

The Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017 Passed Unanimously by Rajya Sabha

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Admiralty (Jurisdiction and Settlement of Maritime Claims) Bill, 2017, introduced during the Winter Session of Parliament came up for discussion in the Rajya Sabha today and was passed unanimously by the house. The Bill aims to establish a legal framework for consolidation of related laws to replace the age old archaic laws with modern Indian legislation and to confer admiralty jurisdiction on all High Courts of the coastal states of the country. The bill was earlier passed by the Lok Sabha in March, 2017.

The Minister of State for Shipping and Road Transport and Highways, and Chemical & Fertilizers Shri Mansukh Mandaviya, gave an impressive overview of the Bill in the House, highlighting the need for such a Bill by repealing the five different Admiralty Acts which are 126 to 177 years old. The Bill provides for prioritization of maritime claims and maritime liens while providing protection to owners, charterers, operators, crew members and seafarers at the same time. During the course of discussion, Members of the House presented their views and raised various questions which were satisfactorily and logically replied by the Minister of State.

As per the new Bill, High Courts of all the coastal states shall exercise admiralty jurisdiction over maritime claims which include several aspects not limited to goods imported and chattel as earlier, but also other claims such as payment of wages of seamen, loss of life, salvages, mortgage, loss or damage, services and repairs, insurance, ownership and lien, threat of damage to environment etc. The Bill accords highest priority to payment of wages of the seafarers. The Bill also provides for protection against wrongful and unjustified arrest and has provision for transfer of cases from one High Court to other High Court.

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