

Government of India
Ministry of Railways
(Railway Board)

No.TC-I/2004/201/9

New Delhi, dt. 07 .12.2010

FA& CAO(T),
Central Railway,
Mumbai

Sub: Rules regarding waiver of Demurrage/Wharfage charge

Please refer to Central Railway's letter No. AC/TA/TRB/WF-DEM/Vol.V/13 dated 25.11.2010 wherein clarification has been sought whether CCM should give the specific amount to be waived in the case where GM is the competent authority.

The matter has been examined and it is to state that relevant clarification have already been issued vide Board's letter No. TC-I/2004/201/9 dated 22.09.2009 which stipulates that in the case where GM is the competent authority, CCM cannot recommend percentage of waiver. CCM will only put up facts of the case and give his remarks on the customers' appeal (a copy of the Board's letter is enclosed herewith).



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

Copy to : CCM/Central Railway, Mumbai

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Government of India
Ministry of Railways
(Railway Board)

No.TC-I/2004/201/9

New Delhi, dt.22.9.2009

General Manager (Comml.)
SWR, Hubli.

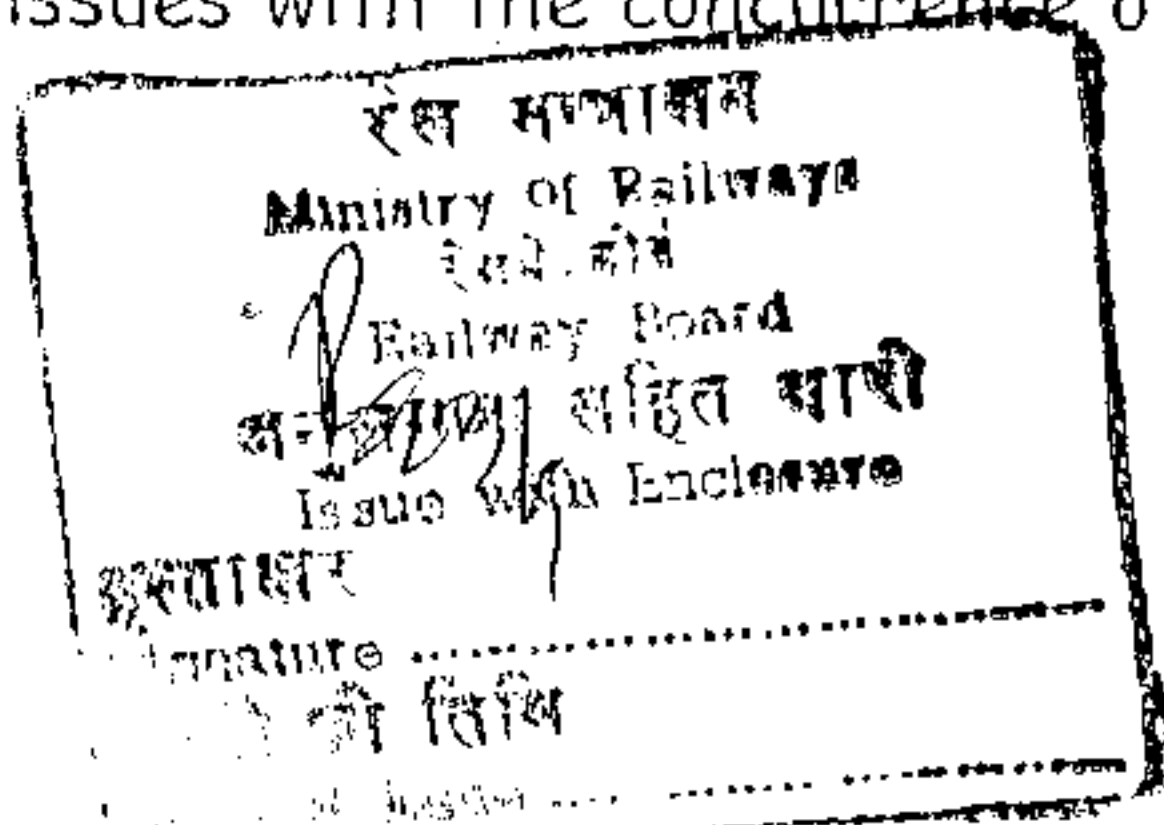
Sub: Rules regarding waiver of Demurrage/Wharfage Charge

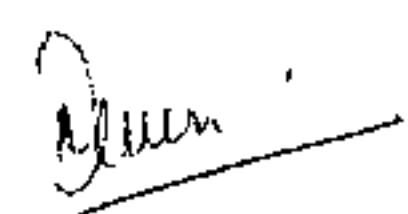
Please refer to SWR's letter No.C.200/DC-WF/Policy/2009 dt.3.9.09 wherein *inter alia* referring to Para 1102(d) of Chapter-XI of Indian Railway Code for Traffic(Comml.) Department modified vide Advance Correction Slip No.12 has sought certain clarification as regards waiver of Demurrage/Wharfage Charge.

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

	Query	Clarification
1	There are cases in which amount waived by CCM is less than Rs. 25,000/- per wagon/consignment for which Finance concurrence is not required. When appeal against such cases is to be put up to GM, should it be routed through FA&CAO for concurrence?	In terms of Para 1102(d), cases submitted to GM should be routed through the Co-ordinating HOD of the Commercial Department and FA&CAO, irrespective of the amount involved.
2	At times, amount accrued is beyond the power of CCM and the case is to be put up to GM, through FA&CAO, for waiver. CCM recommends waiver in general in view of the merit of the case. Finance wants CCM to indicate percentage of waiver recommended as the case is beyond the power of CCM and GM has to take a decision on the percentage of waiver. Should CCM recommend percentage of waiver?	In terms of Para 1102(c), the cases for waiver should not be dealt by an officer below the level of officer competent to deal with the case as per the schedule of powers. Hence, CCM will not deal with such case where GM is the competent authority. Since waiver of Demurrage/Wharfage is discretionary power, CCM cannot recommend percentage of waiver. He should only put up facts of the case and give his remarks on the customer's appeal.

This issues with the concurrence of Finance Directorate of the Ministry of the Railways.




 (N. K. Parsuramka)
 Director, Traffic Comml.(Rates)
 Railway Board

O/C
A. V. Sone
22/9/09

Copy to: GM(Comml.), All Indian Rly (except SWR)