November 9, 2026

MINISTRY OF PORTS, SHIPPING AND WATERWAYS

Merchant Shipping Act: vessel ownership, flags and certificate officers

Five November 9, 2026 notifications under the Merchant Shipping Act, 2025 set who can own an Indian vessel, its ensigns, certificate issuers and compounding.

THE MINISTRY OF PORTS, Shipping and Waterways issued five notifications on November 9, 2026 under the Merchant Shipping Act, 2025 (24 of 2025): S.O. 6114(E) to S.O. 6118(E). They set who may own an Indian vessel, the "proper national colours" vessels wear, who issues and who hears appeals on seafarers' certificates, and who may compound a first contravention of the Act. They were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), Nos. 5881 to 5885, all dated November 9, 2026. Venkatesapathy S, Joint Secretary, signed all five.

KEY FACTS

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S.O. 6114(E), under section 15(1), says a vessel qualifies as an Indian vessel if a majority interest in it is owned by one or more of: a citizen of India, including a Non-Resident Indian or an Overseas Citizen of India; a company or body established by or under a Central or State Act; a co-operative society registered under the Co-operative Societies Act, 1912 or a State law; a multi-State co-operative society registered under the Multi-State Co-operative Societies Act, 2002; or a Limited Liability Partnership registered under the Limited Liability Partnership Act, 2008. Each body must have its registered office or principal place of business in India. "Majority interest" means legal title to more than one-half of the shares into which the property in the vessel is divided.

Where a Non-Resident Indian or an Overseas Citizen of India owns the majority interest, the vessel may be registered only if an authorized representative is appointed. That representative must be an Indian citizen resident in India, or a body corporate incorporated in India with its registered office or principal place of business in India.

S.O. 6115(E), under section 37(1), declares the "proper national colours" worn by different categories of vessels and supersedes S.O. 380 of February 9, 1961, issued by the erstwhile Ministry of Transport and Communications. Indian vessels registered under the Act wear the Red Ensign. Vessels owned by the Government (registered under the Act or not), other than those of the Indian Navy and the Indian Coast Guard, wear the Blue Ensign overlaid by a badge approved by the Central Government; an application for approval goes through the Director-General of Maritime Administration, and a badge approved before the notification may still be used. Indian merchant vessels that receive a subvention from the Ministry of Defence and operate exclusively in its service wear the Blue Ensign with a badge authorized by a Warrant of the Chief of the Naval Staff, applied for directly to the Chief of the Naval Staff.

Both ensigns are one and one-half times as long as they are wide, with the National Flag of India in the upper canton next to the flagstaff, as specified in the Flag Code of India, 2002. The Red Ensign is red and the Blue Ensign royal blue. A badge is placed in a light golden color at the center of the fly half and may not exceed a circle with a diameter of thirteen-thirtieths of the flag's width.

S.O. 6116(E), under section 46(1), makes the chief surveyor the issuing authority for certificates of competency and certificates of proficiency for engine department personnel, and the nautical advisor the issuing authority for deck department personnel. S.O. 6117(E), under section 48(7), makes the Director-General the appellate authority against any order of the issuing authority withdrawing, suspending or cancelling a certificate. S.O. 6118(E), under section 282(5), designates the Principal Officer of each Mercantile Marine Department at Mumbai, Kolkata, Chennai, Kochi and Kandla as the officer competent to compound the penalty for a first contravention of the Act.

None of the five gives a start date of its own. S.O. 6115(E) keeps things done or omitted under the 1961 notification before its supersession.

Issued by	Ministry of Ports, Shipping and Waterways
Documents	Notifications S.O. 6114(E), S.O. 6115(E), S.O. 6116(E), S.O. 6117(E) and S.O. 6118(E)
Dated	November 9, 2026
Published	Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), Nos. 5881 (CG-DL-E-12112026-277863), 5882 (CG-DL-E-12112026-277864), 5883 (CG-DL-E-12112026-277865), 5884 (CG-DL-E-12112026-277866) and 5885 (CG-DL-E-12112026-277867), November 9, 2026
Legal basis	Sections 15(1), 37(1), 46(1), 48(7) and 282(5), Merchant Shipping Act, 2025 (24 of 2025)
Indian vessel	Majority interest (more than one-half of the shares) owned by Indian citizens, NRIs, OCIs, or Indian companies, bodies, co-operative societies, multi-State co-operative societies or LLPs
NRI or OCI majority	Registration only with an authorized representative resident or incorporated in India
Ensigns ("proper national colours")	Red Ensign for Indian vessels; Blue Ensign with an approved badge for Government vessels and Ministry of Defence subvention vessels
Supersedes	S.O. 380, February 9, 1961 (ensigns)
Certificate issuers	Chief surveyor (engine department) and nautical advisor (deck department)
Appeals on certificates	Director-General
Compounding first contraventions	Principal Officers of the Mercantile Marine Departments at Mumbai, Kolkata, Chennai, Kochi and Kandla

Signed by	Venkatesapathy S, Joint Secretary
File numbers	F. No. SR-20020/5/2020-ML(iii), SR-2002/5/2020-ML(iv) (as printed), SR-20020/5/2020-ML(v), ML(vi) and ML(vii)

The five notifications of November 9, 2026

Notification	Section of the Act	What it does
S.O. 6114(E)	15(1)	Sets the persons whose majority interest makes a vessel an Indian vessel
S.O. 6115(E)	37(1)	Declares the "proper national colours": Red Ensign and Blue Ensign
S.O. 6116(E)	46(1)	Names the chief surveyor (engine) and nautical advisor (deck) as issuing authorities for certificates of competency and proficiency
S.O. 6117(E)	48(7)	Makes the Director-General the appellate authority on withdrawal, suspension or cancellation of certificates
S.O. 6118(E)	282(5)	Lets the Principal Officers at Mumbai, Kolkata, Chennai, Kochi and Kandla compound the penalty for a first contravention

The notification (PDF, 1.7 MB)

Source: Gazette of India, Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), No. 5881, November 9, 2026 (CG-DL-E-12112026-277863).

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