

EAST COAST RAILWAY

Commercial Circular No.11(G)/2011

Office of the
Chief Commercial Manager
Bhubaneswar

Date: 01.02.2011

Sub: Clarification regarding Demurrage/Wharfage Rule.

1. Enclosed please find herewith copy of Board's letter No. TC-I/2005/201/2(Clarf) dated 20.01.2011, regarding Demurrage/Wharfage Rule, which is self explanatory.
2. Railway Board's letter No. TC-I/2005/201/2Pt.B dt.19.12.2007 mentioned in the last Para of the clarification in the Board's enclosed letter, has been circulated vide CCM/ECOR's Commercial Circular No. 04(G)/08 dt.17.01.2008.

All concerned to note and act accordingly.

Authority: Railway Board's letter No. TC-I/2005/201/2(Clarf) dated 20.01.2011.

Encl: As above (03 pages).

(S. Mahapatra)
Dy. Chief Commercial Manager (FS)

No.CCM/95/DC/WC/Pt.III

Date:01.02.2011

Copy forwarded to:

All Station Managers/ Goods Supervisors/Commercial Supervisors /Siding Clerks / Booking Clerk in Charges / Weigh Bridge Clerks / Clerk in Charges / City Booking Agencies / Out Agencies.

Copy for information and necessary action to the:-

COM: ECoR, **SDGM**/ECoR/BBS, **Chairman**/RCT/BBS, **Dy.CVO**/ECoR/BBS, **PO/RCT**/BBS

Dy.COM(FOIS)/ECoR/BBS, **Audit officer**/BBS. Rates Section /CCM/ECoR/BBS -10 sets

DRM: KUR,WAT,SBP/ECoR, **Sr.DOM**-KUR,WAT,SBP/ECoR, **Sr.DCM:** KUR,WAT/SBP/ECoR.

Dy.CCM(Claims)/E.Co.Rly. **FA & CAO:**E.Co.Rly, **Traffic Manager:** VZP, Paradeep PortTrust / Paradeep,

(S. Mahapatra)
Dy. Chief Commercial Manager (FS)

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Government of India
Ministry of Railways
(Railway Board)

CR's Office/Eco, Rly
R.D. dt. 24/1/11
Initial

No.TC-I/2005/201/2(Clarf.)

New Delhi, dt. 20.01.2011

General Manager(Comml.)
Central Railway,
Mumbai.

Sub: Clarification regarding Demurrage/Wharfage Rule

Ref: CR's letter No.C/252/D/VII dt.04.08.2010 & dt.03.12.2010 and
No.C/835/D/Wharfage/Stacking/I dt.04.08.2010

Please refer to Central Railway's letters No.C.252.D/VII dt.04.08.2010 and
No.C/835/D/Wharfage/Stacking/I dt.04.08.2010 seeking certain clarification regarding
charging of Demurrage and Wharfage.

The matter has been examined and item-wise clarifications are as under:-

	Query	Clarification
(i)	<p>Whether the period during which a rake was not available for unloading may be treated as dies non, in the following situation:</p> <p>In one goods shed a rake was placed for unloading but the party could not start unloading from the rake even after expiry of free time due to labour problem. In the meantime, a VP rake has arrived for loading at the same goods shed and since previous rake had not started unloading the Divisional Railway Administration removed that rake and placed the VP rake for loading. After completion of loading of the VP rake, earlier rake was again placed for unloading.</p>	<p>Such case may be dealt with keeping in view the provisions of Para 1708 of Indian Railway Commercial Manual (copy enclosed) and extant guidelines for Demurrage Charge.</p>
(ii)	<p>Whether Demurrage and Wharfage Charge both is leviable concurrently if free time for unloading of a rake and free time</p>	<p>Demurrage is levied for detention of Railway's rolling stock beyond the permissible free time and Wharfage is levied for non-removal of consignment after the expiry of free time of</p>

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for removal of consignment with respect to the rake both have expired, as is evident in the following situation:

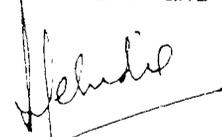
A rake placed at Group-I station, for which free time for unloading is 9 hours, free time for removal of the consignment with respect to the rake is 12 hours and the party could not start unloading within $9+12 = 21$ hours.

its removal.

There may be case when both the situations may occur simultaneously i.e. detention of railway's rolling stock beyond the permissible free time and non-removal of consignment within the prescribed free time for railway premises. In such a case, Demurrage and Wharfage Charges both will accrue simultaneously.

In this regard, attention is invited to Board's letter No.TC-I/2005/201/2Pt.B dt.19.12.2007 wherein it has been clarified that in case free time for removal expires even before beginning of unloading of the consignment from a rake, Wharfage will be levied for the period from the commencement of unloading of consignment on railway premise till its removal. This clarification has also been elaborated in case-iii of the illustrations attached with this letter.

This issues in consultation with Traffic Transportation Directorate and concurrence of Finance Directorate of Ministry of Railways.



(Aashima Mehrotra)
Joint Director, Traffic Comml.(Rates)
Railway Board

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Extract from IRCM

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viz., wagon number and owning railway, carrying capacity, date and time of placement and release, demurrage charges, etc., should be submitted along with the bill. If no demurrage is due, a remark to that effect should be passed on the bill, over full signature of the Station Master.

1708. In case a wagon, after it has been placed in position for unloading, is removed for shunting or is not available for unloading due to any other reason, the time during which the wagon is not available for unloading should be shown in the remarks column of the wagon transfer register over the signature of the Unloading Clerk. Such remarks should immediately be brought to the personal notice of the Station Master and countersigned by him. Similarly, the reasons for delay in treating the wagons as placed in position for unloading, after they have been placed by the Trains branch, should be recorded in the wagon transfer register and countersigned by the Station Master.

1709. Post system.—(a) The object of this system is to have a proper check on the unloading and removal of inward loose goods as also on the account of demurrage and wharfage charges. At stations, where this system is in force, the rails at the site allotted for unloading of inward loose goods, will be generally numbered to represent unloading berths, each serial number being at a distance of average length of the wagon. In such cases the berth number painted on the rail should be indicated in the wagon transfer register and the unloading tally book for easy reference.

(b) The number of unloading berth should be recorded on one of the wagon labels, which should be secured and kept with the Delivery Clerk so long as the consignment remains on hand. When the consignment is removed, the date of removal should be recorded on the wagon label, referred to above, which should then be filed according to the date of receipt of the wagon.

(c) The Station Master or any other member of the staff authorized by the Divisional Commercial Superintendent in this behalf should record daily the position at each unloading berth at the end of working hours of the day as notified by the railway administration. It will be the duty of the Station Master or other staff, authorized to record the position to

ensure that entries are made correctly on the back of the labels, that book delivery is effected before any part of the consignment is removed and that demurrage and wharfage charges due are correctly collected.

1710. Examination of seals, labels, etc.—The seals, labels, rivets, check lines, locks, sheets and ropes, etc., of inward wagons should be carefully examined by the station staff, taking over such wagons from a train, in the presence of the Seal Checker [Rakshak on duty and the Guard of the train. In the case of defective or deficient seals, etc., the contents of the wagon should be checked at once.

1711. The wagon labels should be compared with the invoices, if received. When the destination finds that the route indicated on the wagon labels does not tally with the route shown on the invoice, the fact should be reported to the Chief Commercial Superintendent and to the Traffic Accounts Office. A similar report should be made if there is any discrepancy between the weight and description shown on the wagon labels and that entered on the invoice.

1712. Removal of rivets, seals and labels.—Seals and labels, etc., should be removed only by the staff detailed for unloading wagons and rivets should be cut in their presence. The condition of the seals, labels and rivets must be noted in the tally book before opening the wagon.

1713. In removing the seals, the tape should be carefully cut so as to leave the seals intact. The whole of the tape the seal and the labels, from both sides of the wagon, must be kept and filed together for being examined in the event of any enquiry regarding shortages, etc., found in the wagon.

1714. Preservation of seals and labels.—Seals and labels should be carefully preserved for six months and then destroyed, but in the case of shortage from wagons or any dispute or claim, they should be submitted with the missing and damaged goods report From Com. [D-1 Rev. (see para 2155).

1715. Unloading tally book.—The goods should be carefully tallied out of wagon and details of the

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