

19
3

GOVERNMENT OF INDIA
MINISTRY OF TRANSPORT/DEPARTMENT OF RAILWAYS
(RAILWAY BOARD)

NO. TCI/201/72/27

New Delhi, dated 23.4.1986.

The General Managers,
All Indian Railways.

Sub: Remission/write off of demurrage and
wharfage charges.

In supersession of the instructions contained in Board's letter of even number dated 29.2.1980, the powers of officers at different levels for the waiver of wharfage and demurrage charges will be as under:-

<u>Designation of officers</u>	<u>Wharfage *</u> Rs.	<u>Demurrage</u> Rs. (Per wagon)
1. CCS/COPS/CHS/CCO/DRM	25,000	25,000
2. Level 1 Officers of the Commercial/Operating Departments at the Headquarters as well as in the Divisions including Area officers,	12,000	12,000
3. ADRMs and J.A. Grade officers	6,000	6,000
4. Senior Scale Officers	3,000	3,000
5. Assistant Officers	1,500	750

* The powers for waiver of wharfage charges indicated above will be on consignment basis except in the case of trainload consignments where it will be applicable on per wagon basis.

2. No prior concurrence of the Finance need be obtained for cases of waiver of demurrage and wharfage charges upto Rs.25,000/-.

3. Although no hard & fast rules or rigid guidelines can be laid down for exercising the discretion in the waiver of wharfage and demurrage charges, the following aspects and circumstances should be taken into account by the competent authority while waiving these charges:-

(a) The need to sustain and attract traffic to the Railways and to assist in the marketing efforts;

(b) the nature and the value of the goods in relation to the freight and wharfage/demurrage dues;

Contd./-

Pl. also see S.O. 19, 24, 54 &

- (c) the amount likely to be recovered, if the goods are not taken delivery of and as a consequence of which the same has to be disposed of by public auction as per rules;
- (d) the extent of damage or deterioration the goods might have suffered;
- (e) the extent of delay in transit;
- (f) the cause for delay in unloading or taking delivery of goods and extenuating circumstances, if any;
- (g) the local conditions at a particular station;
- (h) whether the circumstances under which the wharfage or demurrage charges accrued were really beyond the control of the ~~consignor or the consignee~~;
- (i) the size of the goods shed and its vulnerability for congestion if the goods are not removed, leading to operating restrictions on this ground;
- (j) railway's inability to grant delivery on indemnity note for want of wagon labels or invoice not received at the destination station;
- (k) capacity of a siding for dealing with train-loads within the prescribed free time;
- (l) bunching of arrival and placement of trains/wagons as distinct from placement at regular intervals to deal with normal quantum of traffic;
- (m) ~~strikes of labour, road vehicles, etc., general bands, agitations, riots, curfews or similar other abnormal situations over which consignor/consignee has no control~~;
- (n) time taken in granting open/assessment delivery.

The above aspects are not exhaustive and individual cases may require other factors such as operational or commercial considerations, and railway customer relations to be taken into account while taking a decision about waiver of these charges and the extent thereof.

4. In cases where the amount of waiver exceeds 60% of the powers conferred herein, the waiving authority should record reasons for such a waiver. Further, in all cases where a change in the decision is made by an appellate authority on appeal by the party, the brief reasons for the enhancement of the waiver should be recorded by the appellate authority.

5. In the case of large sidings, like those of power houses, where demurrage is not waived on wagon to wagon basis or day to day basis.

Contd./-

Where the decisions are taken periodically after going through the elements of wagons detained and broad causes for such detentions, it is not necessary to record speaking orders in respect of each and every consignment or wagon, and it would be sufficient if broad reasons are given in support of such periodical waivers.

6. This issues with the concurrence of the Finance Directorate of the Department of Railways.

7. Receipt of this letter may please be acknowledged.

D.A: Nil.

(M.S. BHANDARI)
Executive Director, Traffic Commercial.
Railway Board.

No. TCI/201/72/27

New Delhi, dated 23.4.1986.

Copy forwarded to

- i) FA & CAOs, all Indian Railways.
- ii) ADLI(Railways), New Delhi. (with 36 spares).

3 Vaisakha 1908

(M.S. BHANDARI)
Executive Director, Traffic Commercial
Railway Board.

Copy to TC-IV, TC(X&S), TC(CR), V-II, A/C-II (with 2 spares) and
FS-III Branches, Railway Board.

23/4/86