreck or sale proceeds thereof belonging to any deceased master, seaman or passenger of a wrecked vessel shall be entertained unless the claimant satisfies the receiver, by production of such documentary evidence as the receiver may deem necessary as to his title to such article or sale proceed thereof.

13. **Delivery of wreck to rightful owner**

   (1) Any rightful owner of a wreck, who has established his title to a wreck or any part I thereof or the sale proceeds of such wreck or part thereof to the satisfaction of the receiver in accordance with the provisions of these rules, shall be under an obligation to pay to the receiver salvage charges, any other expenditure properly incurred by the receiver for the recovery, preservation or safety of the wreck and fees payable to the receiver under rule 27.

   (2) A receiver may withhold delivery of any wreck of part thereof or sale proceeds of such wreck or part thereof to any claimant until his claim referred to in sub rule (1) is settled in full.

   (3) For the purposes of this rule a claimant shall be under an obligation to pay salvage charges and other expenses incurred by the receiver in respect of the entire property constituting the wreck notwithstanding whether his claim pertains to the entire property Or a part thereof.

   (4) The receiver shall, on hand over a wreck or sale proceeds thereof obtain from the claimant a receipt in part-I of the Fifth Schedule.
14. Sale of unclaimed wreck (l) Receiver may sell any wreck which attracts the provisions of section 398 of the Act in accordance with the provisions of rule 15.

(2) No wreck which does not attract the provisions of section 398 of the Act, may be sold except under instructions in writing from the Central Government or any other officer authorised by it in this behalf.. In respect of every such wreck receiver shall seek instructions from the Central Government or any other officer authorised by it in this behalf through the principal officer immediately after expiry of 12 months from the date of taking possession of the wreck.

15. Procedure for the sale of a wreck (l) A receiver shall not sell any wreck otherwise than by public auction. Every such sale shall be made on as is where is basis with purchaser assuming full responsibility for any taxes payable to Government or port authorities and for encumberance on the wreck such as maritime lines.

(2) A notice for sale of a wreck shall be published not less than fourteen days in advance of the appointed date of sale, in three consecutive issues of at least two daily newspapers having a wide circulation in the Mercantile Marine Department District concerned. Every such notice shall include

(a) the description of the wreck under sale, its site and other known details, if any;
(b) the percentage of the auction price that shall have to be paid as down-payment immediately after the conclusion of the auction;
(c) the period within which the balance amount shall be payable by the successful bidder;
(d) any other details as may be deemed necessary depending upon the nature of the wreck being sold and the circumstances under which it is being sold;
(e) a provision reserving right in the receiver to reject highest bid or to postpone or cancel the sale without assigning any reason there for;
(f) a provision to the effect that amount of down-payment referred to in clause (b) shall be liable to forfeiture, should the successful bidder fail to effect full and final payment of the balance amount the period stipulated in clause (c)
(3) Where a receiver does not accept, highest bid or postpones or cancels any auction he shall record in writing the reasons therefore and make a report to the Central Government.

(4) Where any auction is frustrated by reason of receiver having rejected the highest bid, or having cancelled the auction or by reason of failure on the part of the highest bidder to effect full and final payment of the price within the stipulated period, the receiver shall organise a fresh sale of the wreck.

16. Wreck spread over two or more receivers jurisdiction When a part of any wreck is washed or brought ashore within the jurisdiction of one receiver and the remaining part thereof is so washed or brought ashore in the jurisdiction of another receiver or receivers, each receiver shall act independently of each other.

17. Wreck delivered in the jurisdiction of another receiver When a wreck found in the jurisdiction of any receiver is delivered to any other receiver, the latter shall immediately report the matter to the former. The disposal of such wreck shall be done by the receiver to whom it is delivered in the like manner as if it was found in his jurisdiction.

18. Property proved not to be wreck (1) No receiver shall take possession of any property which prima-facie does not appear to be a wreck.

(2) Any property taken possession of by the receiver is found as not constituting a wreck, shall be delivered to the rightful owner when claimed, subject to the latter agreeing to meet the reasonable expenses incurred by the receiver for its safe preservation as contemplated in rule 25.

19. Buoys found adrift or ashore When receiver receives intelligence of any buoy being adrift or having been washed ashore or when any such buoy is delivered to him he shall send a report with such particulars as may be available to the nearest office of the directorate of light houses and light ships under intimation to the principal officer. Where a receiver is not able to communicate with the nearest office of the directorate of light houses and light ships, he shall report the matter to the principal officer who shall transmit the report to the appropriate authorities.

PART III

SALVAGE
20. Salvage (l). Owner of any vessel in distress or master or any other person duly authorised by the owner in this behalf may enter into an agreement with any person for rendering salvage services to the vessel in distress. Any such agreement may provide for

(i) the amount payable to the salvor in the event of successful completion of the venture;

(ii) the amount payable to the salvor in the event of partial success of the venture;

(iii) the rights and responsibilities of the parties to the contract including the right of salvor for remuneration and remedies for its recovery;

(iv) the manner in which any dispute arising out of the agreement shall be settled; and

(v) any other matter of particular importance or relevance to the subject matter of the agreement.

(2) Where any vessel to which salvage services have been rendered constitutes a wreck, the owner thereof, if he claims the wreck, should be afforded an opportunity to settle all matters relating to salvage charges between him and the salvor. In any such case, the delivery of the wreck to the owner shall be withheld until the receiver is satisfied that all claims relating to salvage charges have been settled to the satisfaction of the parties concerned.

(3) Where in any such case, the owner or the salvor reports to the receiver that matters relating to salvage could not be settled amicably between the parties and the dispute is sought to be settled in accordance with the provisions of sub-sections (4) and (5) of section 402 of the Act, the receiver shall withhold delivery of the wreck to the owner until the judgement of the competent court becomes available and on receipt of the judgement he shall cause the claim relating to salvage charges to be settled in accordance with the said judgement before making over delivery of the wreck to the owner.

(4) Where any vessel to which salvage services are rendered constitutes a wreck but the owner does not claim the wreck, the receiver shall undertake responsibility for settling all matters relating to salvage in accordance with the provisions of rule 21.

21. Determination of amount due as salvage (l) Save where there exists an express agreement between the owner and salvor, the amount of salvage due to any person under the provisions of section 402 of the Act shall be determined having regard to the following considerations, namely:
(a) nature and degree of danger to which human life and or property saved was exposed;

(b) aggregate value of the property saved;

(c) sale proceeds of salved property where such property was sold;

(d) nature and degree of risk incurred by salvor;

(e) value of salvors property engaged in salvage service an nature and degree of danger to which it was exposed;

(f) responsibilities incurred in performance of salvage service such as risk to insurance, liability to passengers or cargo or both through deviation or delay

(g) loss incurred in performance of salvage service such as detention, loss of profitable grade, damage suffered by vessel, its equipment or gear;

(h) expenses properly incurred by salvor in furtherance of salvage service;

(i) expenses incurred by salvor towards loss of or injury to life or damage to property arising out of salvage service;

(j) skill shown by salvor in rendering service; and

(k) time spent and labour involved in rendering salvage service.

(2) Where clause (k) of sub-rule (1) is the only criterion on which salvage claim is based, no salvage shall be payable.

22. Appointment of valuers (1) For the purposes of determining the value of any property salved or for valuating any factor referred in sub-rule (1) of rule 21 of the receiver may appoint a valuer from a penal of valuers which shall be recommended to him principal officer on request.

(2) The receiver shall keep on record the valuers report and give attested copies thereof to the owner and salvor.
(3) There shall be paid to the valuer such charges as the receiver may consider reasonable and any such charges shall be a charge on the expense account of salvage;

Provided that where a valuer is appointed at the request of either the owner or the salvor without the consent of the other party, the charges shall be paid by the party at whose request the valuer was appointed.

23. Salvage Award

(1) No salvage award shall be made

(a) in any case where the property or sale proceeds thereof are claimed by the owner or his duly authorized agent or assign, until the title of the claimant to the said property or sale proceeds thereof is established;

(b) in any case where the property is not claimed by its owner or his duly authorized agent or assign, until the said property is sold.

(c) in any case where either party has applied for the appointment of valuer under rule 22, until the valuers charges has been paid.

(2) Where the receiver has made a salvage award, he shall withhold the delivery of the wreck to the owner until the owner obtains a release from the salvor in respect of salvage due to him under the said award.

(3) Where the receiver has disposed of any wreck he shall settle the salvors claim in accordance with the award from within the sale proceeds of the wreck and obtain a receipt from the salvor in token of his having received the amount in full and final settlement of his claim, before effecting payment of balance sale proceeds to the owner.

PART IV

GENERAL

24. Salvage and other charges payable by owner

(1) There shall be paid to the receiver the following amounts before the wreck or other property or both, or the sale proceeds thereof, is handed over to the owner or his duly authorized agent or assign, in pursuance of section 399 of the Act, namely:

(a) the amount of expenses including;
(i) warehousing charges;

(iii) security arrangement charges; and

(iv) travelling charges

incurred by the receiver in performance of his duties or any other expenses reasonably incurred by him for due performance of his duties; and

(b) the amount of fees due to the receiver under rule 27;

(2) Where the receiver has dealt with salvage matters respecting any wreck pursuant to the provisions of sub-rule (4) of rule 20, the amount referred to in sub-rule (1) shall also include the amount of salvage determined under rule 21 and the charges if any; payable to the valuer under rule 22;

Provided that the valuers charges shall not be included in the amount if the valuer was not appointed on application from any other party.

(3) The receiver shall furnish to the claimant a statement of charges and other deductions referred to in sub-rule (1) together with attested copies of relevant vouchers.

(4) The receiver shall on handing wreck or any other property or sale proceeds thereof to the claimant, obtain a receipt from the claimant in token of having received such wreck, other property or the sale proceeds thereof in Part-I of the Fifth Schedule.

25. Services rendered to vessels stranded or otherwise in distress (l) Where any vessel not constituting a wreck, on being stranded or otherwise in distress, receives any assistance from the receiver for saving life or property on board, including its gear, ankle, boats and other equipments, the owner of such vessel or property shall be liable for payment of all expenditure reasonably incurred by the receiver in providing such assistance.

(2) Where, in respect of any such services, salvage charges become due to any person under the provisions of the Act or any charges become due to the receiver under sub-rule (1) the receiver shall have the authority to detain the vessel until all such claims respecting salvage and other charges are settled by the owner.
Provided that no vessel shall be detained under this sub-rule if the owner thereof provides adequate security to the receiver for payment of any amount due from him.

(3) Any security given in pursuance of proviso to sub-rule (2) shall be enforceable by a competent court having jurisdiction under sub-section (4) of section 402 of the Act in the like manner as if a bail had been granted and enforced by that court. 10

26. Receipts and expenditure: The receiver shall meet all expenses and other charges incurred by him in performance of his duties from the sanctioned budget of the principal officer under the appropriate expenditure head and shall credit all receipt to the appropriate revenue head:

Provided that port authorities performing duties by virtue of their appointment as receivers under section 391 of the Act, shall debit all such expenses and other charges and credit all receipts to their respective port funds.

27. Fees: In respect of all or any of the matters specified in the Sixth Schedule there shall be paid to the receiver such fees as are specified in the said Schedule.

28. Report book:(l) Every receiver shall maintain a register in the form specified in the Seventh Schedule recording full particulars of any wreck which he has taken possession of and of the monies received and paid in respect of any such wreck.

(2) Where, in respect of any wreck salvage becomes due to any person, the receiver shall obtain the Salvors warrant in the form specified in the Eighth Schedule before finalisation of accounts.

29. Penalties: Whosoever commits a breach of any of the provisions of these rules shall be punishable with fine which may extend upto one thousand rupees and if the breach is a continuous one with further fine which may extend to rupees fifty for every day after the first during which the breach is continuous.


THE SECOND SCHEDULE
(See rule 4)

Issued by the
Government of India

REPORT BY A SALVOR OR A PERSON FINDING THE WRECK
on

Wreck or other articles found and delivered to a Receiver of Wreck, under the provisions of the Merchant Shipping Act, 1958.

(A) DATE AND PLACE OF FINDING THE PROPERTY

<table>
<thead>
<tr>
<th>Date When Found</th>
<th>Place Where Found</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>Month</td>
</tr>
<tr>
<td>Year</td>
<td>Month</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

If found afloat state afloat, and give the bearing and distance of sonic Well known places. If ashore state ashore, and give the exact spot where found.

(B) PARTICULARS OF THE PROPERTY FOUND OR SALVED

<table>
<thead>
<tr>
<th>Description of Articles</th>
<th>Estimated value</th>
<th>Name , Official No. and port of Registry of vessel to Which belonging(if known.)</th>
<th>Name and Address of owners of Property (if known.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>Month</td>
<td>Estimation</td>
<td>Name , Official No. and port of Registry of vessel to Which belonging(if known.)</td>
</tr>
<tr>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
</tr>
<tr>
<td>Rs.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(C) NATURE AND DURATION OF SALVAGE SERVICES

<table>
<thead>
<tr>
<th>Nature of Services</th>
<th>Time of Commencement</th>
<th>Time of ending</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>11</td>
<td>12</td>
</tr>
</tbody>
</table>

(D) DECLARATION BY SALVORS

(This Declaration in Division D is not to be filled up unless more than two persons are entered to Salvage).

We, whose names are hereunto subscribed, declare that the particulars contained in Division A, B and C of this form are correct and true to the best of our knowledge and belief; and we hereby authorize ....... of ....... to report the property to the Receiver, on our behalf.

Dated at this ...... day of.. 19 .

Signature of Salvors Address of Salvors

The above signature were witnessed by me

Name and Address of Witness  

(E) REPORT TO THE RECEIVER
*(I) *(We..... of... *(being duly authorized by the other Salvors of the property) hereby report
the property to you as Receiver, in pursuance of the provisions of the Merchant Shipping Act,
1958.

*(I) *(We) declare that the particulars contained in Divisions A, B and C of this Form are
correct and true to the best of *(my) *(our) knowledge and belief, and *(I) *(We) claim the
salvage due. *(I) *(We) also declare that the property flow reported is all that has come into
*(my) *(our) possession and that *(I) *(We) have not kept back or disposed of any part of the
property recovered.

Dated ........ this .19 ..

. Signature and residence of
Claimant

To the Receiver of Wreck

At
Signature and residence of witness

*Obliterate the words that do not apply.
THE THIRD SCHEDULE

[See rule 6(2)]:

Issued by the

Government of India

OBSTRUCTION TO NAVIGATION

Report of Derelict Vessel, or Floating Wreckage, or Sunken Wreck

<table>
<thead>
<tr>
<th>Queries</th>
<th>Replies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Name and address of informant</td>
<td>1</td>
</tr>
<tr>
<td>2. Name and port of the vessel to which she belongs.</td>
<td>2.</td>
</tr>
<tr>
<td>3. Voyage.</td>
<td>3.</td>
</tr>
<tr>
<td>4. (a) Nature and size of obstruction</td>
<td>4. (a)</td>
</tr>
<tr>
<td>4. (b) Nature of danger to navigation</td>
<td>4. (b)</td>
</tr>
<tr>
<td>5. Name and port of derelict or sunken wreck</td>
<td>5.</td>
</tr>
<tr>
<td>if known, and if not known, any particulars which might lead to its identification.</td>
<td></td>
</tr>
<tr>
<td>6. Description of the wreckage and any marks which might lead to its destination.</td>
<td>6.</td>
</tr>
<tr>
<td>7. Date and hour when the derelict, wreckage, wreck was last seen and date and hour of report made by radio telegraphy, if fitted.</td>
<td>7.</td>
</tr>
<tr>
<td>8. If sunken wreck, the exact spot in which lying and the bearings of any fixed Object that can be give a (Tracing from charge showing exact spot).</td>
<td>8.</td>
</tr>
<tr>
<td>9. If a derelict or floating wreckage the place where last seen, and the direction in which drifting.</td>
<td>9.</td>
</tr>
</tbody>
</table>
10. Whether the derelict was boarded by the informant or any of his crew.

11. Whether she was dismasted

12. Whether she was waterlogged

13. Whether she had capsized

14. Did she appear to have been in collision.

15. If laden, the nature of her cargo

16. Was any attempt made to take her in tow or to destroy her, and if why not.

17. Any other particulars which the Receiver may think relevant.

18. Date of making this report

19. Date of informing underwriters or their agents

Note: The questions which do not apply should be struck-out.

Forwarded to the Principal Officer,  
Mercantile Marine Department,  
Dated, this ........day of ........19

Signature Of Receiver
THE FOURTH SCHEDULE

(See rule 7)

Issued by the
Government of India

NOTICE OF WRECK IN THE CUSTODY OF A RECEIVER

<table>
<thead>
<tr>
<th>Description of lying articles and marks thereon, (if any)</th>
<th>Where found</th>
<th>When found</th>
<th>Supposed value</th>
<th>Where</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>5</td>
<td>6</td>
<td></td>
</tr>
</tbody>
</table>

Dated, this.....day of .....19

Receiver
THE FIFTH SCHEDULE

(SEE RULES 9 AND 10)

issued by the Govt. of India

CLAIM TO WRECK OR OTHER PROPERTY IN THE CUSTODY OF A RECEIVER OF WRECK

PART - I

<table>
<thead>
<tr>
<th>Name, Port of Registry, And Official No. of vessel</th>
<th>Name and Residences of Owner and Master</th>
<th>Title of Claim</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

*In any case of doubt as to title the declaration specified in Part II of this Schedule should be required to be made

* Obliterate words that do not apply.

<table>
<thead>
<tr>
<th>Reference No in Report Book</th>
<th>Description of Property and Marks, thereon, if any.</th>
<th>Estimated Value.</th>
<th>Memorandum of all Charges paid by owner on delivery of Property.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>
I hereby certify that the claimant in this case has produced satisfactory proof of ownership, or agency assignment of interests and that I consider him entitled to the @ (net proceeds of sale of the) property described in column 5 above; payment of all just expenses as stated in column 7 above having been made.

<table>
<thead>
<tr>
<th>Total Value</th>
<th>Rs. P.</th>
<th>Rs. P.</th>
</tr>
</thead>
<tbody>
<tr>
<td>If sold Gross Proceeds Charges paid viz :</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvage Travelling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incidental expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Such as warehouse rent Fees payable to Receiver</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees, if any, payable to the Valuer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charge outstanding viz :</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvage Travelling</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Incidental expenses</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees payable to Receiver</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees, if any, payable to the Valuer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Charges Net Proceeds.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Received this ... . day of the Receiver at the @(net proceeds of sale of the) property described from column 5 above. Revenue stamp of appropriate value to be affixed if payment in Cash exceeds Rs. 20.

Dated this .. day of ..19

Signature of Receiver

Claimant
I, ..........do solemnly and Sincerely declare,

1. That the particulars contained in Columns 1, 2, 3, 4, 5 & 7 of the Form on the other side hereof are correct and true.

2. That I am entitled to possession of the property, described therein, and that I hereby claim possession of the said property, subject to the payment of all just expenses.

3. That the document produced herewith, as evidence of ownership, agency or assignation of interests and described in column 8 of the said Form are true and genuine documents, and that the said ..mentioned in such documents is the said ..abovenamed.

And I make this solemn declaration conscientiously believing the same to be true.
PARTICULARS OF SALVAGE

<table>
<thead>
<tr>
<th>Date of Receipt</th>
<th>Estimated value</th>
<th>Description of property</th>
<th>Name &amp; Address of owners (if known)</th>
<th>Name official No. and Port of Registry of vessel (if known)</th>
<th>Exact Spot where found</th>
<th>Services rendered</th>
<th>Name of Salvor</th>
<th>Address of Salvor</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
</tr>
</tbody>
</table>

Transaction in respect of Wreck

<table>
<thead>
<tr>
<th>Charges on the wreck</th>
<th>Account of money received from owners</th>
<th>Date of sale</th>
<th>Amount realized by sale</th>
<th>Net proceeds to be paid to Owners or held in deposit under section 398 of the M.S.</th>
<th>Date of payment of delivery</th>
<th>Wreck delivered or sale proceeds paid to owners</th>
</tr>
</thead>
</table>

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<thead>
<tr>
<th>Charges on the wreck</th>
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<th>Wreck delivered or sale proceeds paid to owners</th>
</tr>
</thead>
</table>

Declared before me at this...day of...19

Signature of Receiver

Signature of Claimant
<table>
<thead>
<tr>
<th></th>
<th>Reference Number</th>
<th>Further Particulars</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Rs. P.</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Rs. P.</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Rs. P.</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Rs. P.</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**1. Travelling**

- As deposit for salvage etc.
- Gross proceeds
- Deduct Expenses per column 11.

**2. Incidental expenses such as warehouse, rent cartage, etc.**

- Of which was disposed of in payment of charges as per contract.

**3. Fees payable to Receiver.**

- Balance of deposit returned to owners

**4. Fees, if any, payable to the valuer.**

- As payment of charges as per contract.

**5. Customs duties.**

**6. Salvage Total Charges.**
## THE SIXTH SCHEDULE

(See rule 27)

### SCALE OF FEES OF RECEIVER OF WRECK (SEE RULE)

<table>
<thead>
<tr>
<th>(1) For every report sent by the Receiver to the Underwriter or his agent under rule 8</th>
<th>Rs. 15-00</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) For every wreck taken into possession by or in the custody of the Receiver under section 39 of the Act:</td>
<td>5% of the value of such a ship but not exceeding Rs. 5000</td>
</tr>
<tr>
<td>(a) if the wreck is a ship as defined in section 3(45) of the Act</td>
<td>1% of the value of such a sailing vessel or inland vessel but exceeding Rs. 10000.</td>
</tr>
<tr>
<td>(b) if the wreck is a sailing vessel as defined in section 3(39) of the Act or an inland vessel as defined in section 2(1) of the Inland Steam Vessels Act, 1917 (Act I of 1917)</td>
<td>Half of the value of such a vessel but not exceeding Re. 50.00</td>
</tr>
<tr>
<td>(c) if the wreck is a vessel other than those mentioned in sub-clauses (a) and (b)</td>
<td>1% of the aggregate value of such goods but not exceeding Rs. 100.00.</td>
</tr>
<tr>
<td>(d) if the wreck is of the description of goods other than the mentioned in sub-clauses (a), (b) &amp; (c)</td>
<td>Re. 32/00 for the first visit and Rs. 16/00 for subsequent visit subject to a maximum of Rs. 128.</td>
</tr>
<tr>
<td>(3) For services rendered by the Receiver under Section 392, 393 and 394 of the Act in respect of a vessel, not being a wreck, stranded or in distress or in respect of articles forming part of or belonging to such vessel or any goods taken out or washed ashore from such vessel</td>
<td>Rs. 16/00 for every visit, subject to a maximum of Rs. 64/-</td>
</tr>
<tr>
<td>(a) if the value of the vessel with her cargo, if any, exceeds Rs. 20.00</td>
<td></td>
</tr>
<tr>
<td>(b) if the value of the vessel with her cargo, if any is Rs. 20,000 or under</td>
<td></td>
</tr>
</tbody>
</table>
THE SEVENTH SCHEDULE

[ See rule 28(1) ]

Issued by the
Government of India

REPORT BOOK
PARTICULARS OF WRECK

Taken possession of by the Receiver of Wreck named below.

<table>
<thead>
<tr>
<th>Name of Officer</th>
<th>Title of office</th>
<th>Where stationed</th>
</tr>
</thead>
</table>

Note: This book is to contain full particulars of Wreck or other articles taken into Custody by the Receiver, or seized by or reported to him, and of all transactions in respect thereof. Cases in which the Receiver render services to a vessel in distress but does not take it into his custody, are also to be entered therein. All the entries are to be made legibly and in ink.

The Report Book should, in fact, be kept in such a manner as to enable the Receiver to ascertain at once, and without reference to any other documents, the value of each article bearing a separate reference number (or if the article has been sold, of the gross proceeds of sale), and all sums received and paid on account thereof, and the disposal of the property or proceeds of sale.

THE EIGHTH SCHEDULE

[ See rule 28(2) ]

SALVORS WARRANT

I am prepared to accept the sum of Rs....
(rupees ....... and ......... paise only) in full satisfaction of all demands for Salvages in respect of the property, herein described.

Salvor

Rs......

Signature and Address of the Witness

Received on the .... day of from ...... the under mentioned Salvor, the property described below.

Receiver

Name of Salvor

Description of property

[ 67-MA (6) /71]

V. V. SUBRAHMANYAM
Deputy Secretary. to the Govt. of India

GOVERNMENT OF INDIA
(Bharat Sarkar)
MINISTRY OF SHIPPING AND TRANSPORT
(Nauvahan aur Parivahan Mantralaya)
Transport Wing
(Parivahan Paksha)

New Delhi, dated 13th Feb., 1975

NOTIFICATION
(Merchant Shipping)

G.S.R. 259 In exercise of the powers conferred by section 404 read with section 458, of the Merchant Shipping Act, 1958 (44 of 1958) the Central Government hereby makes the following rules to amend the Merchant Shipping (Wrecks and Salvage) Rules, 1974, namely:–

1. Short title (1) These rules may be called the Merchant Shipping (Wrecks & Salvage) Amendment Rules, 1975.

2. They shall come into force at once.

3. In the First Schedule to the Merchant Shipping (Wrecks & Salvage) Rules, 1974 under the heading Madras District, after the words States of Kerala, the words Andhra Pradesh shall be inserted.

[ No. 67-MA (6)/71]
Sd/-
(D. C. AHIR)
Under Secy. To the Govt. of India

[ TO BE PUBLISHED IN PART II, SECTION 3, SUB-SECTION (i) OF THE GAZETTE OF INDIA]
GOVERNMENT OF INDIA
MINISTRY OF SHIPPING AND TRANSPORT
(TRANSPORT WING)

NEW DELHI 1, 16TH July, 1976

NOTIFICATION
(MERCHANT SHIPPING)

G.S.R. No. 1138 - In exercise of the powers conferred by section 404, read with section 458 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following rules to amend the Merchant Shipping (Wrecks and Salvage), Rules, 1974, namely:-
1. These rules may be called the Merchant Shipping (Wrecks and Salvage) Amendment Rules, 1976.

2. They shall come into force on the date of their publication in the official Gazette.

2. In the Merchant Shipping (Wreck and Salvage) Rules, 1974, in rule 26, for the word receipt, the words receipts, including the fees received under rule 27, shall be substituted.

[No. 5-MSR(1)/76-MA]
Sd/-
(D.C. AHIR)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA

Sl. No. 89

Government of India
Ministry of Transport and Aviation
Directorate General of Shipping

Bombay, the 15th October, 1966

NOTIFICATION
(Merchant Shipping)

S. O. 3303 in exercise of the powers conferred by sub-section(1) of section 391 of the Merchant Shipping Act, 1958 (44 of 1958) read with the order of the Government of India in the late Ministry of Transport and Communications (Department of Transport) No. S. O. 3144 dated 17th December, 1960, and in supersession of all the previous notifications on the subject, the Director General of Shipping hereby appoints the office and authorities specified the first column of the Schedule belong to be receivers of wreck within the limits specified in the corresponding entry in the second column thereof.

SCHEDULE

<table>
<thead>
<tr>
<th>Officers and Authorities</th>
<th>Limits prescribed</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Deputy Conservator Kandla Port</td>
<td>Within the limits of the port of Kandla.</td>
</tr>
<tr>
<td>Magistrates in charge of divisions on the sea coast in all maritime districts in the state of Gujerat except the port of Kandla</td>
<td>Within the limits of their respective jurisdiction.</td>
</tr>
<tr>
<td>The Trustees of the port of Bombay</td>
<td>Within the limits the port of Bombay.</td>
</tr>
</tbody>
</table>
| Magistrates in charge of divisions on the sea coast in all maritime districts | Within the limits of their respective
districts in the State of Maharashtra except the port of Bombay

The Deputy Conservator, Marmugao

Magistrates in charge of divisions on the sea coast in all maritime
districts in the Union Territory of Goa, Daman and Diu except the
port of Marmugao.

The Port Officer, Mangalore.

Magistrates in charge of divisions on the sea coast in all maritime
districts in the State of Mysore except the port of Mangalore.

The Trustees of the Port of Cochin.

Magistrates in charge of divisions on the sea coast in all maritime
districts in the State of Kerala except the Port of Cochin.

The Trustees of the Port of Madras.

Magistrates in charge of division on the seacoast in all maritime
districts in the State of Madras except the Port of Madras.

The Trustees of the Port of Vishakhapatnam.

Magistrate in charge of divisions on the sea coast in all maritime
districts in the State of Andhre Pradesh except the port of
Visakhapatnam.

Magistrates in charge of divisions on the sea coast in all maritime
districts in the state of Orissa.

The Trustees of the Port of Calcutta.

Magistrates in charge of divisions on the sea coast in the maritime
districts in the State of West Bengal except the port of Calcutta.

The Harbour Master, Port Blair.

The Administrator, Laccadive, Minicoy and Aminidivi Islands
Kozhikode.

The Port officer, Pondicherry.
<table>
<thead>
<tr>
<th>The Administrator of Mahe</th>
<th>Within the areas surrounding Andaman and Nicobar Islands</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Administrator of Karikal</td>
<td>Within the areas surrounding Laccadive, Minicoy and Amindivi Islands.</td>
</tr>
<tr>
<td>The Administrator, Yanam</td>
<td>Within the local limits of Pondicherry region.</td>
</tr>
<tr>
<td></td>
<td>Within the local limits of Mahe region.</td>
</tr>
<tr>
<td></td>
<td>Within the local limits of Karikal region.</td>
</tr>
<tr>
<td></td>
<td>Within the local limits of Yanam region.</td>
</tr>
</tbody>
</table>

(No. 66-SR(2)/62)

Sd/-

(Nagendra Singh)
Director General of Shipping