

M.S. Notice 28 of 2009

No.11-NT (21)/2009

Dated : 7th August, 2009

**Subject : Recommendations to the Registrars of the Sailing Vessels for
Imposing restrictions on mechanically propelled Sailing
Vessels plying in foul weather season in their respective
regions**

1. Indian Merchant Shipping Act 1958 (as amended) requires sailing vessels (mechanically propelled or not) to be registered under part XV of the Act. Such vessels are of wooden construction having primitive design features and therefore, do not comply with the International Conventions. Instead, they are governed by the Merchant Shipping (Sailing Vessels) Rules, 1997.
2. These vessels were traditionally trading historically between Indian subcontinent andneighbouring countries of Persia, Arabia in the West and up-to Thailand in the East The 'Certificate Of Inspection of a Sailing Vessel' issued to such vessels under said rules requires terms and conditions of trading limit with restrictions, if applicable, with regard fair/ foul season. Fair season & foul season for the purpose of said Rules are notified in Schedule IV of the Rules.
3. In view of recent total loss of two sailing vessels near Gujarat Coast and a sailing vessel in Andaman & Nicobar Island Sea and many similar casualties in foul weather in past, the Director General of Shipping, in interest of safety of life, property and protection of environment hereby recommends to the registrars of Sailing Vessels to restrict plying of such sailing vessels, whether loaded or in light condition during foul weather season to or from any Indian or Foreign Port/s. Foul weather area as notified under schedule IV of MS (Sailing Vessels) Rules, 1997 is reiterated hereunder:-

Sr. No.	DATE	AREA
1.	1 st June to 31 st August	Coast of Pakistan, Gujarat, Maharashtra and Konkan
2.	16 th May to 15 th September	Western India (South of Karwar) and as far West as the line joining Aden and Berbera
3.	16 th April to 31 st August and 1 st November to 31 st December	Gulf of Mannar
4.	1 st November to 31 st December	Palk Bay
5.	15 th April to 31 st July and 16 th October to 31 st December 16 th April to 31 st July and 16 th October to 15 th November	Madras and Andhra Pradesh : a) From Nagapatnam to Kakinada b) From Kakinada to Gunjasme
6.	1 st April to 15 th August and 1 st October to 15 th November	West Bengal, Orissa, Bangladesh and Arakan

7.	1 st May to 31 st August	Rest of Myanmar
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4. M.S. Act Section 2(2) provides that the provision of the Act which apply to Indian Registered Vessels shall so apply to any such vessel within India, including territorial waters. Accordingly it may be noted that plying restrictions stated above are applicable to all Mechanized sailing Vessels whether Indian or Foreign, plying on Indian Coast in any one of the aforesaid areas.

5. Plying restrictions imposed on Indian Mechanized Sailing Vessels should be clearly endorsed on Certificate of inspection of Sailing Vessels under heading 'usual trading limits' by authorised issuing such certificate. Violation of this M.S. Notice shall attract serious consequences as provided under Section 334 of Merchant Shipping Act of 1958 including penal punishment.

6. This issues with the approval of the Director General of Shipping.

Sd/-

(Capt.

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Nautical Surveyor-cum-DDG (Tech)

[Back to SHIPPING NOTICES main page](#)

