MARITIME AMRIT KAAL MISSION AND ACTS TO MODERNIZE INDIA'S MARITIME LEGISLATION

Yash More, B.B.A LL.B. (Hons.) University of Mumbai Law Academy

ABSTRACT

The present article gives a bird's-eye view of the recent amendments brought in the year 2025 to laws relating to the shipping industry and how they are an important step in achieving the goals outlined in the Maritime Amrit Kaal Mission 2047. The Acts which are discussed below are the Coastal Shipping Act 2025, Merchant Shipping Act 2025, Carriage of Goods by Sea Act 2025 and Bills of Lading Act 2025. This article will examine the reforms and highlight the new provisions introduced, and how these Acts have adapted to the changing times. The Acts also brought India's legislation at par with global standards and adopted the most widely accepted convention on carriage of goods by sea. The present Acts also look forward into the future by introducing such provisions so that these Acts can be kept up to date without any delays and hurdles. Overall, these Acts are an important tool to reach the goals envisioned in the Mission and to make India self-reliant in the maritime sector and increase the volume of trade and allow Indian players to compete on a global scale.

Keywords: Maritime Amrit Kaal Mission, COGSA, Bills of Lading, Amendments, Coastal Shipping, Blue Economy, Supply-Chain.

INTRODUCTION

In the year 2023, the Government of India came up with the Amrit Kaal Mission 2047, which builds on the Government's Vision 2030. In the Vision 2030, 'Blue Economy' was highlighted as one of the 10 core dimensions of economic growth, and aims to improve coordination among various stakeholders. Later, the Government constituted the 'Blue Economy Coordination Committee (BECC)' under the Chairmanship of Mr Rajiv Kumar (Vice-Chairman, NITI Aayog) The 2047 Mission particularly emphasises on Logistics, Infrastructure and Shipping (including Transshipments). The Mission set out with various goals and targets, which are to be achieved by 2047. Some of them include increasing overall port handling capacity, which is currently at 2500 MMTPA, to 10,000 MMTPA, building additional transhipment hubs, taking the count to 3, where we currently stand at just 1.

The BECC took more than 150 consultations from various public and private stakeholders, including concerned Central Government Ministries and Departments, Major Port Trusts, representatives from the shipping industry, representatives from financial institutions, State Maritime Boards & other state departments, representatives from academia, etc. Following the rollout of this plan, the Government has begun with various initiatives and infrastructural projects to achieve the targets envisioned in the Vision 2047. This article will mainly focus on the various Acts that have either been amended or new Acts that have been introduced to modernise our legislative framework and bring it up to cater not only for our present needs but also for our future needs.

Following the rollout of the Plan, the Government of India brought amendments to various Acts. For the purpose of this article, we will take a closer look at the following acts and compare the pre-amended and amended versions.

COASTAL SHIPPING ACT 2025

The erstwhile Merchant Shipping Act, 1958 is one of the major statute governing India's maritime sector. This is the parent act that defines and prescribes important standards to be maintained by shipping entities, such as certification for vessels[1], seamen's welfare[2], Safety,[3]

[1] Part V THE MERCHANT SHIPPING ACT, 1958
[2] Section 3 of THE MERCHANT SHIPPING ACT, 1958
[3] Part IX of THE MERCHANT SHIPPING ACT, 1958

etc. Part XIV of the Act dealt with all ships engaged in coasting trade, which is trade or any other activity conducted entirely within India's coastal waters.[4] The Act made the Director General of Shipping responsible for granting, renewing and imposing penalties for violating any provision of this Act. One major change brought by the Act regarding licensing can be seen in Section 3(1) of the Act, which reads as follows:

> *3. (1) No vessel, other than an Indian vessel, shall engage in coasting trade in the coastal waters, except under a licence granted by the Director-General under section 4:*
>
> *Provided that the Director-General may, by order in writing, permit a vessel registered under the Inland Vessels Act, 2021, to engage in coasting trade to such extent and subject to such conditions, as may be specified in that order.*

This section removes the requirement for Indian vessels to have a general license, making voyages easier and hassle-free. India has been overwhelmingly reliant on foreign vessels for coastal trade, and this Act it is hoped that our domestic capacity to haul cargo is strengthened.

Another major mandate brought by the Act is the 'NATIONAL COASTAL AND INLAND SHIPPING STRATEGIC PLAN'. The Act compels the Government to introduce this plan within 2 years of the introduction of this Act. Section 8(2) of the Act specifically includes all the necessary points the plan must touch upon, for example, assessment of the condition of coastal shipping routes in India, including routes occupied by inland waterways[5]Identification of new routes for coastal shipping and integration thereof with inland waterways and existing coastal shipping routes,[6] measures for the promotion of building, registration and participation of Indian vessels in coastal shipping in India[7], etc.

The Coastal Shipping Act also introduces the National Database of Coastal Shipping[8]. The DG Shipping will provide this database in an electronic form and will contain all major information, such as, grant of license under section 4; revocation of license under section 5; routes, voyages and services in the coasting trade of India; etc. this database will enable real-time access to

[4] Section 2(1)(a) of THE COASTAL SHIPPING ACT, 2025 (No. 20 of 2025)
[5] Section 8(2)(a) of THE COASTAL SHIPPING ACT, 2025 (No. 20 of 2025)
[6] Subclause (e) ibid
[7] Subclause (f) ibid
[8] Section 9(2) of THE COASTAL SHIPPING ACT, 2025 (No. 20 of 2025)

authentic and regularly updated data. This database will keep potential investors informed about the government's development plans and policy priorities in the sector, promoting transparency and confidence[9]

In conclusion, the Coastal Shipping Act 2025 brings India's coastal shipping industry in forefront and steers the logistics away from roads, lowers the cost of transport. Also, this will allow to reduce our reliance on foreign-flagged vessels and boost domestic shipbuilding industry.

MERCHANT SHIPPING ACT 2025

The Merchant Shipping Act 2025 was enacted on 18th August 2025, with the aim to bring Indian's Maritime legislation into the 21st Century. Its predecessor, the Act of 1958, is more than 60 years old, and in these 60 years, it has seen many amendments and adjustments, which made the whole act very bulky and hard to navigate, thus creating unnecessary hurdles. Removing chapter XIV from the act and introducing it as a new act is part of this decluttering process. The new act is much more streamlined and has 16 parts and 325 clauses. It ensures comprehensive adoption of India's obligations under major international conventions, reduces compliance burdens to improve ease of doing business, enhances safety in navigation and life at sea, safeguards the marine environment, strengthens emergency preparedness and salvage operations, boosts tonnage under the Indian flag, and protects India's coastline and maritime interests.[10]

The Merchant Shipping Act 2025 bring many changes. One of the notable changes can be seen in what constitutes a 'ship' in the erstwhile act of 1958 was only applicable for sea-going vessels with mechanical propulsion, but the new act expands its scope and is applicable to all ships, including non-motorised vessels such as rowboats, canoes, and traditional sailing ships powered primarily by wind.[11] The also expands what constitutes an 'Indian vessel'[12] Under the old regime, only vessels owned by Indian nationals, Companies or cooperatives were

[9] Parliament Clears Coastal Shipping Bill, 2025 to Boost India's Coastal Economy PIB: Ministry of Ports, Shipping and Waterways: https://www.pib.gov.in/PressReleasePage.aspx?PRID=2153799
[10] Parliament Passes Merchant Shipping Bill, 2025 after Rajya Sabha Adoption PIB: Ministry of Ports, Shipping and Waterways: https://www.pib.gov.in/PressReleasePage.aspx?PRID=2155271
[11] Denton Link Legal| Mustafa Motiwala and Nihal Shaikh| Seas of Change: Understanding the New Merchant Shipping Act, 2025 (Part - 2): https://www.lexology.com/library/detail.aspx?g=09dc0531-ea30-4d0f-a16a-8b8d55e4a088
[12] Section 15 of THE MERCHANT SHIPPING ACT, 2025 (No. 24 of 2025)

considered as Indian vessel, but now the definition is expanded to include NRIs and OCIs further, the Central Government also has the authority to include any entity or person to include in this definition.

The MSA is the major act which primarily deals with registration of vessels for operations in Indian waters, and the new act introduces new type of registration: the first concerns vessel which are chartered on a bareboat charter-cum-demise contract i.e. vessels that are on bareboat charter where the ownership of the vessel is intended to be transferred after a specified period to the charterer to whom it has been chartered.[13] Section 16 of the Act allows these vessels to be registered under Part III of the Act. Secondly, a provision for temporary registration has been introduced for ships meant for recycling. This will allow ships to have a temporary registration, whether currently registered or not, under specific conditions outlined in the 2025 Act and its associated rules, aligning with the Recycling of Ships Act, 2019.

The new act also brings changes to who can be an employee on a ship; the minimum age to work on the ship is Sixteen[14] same as before, but the new act has better incorporation of the Maritime Labour Convention; the new act, in its Section 78, takes a wider approach in implementing the Convention compared to Section 218A of the old Act. Furthermore, in a transformative step, the new act extends the benefits and protection of the Convention to sailers and seafarers serving on foreign-flagged ships.

The new act also brings changes to the types of offences prescribed under the Act, while Part XIV retains most of the offences which are punishable with either fines, imprisonment or both; in some instances, the quantum of fines has been increased. The new Act introduces some new offences which were previously absent; they are: (i) operating unlicensed recruitment agencies, punishable by imprisonment, fines, or both, and (ii) discharging harmful pollutants into the sea, which attracts a civil penalty.

In conclusion, the MERCHANT SHIPPING ACT, 2025, marks a major reform in India's shipping and maritime sector, streamlining outdated laws to align with contemporary international maritime standards and evolving national needs. It is a decisive step toward positioning India as a global leader in a safe, secure, and sustainable maritime sector, in line

[13] Section 16 of THE MERCHANT SHIPPING ACT, 2025 (No. 24 of 2025)
[14] Section 59 of THE MERCHANT SHIPPING ACT, 2025 (No. 24 of 2025)

with MIV 2030 as well as the national vision of Viksit Bharat.

CARRIAGE OF GOODS BY SEA ACT, 2025

The erstwhile Carriage of Goods Act was first introduced in the year 1925 and was based on the Hague Rules[15] These rules were a cornerstone for bringing uniformity in shipping across the globe. Later in the year 1968, the Hague Rules were updated, and a new convention was adopted, which was known as the Hague-Visby Rules[16] India never ratified it and never incorporated it in our domestic law until the introduction of the new Carriage of Goods by Sea Act 2025. The new act not only aligns domestic laws with the most accepted convention but also brings two major changes regarding the application of rules and powers of the central government

Firstly, the new Act replaces the word 'Rules' with 'Applicable Rules'[17] the goal of this change is to provide legislation with greater flexibility in the adoption of the latest convention and amendments thereof. And secondly, the new Act provides powers to the central government, which can be seen in two instances: (i) Power of the Central Government to amend the Schedule[18] and (ii) Power of the Central Government to remove difficulties.[19] This flexibility will allow India to adapt to evolving international standards and industry practices without undergoing the tedious task of amending the whole Act.

BILLS OF LADING ACT 2025

A bill of Lading, or B/L, is a document issued by the carrier to the shipper. This provides all the necessary details of the goods being shipped. The details include the type of goods being shipped, the origin and destination of the shipment, as well as information about the shipper, carrier, and consignee. A B/L has three functions: it is a receipt of goods on board the ship, it is a document of title of the goods on board the ship, and it shows a *prima facie* existence of a contract of transfer of goods. The Indian Bills of Lading Act just like other Acts discussed here,

---

[15] International Convention for the Unification of Certain Rules of Law relating to Bills of Lading ("Hague Rules") *(Brussels, 25 August 1924)*
[16] Protocol to Amend the International Convention for the Unification of Certain Rules of Law Relating to Bills of Lading ("Visby Rules") *(Brussels, 23 February 1968)*
[17] Section 3 of THE CARRIAGE OF GOODS BY SEA ACT, 2025 (19 of 2025)
[18] Section 9 of THE CARRIAGE OF GOODS BY SEA ACT, 2025 (19 of 2025)
[19] Section 11 of THE CARRIAGE OF GOODS BY SEA ACT, 2025 (19 of 2025)

was based on the UK Bills of Lading Act. The Act was divided into just three sections, but it governed the provisions of one of the most important legal documents of the shipping industry.

The old Act itself was very simple, with only 3 sections; it is easy just to explain them one by one. The first Section stated that every consignee (intended receiver of goods) named in the B/L and every endorsee (a person to whom the property mentioned in the B/L will pass by reason of an endorsement) along with the goods, the right to bring claims is also transferred, also the consignee or endorsee will have the same liabilities in respect of such goods as if the contract contained in the bill of lading had been made with himself[20]. The second section states that nothing in this act shall prejudice the right of stoppage in transit[21] or any right to claim freight against the original shipper or owner, or any liability of the consignee or endorsee by reason or in consequence of his being such consignee or endorsee, or of his receipt of the goods by reason or in consequence of such consignment or endorsement.[22] The last Section was introduced after the case of Grant vs Norway. This section states that every B/L in the hands of the consignee or endorsee shall be conclusive proof of the consignment of valuable goods, against the master or other person signing the same, notwithstanding that such goods may have been shipped, here, if a dispute arises regarding on the question of whether the sad valuable goods were actually laden or not the burden of proof lies on the the Master to prove his defect was not on his part and wholly by the fraud of the shipper, or of the holder, or some person under whom the holder claims.

The new Act does not bring many changes to the old one; there are only a few grammatical changes but the overall structure, the rights and liabilities conferred, remain the same. The new Act is divided into 6 sections; sections 5 and 6 are the only two completely new sections, in which Section 6 is the repeal and savings sections, which state that the old Act is hereby repealed. The major difference between the Acts is seen in section 5 of the Act, which states that the Central government now has the power to give such directions, as it may deem necessary, for carrying out all or any of the provisions of this Act.[23] This section works on the same theme as other Acts to provide greater flexibility to the Central Government to keep itself updated with growing changes and make it easy to do business in India, adapting to the

[20] Section 1 of THE INDIAN BILLS OF LADING ACT, 1856
[21] As to stoppage in transit, see the Indian Contract Act, 1872 (9 of 1872), ss. 99-106.
[22] Section 2 of THE INDIAN BILLS OF LADING ACT, 1856
[23] Section 5 of THE INDIAN BILLS OF LADING ACT, 1856

changing technology.

CONCLUSION

The Maritime Amrit Kaal Mission and the subsequent amendments is a decisive step in transforming Indian's approach towards shipping and trade. The goal of all the amendments discussed was to modernize the legislation and keeping up with changing times, the Acts also keep the future into consideration. This can be seen in every Act that has increased the powers of the central government in the application of the changed Acts in a hassle-free manner and without any hurdles. The amended Acts provide greater legal clarity and promote ease of doing business, and create such an environment where domestic production of ships and an increase in the volume of trade. These amendments can be a step towards reducing our dependency in foreign flagged ships and to promote local industries to compete on a global scale and steering the nation towards a secure, competitive, and sustainable ocean economy by 2047.