October 23, 2026

MINISTRY OF PORTS, SHIPPING AND WATERWAYS

Wreck and salvage rules put wreck removal on registered owners

G.S.R. 910(E) replaces the 1974 wreck and salvage rules: wreck reports, removal by owners, a Rs. 10,000 insurance certificate fee and salvage rewards.

THE MINISTRY OF PORTS, Shipping and Waterways issued notification G.S.R. 910(E), dated October 23, 2026, making the Merchant Shipping (Wreck and Salvage) Rules, 2026. It was published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 839, dated October 23, 2026. The Central Government made the rules under sub-section (1) and clauses (b), (d), (e), (f), (g), (h) and (i) of sub-section (2) of section 260 of the Merchant Shipping Act, 2025 (24 of 2025).

They replace the Merchant Shipping (Wrecks and Salvage) Rules, 1974, except for things done or omitted to be done before the change, and come into force on the date of their publication in the Official Gazette. They are signed by Venkatesapathy S, Joint Secretary, under F. No. SY-19014/194/2025-MG. The notification does not mention a draft. The ministry had posted a draft with the same title on its website in December 2025, inviting comments until January 11, 2026 at usml-psw@gov.in.

KEY FACTS

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Notification G.S.R. 910(E), the Merchant Shipping (Wreck and Salvage) Rules, 2026

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Under rule 3, the master or ship owner or operator of the ship reports the incident, subject to sub-sections (1) and (2) of section 236 of the Act. The report gives the registered owner's name and principal place of business, the wreck's precise location or geographic coordinates, its type, size and construction, the nature of the damage and the wreck's condition, the nature and quantity of cargo, the quantity and types of hazardous noxious substances and oil on board, including bunkers and lubricating oils, whether the wreck is a hazard, and a plan to mitigate that hazard. The Director-General then has a navigational warning issued with the wreck's position, and may direct the owner or operator to mark the wreck under section 238 of the Act, in line with the Marine Aids to Navigation Act, 2021 (20 of 2021). The registered owner or operator of the ship is primarily responsible for removing a wreck in the coastal waters, under section 242 of the Act, and the registered owner must appoint a salvor notified under section 255 of the Act, or a marine pollution response operator, within the time and in the manner the authority or the receiver of wreck specifies. The receiver of wreck coordinates, directs and supervises locating, marking, securing, removing or disposing of the wreck, and port authorities or the Maritime Board give logistical help. Where the registered owner delays or fails to declare a hazardous vessel a constructive total loss, the authority or the receiver may, after assessment and consulting the advisory committee, issue a notice of abandonment on the owner's behalf, declare the vessel a constructive total loss, or declare it a wreck or facilitate its removal, and the owner stays responsible for removal. The authority undertakes or takes control of salvage itself where the owner appoints no salvors or the owner or its salvors fail to act within the time it specifies, where the registered owner or operator fails to remove a hazardous wreck under section 242(7) of the Act within the specified time or does not respond to directions, or in other circumstances it considers necessary. It may appoint any Government or private entity, and its cost, as specified in section 250 of the Act, is borne by or recovered from the owner of the vessel, cargo, equipment or wreck.

The registered owner of an Indian vessel that holds insurance or other financial security under section 244(1) of the Act applies in Form A to the Registrar of the port of registry for the issue or renewal of a certificate covering liability under the Nairobi Convention on the Removal of Wrecks, 2007. The registered owner or operator of a ship that is not an Indian vessel, registered in a State that is not a party to the convention, may apply too, under section 244(2). The fee is ten thousand rupees, paid through the Bharatkosh portal or such other means, and the Registrar issues the certificate in Form B. A duplicate for a certificate that is destroyed, defaced, lost or stolen is applied for in Form C to the Registrar of the original port of registry and costs two thousand rupees; this does not apply to certificates issued in electronic form. The owner or operator reports the loss in writing to that Registrar, files a complaint with the nearest police station if the certificate is destroyed, lost or stolen, and surrenders it if it is defaced, mutilated or illegible. The registered owner also publishes a notice of loss in two daily newspapers, one a national English daily and one in the local language of the port of registry, inviting objections to a duplicate within ten days. Under rule 30, the authority is to require registered owners of vessels to maintain valid contracts with a retained salvor and a retained marine pollution response operator. The salvage contract must provide for emergency response including firefighting, salvage, lightering, dewatering and emergency towing, within the response times the authority specifies, and where one provider is approved for both roles, the owner keeps a single contract with it. A committee chaired by the Nautical Advisor assesses salvors against the Third Schedule and response operators against the Fourth Schedule, meets at least once a calendar year, and sends its recommendations to the authority, which approves or rejects them and keeps both lists.

Where no salvage contract exists, a salvor earns a reward only if the salvage has a useful result, and not where the salved vessel and the salving vessel have the same owner. The reward is fixed on ten criteria, starting with the salved value and the salvors' skill and efforts in preventing or minimizing damage to the environment. It is paid by the vessel and other property interests in proportion to their salved values and, leaving out interest and recoverable legal costs, may not exceed the salved value. A salvor who worked on a vessel that threatened damage to the environment and earned no reward gets special compensation from the owner equal to its expenses. That may be increased by up to thirty percent of the expenses where the salvor prevented or minimized the damage, and the High Court may raise it to no more than one hundred percent of the expenses. No remuneration is taken from people whose lives are saved, and interest on any sum awarded runs at six percent a year unless the parties agree otherwise. Claims to reimburse expenses go to the registered owner or insurer within one year of the expense, and late claims are barred unless sufficient cause is shown. An owner and a salvor can take a dispute to the Director-General, who acknowledges the complaint within seven days and concludes it, as far as practicable, within ninety days of filing; either side can still go to a court or tribunal. A receiver sells a wreck only by public auction, on an as is where is basis, after a notice at least fourteen days ahead in three consecutive issues of at least two daily newspapers. A wreck that stays unsold is scrapped, recycled, destroyed or otherwise disposed of, and the registered owners remain liable if the disposal brings in no proceeds.

The rules have no clause saying whom they apply to. Their duties fall on masters, ship owners and operators, registered owners and salvors, and on the Director-General, the authority, the Registrar and receivers of wreck; salvors and marine pollution response operators apply to be retained. Any contravention is liable to the penalties in section 281 of the Act, and the rules do not state the amounts. They set no fixed time for reporting or removing a wreck: rule 3 is subject to section 236 of the Act, which they do not reproduce, and the times for removal are those the authority or the receiver of wreck specifies. They do not state the amount of insurance or financial security required, do not say which vessels the rule 30 contracts cover or from when, and set no fee or form for applying to be retained as a salvor or marine pollution response operator. The claim form in the First Schedule has lines for fees payable to the receiver, and the rules set no amount for them. They use "the authority" and, in rule 5(3), an "advisory committee" without defining either; a word the Act defines and the rules do not takes its meaning from the Act. The salvor checklist asks for a tie-up with a marine pollution response operator "as and when the approved MPRO list is published", and the rules do not say when that list will appear.

Issued by	Ministry of Ports, Shipping and Waterways
Document	Notification G.S.R. 910(E), the Merchant Shipping (Wreck and Salvage) Rules, 2026
Dated	October 23, 2026
Published	Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), No. 839, October 23, 2026
Takes effect	The date of publication in the Official Gazette; the Gazette is dated October 23, 2026
Made under	Sub-section (1) and clauses (b), (d), (e), (f), (g), (h) and (i) of sub-section (2) of section 260 of the Merchant Shipping Act, 2025 (24 of 2025)
Replaces	The Merchant Shipping (Wrecks and Salvage) Rules, 1974, except as respects things done or omitted to be done before
Duties fall on	Masters, ship owners and operators; registered owners; salvors; the Director-General, the authority, the Registrar and receivers of wreck
Reporting a wreck	The master or ship owner or operator, subject to section 236(1) and (2) of the Act, with the eight items of information in rule 3
Removing a wreck	The registered owner or operator, primarily responsible under section 242 of the Act; the registered owner appoints a salvor notified under section 255 of the Act, or a marine pollution response operator, within the time and in the manner the authority or the receiver of wreck specifies

Wreck removal certificate	Form A to the Registrar of the port of registry, for issue or renewal; certificate in Form B, covering liability under the Nairobi Convention on the Removal of Wrecks, 2007
Certificate fee	Rs. 10,000 (rupees ten thousand), through the Bharatkosh portal or such other means
Duplicate certificate	Form C, to the Registrar of the original port of registry; fee Rs. 2,000 (rupees two thousand); newspaper notice inviting objections within ten days; not for certificates issued in electronic form
Salvage and pollution response contracts	The authority is to require registered owners of vessels to maintain valid contracts with a retained salvor and a retained marine pollution response operator (rule 30)
Salvage reward	Only for a useful result, where no salvage contract exists; no more than the salved value
Special compensation	The salvor's expenses, increased by up to thirty percent where it prevented or minimized environmental damage; the High Court may raise it to no more than one hundred percent of the expenses
Interest	Six percent a year, unless the parties agree otherwise
Expense claims	To the registered owner or insurer within one year from the date of the expenditure; late claims barred unless sufficient cause is shown
Disputes	To the Director-General: acknowledged within seven days, concluded as far as practicable within ninety days of filing
Sale of a wreck	Public auction only, as is where is; notice at least fourteen days ahead in three consecutive issues of at least two daily newspapers
Response operator checklist (Fourth Schedule)	Paid-up capital of 10 lakhs (Preferred); audited financial statements, "1 years" (Mandatory); one or more operational base in a defined coastal region, state or group of adjacent maritime areas; assets or equipment on standby (Mandatory), with evidence of spill response equipment as required under Tier 1 and/or Tier 2 of the National Oil Spill Disaster Contingency Plan (NOS-DCP) and Crisis Management Plan for HNS Spill at Sea (HNS-CP); minimum 4 spill response operations in the last 05 years (Preferred)
Penalty	As specified in section 281 of the Act; the rules state no amounts
Related	The ministry's draft of the Merchant Shipping (Wreck and Salvage) Rules, 2026, posted in December 2025, with comments invited until January 11, 2026 at usml-psw@gov.in
Signed by	Venkatesapathy S, Joint Secretary

File number F. No. SY-19014/194/2025-MG

Third Schedule: checklist for evaluating applications for approval of retention of salvors

Sr. No	Criteria	Requirements	Remarks
1	Registration with the relevant regulatory body (Ministry of Corporate Affairs)	Mandatory	Copy of certificate of incorporation to be submitted
2	Type of Company (Indian Company, Indian subsidiaries, consortiums, joint ventures or strategic alliances with an Indian Entity)	Mandatory	In case of Indian subsidiaries, consortiums, joint ventures or strategic alliances with an Indian Entity, details of all entities to be submitted
3	Total paid-up capital of the (Indian) entity	1 crore (Preferred)	Evidence required to be submitted with the application
4	Audited Financial Statements indicating positive net worth and turnover of the Indian entity/Joint Venture with Indian entity	1 years (Mandatory)	Evidence required to be submitted with the application. Note: In case of newly formed Joint Venture entity, preceding individual turnovers of each entity shall be taken into account' to the Financial Statements indicating positive net worth and turnover criteria.
5	Operational set-up/ Stand-by locations around Indian Coast	Establishment of minimum Operational set-up/Stand-by locations at 1 location on East and West Coast of India each within 12 months (Assurance of setting up a minimum 4 locations around the Indian Coast within 3 years)	Evidence to be submitted for the existing facility. Detailed setup plan to be submitted along with the application
6	Assets/Equipment's available on standby	Mandatory	Evidence of assets/salvage equipment's available in India or which may be shipped to India, to be submitted with the application
7	Manpower Requirements (Salvage Master, Naval Architect, Chemist, Firefighting Expert and other salvage personnel) with a minimum expectation that a salvor can respond to simultaneous emergencies on both the East and West coasts.	Mandatory	Details, qualifications and experience of Salvage Master, Naval Architect, Chemist, Firefighting Expert and other salvage personnel to be provided

8	Experience of successful completion of salvage operations in last 05 years.	Successful completion of minimum 4 salvage operations (Mandatory)	Evidence of successful completion of salvage operation to be submitted
9	Experience of conducting salvage operations around Indian Ocean Region, Red Sea, Gulf of Aden and Persian Gulf in the last 10 years	Successful completion of minimum 2 salvage operations (Preferred)	Evidence of successful completion of salvage operation to be submitted
10	Details of any unsuccessful salvage operations	As applicable	Details required to be submitted with the application
11	A Member of International Salvage Union	Preferred	Evidence required to be submitted with the application. ISU accreditation maybe of one of the partners in case of a JV.
12	Adequate Professional Indemnity insurance by reputable insurer to be maintained by Salvage company	Mandatory	Evidence required to be submitted with the application
13	Tie up with MPRO (Marine Pollution Response Operators) in India with the list of equipment's and its locations	Preferred	Evidence of tie up with MPRO required to be submitted with the application as and when the approved MPRO list is published
14	Tie up/MOU with Ship operators/owners/managers for Emergency deployment of Tugs	Agreement should state that the tugs should be mobilized within 24 hours of reporting (Mandatory)	Evidence of tie up/MOU with Ship operators / owners/ managers required to be submitted with the application
15	24 X 7 availability of Point of Contact: Nodal Officer for the Salvage Operators.	Mandatory	Declaration to be provided with the details of Point of Contact
16	Affidavit to comply with Indian laws	Mandatory	In compliance with the Merchant Shipping Act, 2025, Indian Ports Act, 2025 & other applicable Indian Laws

The notification (PDF, 2.0 MB)

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Read online: indusdesk.com/mopsw/insights/wreck-and-salvage-rules-put-wreck-removal-on-registered-owners/