

Bill Summary

The Indian Ports Bill, 2025

- The Indian Ports Bill, 2025 was introduced in Lok Sabha on March 28, 2025. It seeks to replace the Indian Ports Act, 1908. The Act outlines the powers of the central and state governments with respect to: (i) altering port limits, (ii) safety and conservation of ports, and (iii) levy of port-dues, fees, and other charges. The Bill retains certain provisions of the Act. Key changes include:
 - **Maritime State Development Council:** The Bill requires the central government to establish the Maritime State Development Council. The council will be chaired by the Union Minister for Ports, Shipping and Waterways. Other members include: (i) Ministers-in-charge of ports of each state, (ii) secretaries in Indian Navy and Coast Guard dealing with coastal security, and (iii) secretary of the Union Ministry for Ports, Shipping and Waterways.
 - **Functions of the Council:** The Council will issue guidelines in consultation with central and state governments on: (i) data or information to be collected by ports along with the manner of collection, updation, storage and submission to the Council, (ii) dissemination of data or information related to ports, and (iii) ensuring transparency of port tariff. It will also advise the central government on the formulation of a national perspective plan and make recommendations on matters related to legislative adequacy, efficiency of ports and connectivity to ports.
 - **National Perspective Plan:** The Bill empowers the central government to formulate a national perspective plan for maritime trade and infrastructure development. The central government, state governments, Boards of Major Port Authorities, and State Maritime Boards must endeavour to adhere to the plan.
 - **State Maritime Boards:** The Bill provides statutory recognition to all state maritime boards specified in the third schedule of the Bill. This includes maritime boards in states such as Gujarat, Maharashtra, and Tamil Nadu. State governments may establish State Maritime Boards within six months from the commencement of the new Act. Functions of the State Maritime Boards include: (i) exercising licensing functions for port infrastructure, (ii) supervision of all port works, (iii) fixing port tariff, and (iv) regulation of navigation within port limits.
- **Dispute Resolution Committee:** The Bill requires state governments to constitute a dispute resolution committee to adjudicate disputes arising between non-major ports, port concessionaires, port users, and port service providers within the state. The Committee must pass an order within six months of the dispute application. Appeals against orders of the Committee shall be made to the High Court.
- **Pollution containment and response:** Under the Bill, all ports must prepare a port waste reception and handling plan as prescribed by the central government and in consultation with the state government. Before leaving a port, the master of a vessel must deliver all vessel-generated waste to a reception facility. Every port must report incidents involving threat of pollution to coastal waters to the central or state governments, in a manner as prescribed by the central government.
- **Punishment for offences:** The Bill criminalises certain offences with punishment of imprisonment or fine. Offences that are punishable with imprisonment of up to six months, fine of up to one lakh rupees, or both include: (i) endangering vessel safety and (ii) disturbing waterbed or geophysical structures without permission. Offences that are punishable with only a fine of up to one lakh rupees include: (i) commencement of port operations without notification by the central/state government, and (ii) failure of port to report incidents involving threat of pollution to coastal waters. Contraventions of certain provisions are punishable with only monetary penalties. These include: (i) failure to furnish information or suppression of required documents, and (ii) vessels entering into or exiting a port without a pilot, harbour master or a port officer on board. These offences carry a penalty of up to two lakh rupees.

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